

(2) Money in the educational facilities improvement fund may only be used to pay for capital projects, or for debt incurred for capital projects, for additional or expanded public school facilities or improvements.

Chapter 474 of the Acts of 2003

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003. [It shall remain effective for a period of 1 year and, at the end of June 30, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2004.

Approved May 26, 2004.

CHAPTER 539

(House Bill 1208)

AN ACT concerning

Crimes - Internet Child Pornography - Removal

FOR the purpose of requiring an investigative or law enforcement officer who receives information that an item of alleged child pornography resides on a server or other storage device controlled or owned by an interactive computer service provider to contact the provider and request the provider's voluntary compliance in removing the item within a certain period of time; requiring the officer to apply for a court order if the provider does not voluntarily remove the item; specifying certain information to be included in the application for a court order; establishing the provider's right to a hearing on the application; requiring a provider who is served with a court order that a certain item of child pornography residing on its service to persons in the State shall be removed to comply with the order within a certain period; specifying the content of the court order; establishing a procedure for issuing and serving the court order; authorizing a provider to petition the court for relief for cause from the order on certain grounds; requiring a provider who has notice that an item of child pornography resides on a server or other storage device controlled or owned by the provider and located in the State or pertains to a user residing in the State to report the item's location to the State Police; providing a certain exception to the reporting requirement; providing a criminal penalty for willful failure to provide certain information to the State Police; providing a criminal penalty for failure to remove a certain item of child pornography from a certain server or other storage device; providing that this Act does not impose a certain duty on the provider actively to monitor its server or other storage device for a certain item of child pornography; providing that this Act does not apply to the transmission, routing, or temporary storage of certain images or information by a provider; providing an interactive computer service provider with immunity