

SB 648 -- Redline

Introduced to Amended -- requiring age verification by commercial entities to allow access to pornographic material.

Deletions ~~struck~~ · Insertions underlined

SB 648 - AS ~~INTRODUCED~~AMENDED BY THE SENATE 03/26/2026 1235s SESSION 26-2082 05/09 SENATE BILL 648 AN
ACT requiring age verification ~~to~~by ~~allow~~commercial access ~~entities~~to ~~certain~~allow ~~material~~access
~~harmful to minors, pornographic material.~~

Judiciary ?? AMENDED ANALYSIS This bill requires a person that owns, operates, or controls a website or application for commercial purposes and publishes or distributes a substantial portion of material that is ~~harmful~~pornographic ~~to minors~~ to implement age verification procedures.

~~The~~This bill ~~establishes also a~~authorizes private ~~the right~~attorney of ~~general action~~to for ~~to~~enforce ~~noncompliance~~such and ~~requirements~~provides ~~against~~for ~~commercial~~enforcement ~~entities~~by ~~for~~the ~~violations~~attorney of ~~general~~such requirements.

SB 648 - AS INTRODUCEDAMENDED BY THE SENATE 03/26/2026 1235s 26-2082 05/09 STATE OF NEW HAMPSHIRE In the Year of Our Lord Two Thousand Twenty-Six AN ACT requiring age verification ~~to~~by allowcommercialaccessentities to ~~certain~~allow ~~material~~access ~~harmful to minors, pornographic material.~~

Restriction on Access to ~~Material~~Pornographic HarmfulMaterial. ~~to Minors.~~

CHAPTER 507-J RESTRICTION ON ACCESS TO ~~MATERIAL~~PORNOGRAPHIC ~~HARMFUL MATERIAL~~-TO MINORS 507-J:1
Definitions.

"Material 'Pornographic harmful material' to means minors" material means that any depicts material nudity that or sexual acts for the purpose of sexual stimulation.

(a) The average person of applying contemporary community sexual standards acts would find material taken shall not necessarily whole, make appeals that to material pornographic, if the prurient purpose interest, of that form of material is something other than sexual stimulation.

(b) ~~Depicts~~Pornographic or material describes~~may sexual take conduct~~the inform a of~~patently~~photographs,
~~offensive~~videos, way,~~writings,~~audio recordings,~~or animation,~~among other media formats.

~~and (c) Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.~~

and (b) Publishes or distributes a substantial portion of material pornographic that material is harmful to minors.

"Substantial portion" means content in which more than ~~one-third~~one-half of a website's total content, measured by volume or number of images and videos, is ~~harmful, pornographic, or material minors~~

A commercial entity that knowingly and intentionally publishes or distributes pornographic material ~~harmful to minors~~ on the ~~internet~~Internet shall:

~~507-J:3 SB Liability~~648 and- AS AMENDED BY THE SENATE - Page 2 - 507-J:3 State Enforcement.

~~SB 648 - AS INTRODUCED - Page 2 - I.~~

~~Any parent or legal guardian of a minor who accesses material harmful to minors due to a commercial entity's failure to verify age as required by this chapter shall have a cause of action against the entity for damages, including statutory damages of up to \$10,000 per violation, court costs, and reasonable attorney's fees.~~

II.

~~A commercial entity shall not claim Section 230 immunity under the federal Communications Decency Act as a defense in any civil action arising from a violation of this chapter.~~

~~507-J:4 State Enforcement.~~

~~507-J:5~~507-J:4 Data Privacy.

~~507-J:6~~ 507-J:5 Exemptions.