



State of Wisconsin
2021 - 2022 LEGISLATURE

LRBa1127/1
KP:cjs

**ASSEMBLY AMENDMENT 2,
TO ASSEMBLY BILL 590**

January 14, 2022 - Offered by Representative SORTWELL.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 5: after that line insert:

3 “(bm) “Obscene” has the meaning given in s. 20.935 (1) (bm).”.

4 **2.** Page 2, line 9: after “may” insert “in his or her official capacity”.

5 **3.** Page 2, line 11: after “site.” insert “This paragraph does not prohibit
6 expression by a state public official holding an elective office about a user’s content
7 if the user’s content constitutes harassment, an apparent violation of law, content
8 that is obscene or pornographic in nature, or expressive material not protected by the
9 First Amendment of the U.S. Constitution.”.

10 **4.** Page 2, line 13: after “may” insert “in his or her official capacity”.

11 **5.** Page 2, line 14: after “site.” insert “This paragraph does not prohibit
12 expression by a U.S. senator or representative in congress elected to his or her office

1 in this state about a user's content if the user's content constitutes harassment, an
2 apparent violation of law, content that is obscene or pornographic in nature, or
3 expressive material not protected by the First Amendment of the U.S. Constitution.”.

4 **6.** Page 3, line 14: after that line insert:

5 “(bm) “Obscene” means that all of the following apply to content:

6 1. An average individual, applying contemporary community standards, would
7 find that the content, taken as a whole, appeals to the prurient interest.

8 2. The content depicts or describes sexual conduct in a patently offensive way.

9 3. The content, taken as a whole, lacks serious literary, artistic, political, or
10 scientific value.”.

11 **7.** Page 4, line 7: after “may” insert “in his or her official capacity”.

12 **8.** Page 4, line 9: after “site.” insert “This paragraph does not prohibit
13 expression by an employee of a state agency about a user's content if the user's
14 content constitutes harassment, an apparent violation of law, content that is obscene
15 or pornographic in nature, or expressive material not protected by the First
16 Amendment of the U.S. Constitution.”.

17 **9.** Page 4, line 10: after “may” insert “in his or her official capacity”.

18 **10.** Page 4, line 12: after “site.” insert “This paragraph does not prohibit
19 expression by a federal government agency employee present in this state about a
20 user's content if the user's content constitutes harassment, an apparent violation of
21 law, content that is obscene or pornographic in nature, or expressive material not
22 protected by the First Amendment of the U.S. Constitution.”.

23 (END)