

Utah proposal to add warning label to porn moves forward

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Rep. Brady Brammer

Rick Bowmer/Associated Press

PROVO, Utah (AP) — A measure to require warning labels on some pornography in Utah is a step closer to becoming law after another panel of lawmakers approved it this week.

Republican state Rep. Brady Brammer has narrowed his proposal to require the labels only on material declared legally obscene, a relatively small slice of hardcore pornographic material. Materials declared obscene have fewer constitutional protections.

Brammer's change helped mitigate First Amendment concerns, said Marina Lowe, legislative and policy counsel for the American Civil Liberties Union of Utah.

A trade group for the porn industry has said the proposal nevertheless presents serious issues because the definition of obscenity is open to interpretation. Hannah Christian with the Sex Workers Outreach Project said the label would dehumanize sex workers.

The legislation says porn makers would have to put the label on material in both print and online. It would allow the state or private groups to sue producers who don't include the label. A judge would determine if the material is legally obscene and therefore subject to the penalty.

If the label does not appear on a print publication or is not displayed for 15 seconds online, producers could be fined \$2,500 for each civil violation.

The state Senate Judiciary, Law Enforcement and Criminal Justice Committee passed the bill 4-1 on Tuesday, the Daily Herald reported. It now heads to the full Senate for debate. An earlier version has passed the House.

Brammer also changed the language of the proposed warning to say “exposing minors to obscene material may damage or negatively impact minors.” The previous version of the warning said it was “known” that watching pornography caused “negative impacts to brain development, emotional development” for minors.

The wording change came after some lawmakers questioned the scientific source of the earlier statement.