

By: Senator(s) Chaney

To: Judiciary, Division B

SENATE BILL NO. 2089

1 AN ACT TO PROHIBIT THE DISPLAY OF ANY OBSCENE OR PATENTLY
2 OFFENSIVE VIDEO OR DISC IN A MOTOR VEHICLE IN ANY MANNER VISIBLE
3 TO OTHER DRIVERS; TO PRESCRIBE CRIMINAL PENALTIES FOR THE
4 VIOLATION THEREOF; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** (1) For purposes of this act:

7 (a) "Obscene" means:

8 (i) The average person applying contemporary
9 community standards would find that the work, taken as a whole,
10 appeals to the prurient interest;

11 (ii) The average person applying contemporary
12 community standards would find that the work depicts or describes,
13 in a patently offensive way, sexual conduct; and

14 (iii) The work, taken as a whole, lacks serious
15 literary, artistic, political or scientific value;

16 (b) "Patently offensive" means that which goes
17 substantially beyond customary limits of candor in describing or
18 representing such matters.

19 (2) No obscene or patently offensive motion picture, film,
20 movie, videotape, digital video disc or other pictorial
21 representation shall be exhibited on a television, monitor or
22 other viewing screen or surface located within or on a motor
23 vehicle, in any manner visible to other drivers.

24 (3) The operator of a vehicle involved in a violation of
25 subsection (2) shall, upon conviction, be fined not less than Two
26 Dollars (\$2.00) nor more than Fifty Dollars (\$50.00) per each
27 violation. A violation of this section shall not be entered on
28 the driving record of any individual so convicted, nor shall any

29 state assessment provided for by Section 99-19-73 or any other
30 state law, be imposed or collected.

31 (4) It is the purpose of this act to avoid distracting other
32 drivers and, thereby, to reduce the likelihood of accidents
33 arising from lack of attention or concentration.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2005.