

HB26-1255

HOUSE FLOOR AMENDMENT

Second Reading

BY REPRESENTATIVE Story

- 1 Amend printed bill, page 3, strike lines 10 through 16 and substitute:
2 (b) (I) "SOCIAL MEDIA PLATFORM" MEANS A PUBLIC OR
3 SEMIPUBLIC WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE
4 APPLICATION THAT:
5 (A) HAS AT LEAST ONE MILLION DISCRETE MONTHLY USERS;
6 (B) ALLOWS A USER TO CONSTRUCT A PUBLIC OR SEMIPUBLIC
7 PROFILE FOR THE PURPOSE OF USING THE WEBSITE, SERVICE, OR
8 APPLICATION; AND
9 (C) ALLOWS A USER TO CREATE OR POST CONTENT THAT IS
10 VIEWABLE BY OTHER USERS, INCLUDING ON MESSAGE BOARDS, IN CHAT
11 ROOMS, OR THROUGH LANDING PAGES OR MAIN FEEDS THAT PRESENT A
12 USER WITH CONTENT GENERATED BY OTHER USERS OR BY ARTIFICIAL
13 INTELLIGENCE. A WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR
14 MOBILE APPLICATION SHALL NOT BE DEEMED TO SATISFY THE CRITERION
15 DESCRIBED IN THIS SUBSECTION (1)(b)(I)(C) SOLELY BECAUSE THE
16 WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION
17 PROVIDES THE ABILITY TO POST AND VIEW COMMENTS FOR THE PURPOSE
18 OF RATING OR REVIEWING PRODUCTS OR SERVICES OR, IN THE CASE OF A
19 WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION
20 THAT PREDOMINANTLY OR EXCLUSIVELY PROVIDES NEWS, SPORTS,
21 ENTERTAINMENT, OR E-COMMERCE CONTENT THAT IS PRESELECTED BY
22 THE PROVIDER AND NOT USER-GENERATED, SOLELY BECAUSE THE
23 WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION
24 HAS CHAT, COMMENT, OR INTERACTIVE FUNCTIONALITY THAT IS DIRECTLY
25 RELATED TO, OR DEPENDENT UPON, THE PROVISION OF THAT CONTENT.
26 (II) "SOCIAL MEDIA PLATFORM" INCLUDES FEATURES OR SERVICES
27 OF A SOCIAL MEDIA PLATFORM.
28 (III) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE A SERVICE OR
29 APPLICATION THAT:
30 (A) IS USED TO FACILITATE COMMUNICATION WITHIN A BUSINESS
31 OR ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
32 ENTERPRISE, SO LONG AS ACCESS TO THE SERVICE OR APPLICATION IS
33 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
34 ENTERPRISE USING THE SERVICE OR APPLICATION; OR
35 (B) HAS THE EXCLUSIVE PURPOSES OF OFFERING THE COMMERCIAL
36 SALE OF GOODS AND FACILITATING COMMERCIAL TRANSACTIONS BETWEEN
37 BUYERS AND SELLERS, SO LONG AS THE SERVICE OR APPLICATION IS NOT
38 A FEATURE OR SERVICE OF, OR OTHERWISE ASSOCIATED OR AFFILIATED
39 WITH, A SOCIAL MEDIA PLATFORM."

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