

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB26-1255 be amended as follows:

1 Amend reengrossed bill, page 7, strike lines 3 through 9 and substitute:

2 "(a) (I) "ADVERSE ACTION" MEANS A RESTRICTION, SUSPENSION,
3 OR TERMINATION OF A USER'S ACCOUNT ON A SOCIAL MEDIA PLATFORM
4 AFTER HUMAN REVIEW, WHICH RESTRICTION, SUSPENSION, OR
5 TERMINATION IS IMPLEMENTED AGAINST A USER IN RESPONSE TO THE USER
6 POSTING CONTENT THAT IS AVAILABLE TO THE GENERAL PUBLIC IN
7 VIOLATION OF THE SOCIAL MEDIA PLATFORM'S POLICIES CONCERNING
8 SPECIFIC OR IMMINENT THREATS.

9 (II) "ADVERSE ACTION" DOES NOT INCLUDE AN ACTION TAKEN
10 SOLELY IN RESPONSE TO CONTENT THAT CONSTITUTES, DESCRIBES,
11 FACILITATES, OR DISCUSSES LEGALLY PROTECTED HEALTH-CARE ACTIVITY
12 AS DEFINED IN SECTION 12-30-121 (1)(d), INCLUDING DISCUSSION OF,
13 REFERRAL TO, OR ASSISTANCE WITH OBTAINING REPRODUCTIVE
14 HEALTH-CARE SERVICES THAT ARE LAWFUL UNDER COLORADO LAW."

15 Page 7, line 23, after "(2)" insert "(a)".

16 Page 7, after line 27 insert:

17 "(b) NOTWITHSTANDING SUBSECTION (2)(a) OF THIS SECTION, AN
18 OPERATOR SHALL NOT REPORT AN ADVERSE ACTION TO A LOCAL LAW
19 ENFORCEMENT AGENCY IF THE OPERATOR HAS A GOOD FAITH BELIEF THAT
20 THE CONTENT AT ISSUE CONSTITUTES LEGALLY PROTECTED HEALTH-CARE
21 ACTIVITY AS DEFINED IN SECTION 12-30-121 (1)(d)."

** *** ** *** **