

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB21-132 be amended as follows:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 **"SECTION 1.** In Colorado Revised Statutes, 2-3-1704, **add** (13)
4 as follows:

5 **2-3-1704. Powers and duties of the joint technology committee**

6 **- reporting - repeal.** (13) (a) DURING THE 2021 LEGISLATIVE INTERIM,
7 THE COMMITTEE SHALL STUDY WHETHER AND HOW THE GENERAL
8 ASSEMBLY COULD ADDRESS, THROUGH LEGISLATION, CONSUMER
9 PROTECTION CONCERNs RELATED TO DIGITAL COMMUNICATIONS
10 PLATFORMS THAT:

11 (I) DO BUSINESS IN COLORADO;

12 (II) FACILITATE COMMUNICATIONS BETWEEN USERS, ALLOW USERS
13 TO CREATE AND SHARE CONTENT, AND ARE EITHER SOCIAL MEDIA
14 PLATFORMS SUCH AS FACEBOOK AND TWITTER OR MEDIA-SHARING
15 PLATFORMS SUCH AS YOUTUBE; AND

16 (III) ARE NOT MARKETPLACE FACILITATORS, AS DEFINED IN
17 SECTION 39-26-102 (5.9), OR OTHER SERVICE-ORIENTED DIGITAL
18 COMMUNICATIONS PLATFORMS SUCH AS TRANSPORTATION NETWORK
19 COMPANIES, AS DEFINED IN SECTION 40-10.1-602 (3), OR SHORT-TERM
20 RENTAL PLATFORMS SUCH AS AIRBNB.

21 (b) IN CONDUCTING THE STUDY, THE COMMITTEE:

22 (I) SHALL CONSULT WITH, AND SEEK PRESENTATIONS FROM, THE
23 OFFICE OF INFORMATION TECHNOLOGY AND THE ATTORNEY GENERAL'S
24 OFFICE;

25 (II) MAY CONSULT WITH, AND SEEK PRESENTATIONS FROM, ANY
26 OTHER STATE AGENCIES AND ANY EXPERTS OR INTERESTED PERSONS ON
27 THE MATTER;

28 (III) MAY CONSIDER A DIGITAL COMMUNICATIONS PLATFORM'S
29 EXISTING POLICIES AND PRACTICES REGARDING IF AND HOW THE
30 PLATFORM ADDRESSES ANY ISSUES ARISING FROM A USER'S USE OF THE
31 PLATFORM IF SUCH USE COULD BE VIEWED AS:

32 (A) PROMOTING VIOLENCE;

33 (B) UNDERMINING ELECTION INTEGRITY;

34 (C) DISSEMINATING INTENTIONAL DISINFORMATION; OR

35 (D) DIRECTLY ATTACKING PROTECTED GROUPS;

36 (IV) MAY CONSIDER WHETHER A DIGITAL COMMUNICATIONS
37 PLATFORM'S EXISTING POLICIES AND PRACTICES CHILL FREE SPEECH;

38 (V) MAY CONSIDER WHETHER AND HOW CONSUMER COMPLAINTS
39 ABOUT A DIGITAL COMMUNICATIONS PLATFORM'S POLICIES AND PRACTICES
40 COULD BE ADDRESSED BY THE STATE; AND

1 (VI) MAY CONSIDER DIGITAL COMMUNICATIONS PLATFORMS' USE
2 OF:

3 (A) FACIAL RECOGNITION SOFTWARE OR OTHER TRACKING
4 TECHNOLOGY;

5 (B) COLLECTION AND DISSEMINATION OF USERS' PERSONAL DATA
6 FOR LOCATION-BASED ADVERTISING AND OTHER MARKETING PURPOSES;
7 AND

8 (C) DESIGN PRACTICES THAT INCREASE DATA COLLECTION
9 WITHOUT USERS' CONSENT.

10 (c) ON OR BEFORE THE FIRST DAY OF THE REGULAR LEGISLATIVE
11 SESSION COMMENCING ON OR AFTER JANUARY 1, 2022, THE COMMITTEE
12 SHALL SUBMIT A WRITTEN REPORT ON ITS FINDINGS AND
13 RECOMMENDATIONS REGARDING THE STUDY TO THE MEMBERS OF THE
14 HOUSE OF REPRESENTATIVES AND THE SENATE. IF, AS PART OF ITS REPORT,
15 THE COMMITTEE RECOMMENDS LEGISLATION, ANY SUCH LEGISLATION
16 INTRODUCED IN THE REGULAR LEGISLATIVE SESSION COMMENCING ON OR
17 AFTER JANUARY 1, 2022, IS EXEMPT FROM THE FIVE-BILL LIMITATION
18 SPECIFIED IN RULE 24 OF THE JOINT RULES OF THE SENATE AND THE HOUSE
19 OF REPRESENTATIVES.

20 (d) THIS SUBSECTION (13) IS REPEALED, EFFECTIVE SEPTEMBER 1,
21 2022.

22 **SECTION 2. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take
28 effect unless approved by the people at the general election to be held in
29 November 2022 and, in such case, will take effect on the date of the
30 official declaration of the vote thereon by the governor.".

31 Page 1, strike lines 101 through 104 and substitute "**CONCERNING A**
32 **STUDY OF CONSUMER PROTECTION REGULATION OF DIGITAL**
33 **COMMUNICATIONS PLATFORMS.**".

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