

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0391.02 Richard Sweetman x4333

**HOUSE BILL 26-1255**

**HOUSE SPONSORSHIP**

Story,

**SENATE SPONSORSHIP**

Cutter,

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**House Committees**  
Judiciary

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING PROTECTIONS FOR USERS OF ELECTRONIC MEDIA, AND,**  
102         **IN CONNECTION THEREWITH, REQUIRING AN OPERATOR OF A**  
103         **SOCIAL MEDIA PLATFORM TO ENSURE THE SOCIAL MEDIA**  
104         **PLATFORM PROVIDES A STREAMLINED PROCESS TO ALLOW A**  
105         **LAW ENFORCEMENT AGENCY TO CONTACT THE SOCIAL MEDIA**  
106         **PLATFORM CONCERNING A SEARCH WARRANT AND REQUIRING**  
107         **AN OPERATOR TO REPORT TO A LOCAL LAW ENFORCEMENT**  
108         **AGENCY IF THE OPERATOR'S SOCIAL MEDIA PLATFORM**  
109         **RECEIVES A NOTICE THAT A USER HAS POSTED CONTENT THAT**  
110         **THREATENS IMMINENT AND SPECIFIC HARM TO THEMSELF OR**  
111         **ANOTHER INDIVIDUAL, EXPRESSES AN INTENT TO COMMIT A**  
112         **CRIME, OR ATTEMPTS TO ENTICE AN INDIVIDUAL TO COMMIT A**  
113         **CRIME.**

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

*Capital letters or bold & italic numbers indicate new material to be added to existing law.*

*Dashes through the words or numbers indicate deletions from existing law.*

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## Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires an operator of a social media platform (operator) to ensure that its social media platform provides a streamlined process to allow law enforcement agencies to contact the social media platform. The process must be available to law enforcement agencies at all times and make available a staffed hotline for the purposes of:

- Receiving and responding to questions about search warrants;
- Acknowledging the receipt of a search warrant within 8 hours after receipt; and
- Providing status updates on search warrant compliance to a requesting law enforcement agency.

An operator must comply with a search warrant within 24 hours if certain conditions apply. A court may reasonably extend this time if the court makes a written finding that the operator or social media platform has shown good cause for the extension and that an extension would not cause an adverse result. The bill sets forth enforcement options for the attorney general regarding operators' compliance with search warrants.

The bill also requires an operator to report to a social media platform user's (user's) local law enforcement agency within 24 hours if the operator's social media platform receives a flag or other notice that the user has posted content that:

- Threatens imminent and specific harm to themself or another individual;
- Expresses an intention to commit an imminent and specific crime under Colorado law; or
- Attempts to entice an individual to commit an imminent and specific crime under Colorado law.

A violation of the reporting requirement is a violation of the "Colorado Consumer Protection Act".

In current law, "social media platform" is defined as an internet-based service, website, or application that satisfies certain criteria, including having more than 100,000 active users in Colorado. The bill removes this criterion.

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1       *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, **add** 16-3-313 as  
3 follows:

4           **16-3-313. Search warrants served on social media platforms**  
5           **- process required - definitions.**

6           (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
7 REQUIRES:

8           (a) "OPERATOR" MEANS A PERSON, BUSINESS, OR OTHER LEGAL  
9 ENTITY THAT OPERATES OR PROVIDES A SOCIAL MEDIA PLATFORM.

10           (b) "SOCIAL MEDIA PLATFORM" HAS THE MEANING SET FORTH IN  
11 SECTION 6-1-1601 (4); EXCEPT THAT "SOCIAL MEDIA PLATFORM" INCLUDES  
12 AN INTERNET-BASED SERVICE OR APPLICATION IN WHICH THE  
13 PREDOMINANT OR EXCLUSIVE FUNCTION IS INTERACTIVE GAMING, VIRTUAL  
14 GAMING, OR AN ONLINE SERVICE THAT ALLOWS THE CREATION AND  
15 UPLOADING OF CONTENT FOR THE PURPOSE OF INTERACTIVE OR VIRTUAL  
16 GAMING, AS DESCRIBED IN SECTION 6-1-1601 (4)(b)(VII).

17           (c) "USER" MEANS A USER OF A SOCIAL MEDIA PLATFORM IN  
18 COLORADO WHO IS NOT ACTING AS AN OPERATOR, OR AN AGENT OR  
19 AFFILIATE OF AN OPERATOR, OF THE SOCIAL MEDIA PLATFORM OR ANY  
20 PORTION OF THE SOCIAL MEDIA PLATFORM.

21           (2) AN OPERATOR SHALL ENSURE THAT ITS SOCIAL MEDIA  
22 PLATFORM PROVIDES A STREAMLINED PROCESS TO ALLOW LAW  
23 ENFORCEMENT AGENCIES TO CONTACT THE SOCIAL MEDIA PLATFORM. THE  
24 PROCESS MUST, AT A MINIMUM:

25           (a) BE AVAILABLE TO LAW ENFORCEMENT AGENCIES AT ALL TIMES;  
26 AND

27           (b) MAKE AVAILABLE AT ALL TIMES A STAFFED HOTLINE FOR LAW

1 ENFORCEMENT OFFICERS FOR THE PURPOSES OF:

2 (I) RECEIVING AND RESPONDING TO QUESTIONS ABOUT SEARCH  
3 WARRANTS;

4 (II) ACKNOWLEDGING THE RECEIPT OF A SEARCH WARRANT WITHIN  
5 EIGHT HOURS AFTER RECEIPT; AND

6 (III) PROVIDING STATUS UPDATES ON SEARCH WARRANT  
7 COMPLIANCE TO A REQUESTING LAW ENFORCEMENT AGENCY.

8 (3) EXCEPT AS PROVIDED IN SUBSECTION (4) OF THIS SECTION, AN  
9 OPERATOR SHALL COMPLY WITH A SEARCH WARRANT WITHIN  
10 TWENTY-FOUR HOURS AFTER RECEIVING THE SEARCH WARRANT IF ALL OF  
11 THE FOLLOWING APPLY:

12 (a) THE SEARCH WARRANT IS PROVIDED TO THE OPERATOR OR THE  
13 OPERATOR'S SOCIAL MEDIA PLATFORM BY A LAW ENFORCEMENT AGENCY;

14 (b) THE SUBJECT OF THE SEARCH WARRANT IS INFORMATION  
15 ASSOCIATED WITH A USER'S ACCOUNT ON A SOCIAL MEDIA PLATFORM  
16 OPERATED BY THE OPERATOR; AND

17 (c) THE INFORMATION IS CONTROLLED BY A USER OR OPERATOR OF  
18 THE SOCIAL MEDIA PLATFORM.

19 (4) A COURT MAY REASONABLY EXTEND THE TIME REQUIRED TO  
20 COMPLY WITH A SEARCH WARRANT ISSUED PURSUANT TO SUBSECTION (3)  
21 OF THIS SECTION IF THE COURT MAKES A WRITTEN FINDING THAT THE  
22 OPERATOR OR SOCIAL MEDIA PLATFORM HAS SHOWN GOOD CAUSE FOR THE  
23 EXTENSION AND THAT AN EXTENSION WOULD NOT CAUSE AN ADVERSE  
24 RESULT, AS DEFINED IN 18 U.S.C. SEC. 2705 (a)(2).

25 (5) ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION, IF IT  
26 APPEARS TO THE ATTORNEY GENERAL, UPON COMPLAINT OR OTHERWISE,  
27 THAT ANY PERSON WITHIN OR OUTSIDE THE STATE HAS VIOLATED THIS

1 SECTION, THE ATTORNEY GENERAL MAY BRING AN ACTION OR PROCEEDING  
2 TO:

3 (a) ENJOIN THE VIOLATION;

4 (b) OBTAIN RESTITUTION OF ANY MONEY OR PROPERTY OBTAINED  
5 DIRECTLY OR INDIRECTLY AS A RESULT OF THE VIOLATION;

6 (c) OBTAIN DISGORGEMENT OF ANY PROFITS OR GAINS OBTAINED  
7 DIRECTLY OR INDIRECTLY AS A RESULT OF THE VIOLATION;

8 (d) OBTAIN DAMAGES CAUSED DIRECTLY OR INDIRECTLY BY THE  
9 VIOLATION;

10 (e) OBTAIN CIVIL PENALTIES OF UP TO TWO HUNDRED FIFTY  
11 THOUSAND DOLLARS PER VIOLATION; AND

12 (f) OBTAIN SUCH OTHER RELIEF AS THE COURT MAY DEEM PROPER,  
13 INCLUDING PRELIMINARY RELIEF.

14 **SECTION 2.** In Colorado Revised Statutes, **add 6-1-1602** as  
15 follows:

16 **6-1-1602. Social media platforms - duty to report threats and  
17 enticements to local law enforcement agency - definitions - rules.**

18 (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE  
19 REQUIRES:

20 (a) "LOCAL LAW ENFORCEMENT AGENCY" MEANS EITHER:

21 (I) THE MUNICIPAL LAW ENFORCEMENT AGENCY OF THE  
22 MUNICIPALITY IN WHICH A USER RESIDES; OR

23 (II) THE COUNTY SHERIFF OF THE COUNTY IN WHICH A USER  
24 RESIDES.

25 (b) "OPERATOR" MEANS A PERSON, BUSINESS, OR OTHER LEGAL  
26 ENTITY THAT OPERATES OR PROVIDES A SOCIAL MEDIA PLATFORM.

27 (c) "SOCIAL MEDIA PLATFORM" HAS THE MEANING SET FORTH IN

1 SECTION 6-1-1601 (4).

2 (d) "USER" MEANS A USER OF A SOCIAL MEDIA PLATFORM IN  
3 COLORADO WHO IS NOT ACTING AS AN OPERATOR, OR AN AGENT OR  
4 AFFILIATE OF AN OPERATOR, OF THE SOCIAL MEDIA PLATFORM OR ANY  
5 PORTION OF THE SOCIAL MEDIA PLATFORM.

6 (2) AN OPERATOR HAS A DUTY TO REPORT TO A USER'S LOCAL LAW  
7 ENFORCEMENT AGENCY IF THE OPERATOR'S SOCIAL MEDIA PLATFORM  
8 RECEIVES A FLAG OR OTHER NOTICE FROM ANOTHER USER OF THE SOCIAL  
9 MEDIA PLATFORM, OR FROM ANY OTHER PERSON, THAT A USER OF THE  
10 SOCIAL MEDIA PLATFORM HAS KNOWINGLY POSTED CONTENT THAT:

11 (a) THREATENS IMMINENT AND SPECIFIC HARM TO THEMSELF OR  
12 ANOTHER INDIVIDUAL;

13 (b) EXPRESSES A SPECIFIC INTENTION TO COMMIT AN IMMINENT  
14 AND SPECIFIC CRIME UNDER COLORADO LAW; OR

15 (c) ATTEMPTS TO ENTICE AN INDIVIDUAL TO COMMIT AN IMMINENT  
16 AND SPECIFIC CRIME UNDER COLORADO LAW.

17 (3) NOT LATER THAN TWENTY-FOUR HOURS AFTER A SOCIAL MEDIA  
18 PLATFORM RECEIVES A FLAG OR OTHER NOTICE ABOUT A USER AS  
19 DESCRIBED IN SUBSECTION (2) OF THIS SECTION, THE OPERATOR OF THE  
20 SOCIAL MEDIA PLATFORM SHALL REPORT TO THE USER'S LOCAL LAW  
21 ENFORCEMENT AGENCY THE FOLLOWING INFORMATION:

22 (a) THE CONTENT IN QUESTION THAT WAS ALLEGEDLY POSTED BY  
23 THE USER; AND

24 (b) THE INTERNET PROTOCOL ADDRESS, UNIFORM RESOURCE  
25 INDICATOR, EMAIL ADDRESS, AND DIGITAL ADDRESS OF THE USER WHO  
26 POSTED THE CONTENT.

27 (4) A PERSON THAT VIOLATES THIS SECTION COMMITS AN UNFAIR

1 OR DECEPTIVE TRADE PRACTICE, AS DESCRIBED IN SECTION 6-1-105  
2 (1)(qqqq).

3 (5) THE ATTORNEY GENERAL MAY ADOPT RULES FOR THE PURPOSE  
4 OF CARRYING OUT THIS SECTION.

5 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add**  
6 (1)(qqqq) as follows:

7 **6-1-105. Unfair or deceptive trade practices - definitions.**

8 (1) A person engages in a deceptive trade practice when, in the  
9 course of the person's business, vocation, or occupation, the person:

10 (qqqq) VIOLATES SECTION 6-1-1602.

11 **SECTION 4.** In Colorado Revised Statutes, 6-1-1601, **amend**  
12 (4)(a)(I) as follows:

13 **6-1-1601. Social media platform - youth users - definition.**

14 (4) (a) As used in this section, "social media platform" means an  
15 internet-based service, website, or application that:

16 (I) Has ONE OR more than one hundred thousand active users in  
17 Colorado;

18 **SECTION 5. Act subject to petition - effective date.** This act  
19 takes effect at 12:01 a.m. on the day following the expiration of the  
20 ninety-day period after final adjournment of the general assembly (August  
21 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a  
22 referendum petition is filed pursuant to section 1 (3) of article V of the  
23 state constitution against this act or an item, section, or part of this act  
24 within such period, then the act, item, section, or part will not take effect  
25 unless approved by the people at the general election to be held in  
26 November 2026 and, in such case, will take effect on the date of the  
27 official declaration of the vote thereon by the governor.