

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 11, 2026
Date

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB26-011 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation and with a recommendation that it be placed on the consent calendar:

1 Amend printed bill, page 2, line 5, after "**enforcement** -" insert
2 "**severability** -".

3 Page 2, line 8, after "(a)" insert "(I)".

4 Page 2, line 11, strike "(I)" and substitute "(A)".

5 Page 2, line 12, strike "(II)" and substitute "(B)".

6 Page 2, line 15, strike "(III)" and substitute "(C)".

7 Page 2, line 17, strike "AND" and substitute "OR".

8 Page 3, strike line 1 and substitute: "INTELLIGENCE. A WEBSITE, ONLINE
9 SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION SHALL NOT BE
10 DEEMED TO SATISFY THE CRITERION DESCRIBED IN THIS SUBSECTION
11 (1)(a)(III) SOLELY BECAUSE THE WEBSITE, ONLINE SERVICE, ONLINE
12 APPLICATION, OR MOBILE APPLICATION PROVIDES THE ABILITY TO POST
13 AND VIEW COMMENTS FOR THE PURPOSE OF RATING OR REVIEWING
14 PRODUCTS OR SERVICES OR, IN THE CASE OF A WEBSITE, ONLINE SERVICE,
15 ONLINE APPLICATION, OR MOBILE APPLICATION THAT PREDOMINANTLY OR
16 EXCLUSIVELY PROVIDES NEWS, SPORTS, ENTERTAINMENT, OR E-COMMERCE
17 CONTENT THAT IS PRESELECTED BY THE PROVIDER AND NOT
18 USER-GENERATED, SOLELY BECAUSE THE WEBSITE, ONLINE SERVICE,
19 ONLINE APPLICATION, OR MOBILE APPLICATION HAS CHAT, COMMENT, OR
20 INTERACTIVE FUNCTIONALITY THAT IS DIRECTLY RELATED TO, OR
21 DEPENDENT UPON, THE PROVISION OF THAT CONTENT.

1 (II) "COVERED PLATFORM" DOES NOT INCLUDE A SERVICE OR
2 APPLICATION USED TO FACILITATE COMMUNICATION WITHIN A BUSINESS
3 OR ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
4 ENTERPRISE, PROVIDED THAT ACCESS TO THE SERVICE OR APPLICATION IS
5 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
6 ENTERPRISE USING THE SERVICE OR APPLICATION."

7 Page 4, after line 22 insert:

8 "(6) THE FAILURE OF AN OPERATOR OR COVERED PLATFORM TO
9 COMPLY WITH THE REQUIREMENTS OF A COURT-ORDERED SEARCH
10 WARRANT AS DESCRIBED IN THIS SECTION SUPPORTS A FINDING OF
11 CONTEMPT OF COURT."

12 Renumber succeeding subsection accordingly.

13 Page 5, after line 13 insert:

14 "(8) IF ANY PROVISION OF THIS SECTION OR ITS APPLICATION TO
15 ANY PERSON OR CIRCUMSTANCE IS HELD INVALID, THE INVALIDITY DOES
16 NOT AFFECT OTHER PROVISIONS OR APPLICATIONS OF THIS SECTION THAT
17 CAN BE GIVEN EFFECT WITHOUT THE INVALID PROVISION OR APPLICATION,
18 AND TO THIS END THE PROVISIONS OF THIS SECTION ARE SEVERABLE."

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