

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

February 19, 2025
Date

Committee on Judiciary.

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

SB25-086 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 4, line 7, strike "TWENTY-TWO" and substitute
2 "TWENTY-FIVE".
- 3 Page 4, strike line 9 and substitute:
4 "(e) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER
5 THIRTY-FIVE".
- 6 Page 4, line 11, strike "THIRTY-ONE" and substitute "THIRTY-FIVE".
- 7 Page 4, strike lines 17 and 18 and substitute:
8 "(3) "COLORADO LAW ENFORCEMENT AGENCY" MEANS A STATE OR
9 LOCAL AGENCY IN COLORADO THAT EMPLOYS PEACE OFFICERS, AS
10 DESCRIBED IN SECTIONS 16-2.5-501 AND 24-31-901."
- 11 Page 8, after line 4 insert:
12 "(I) PROVIDING INTERNET ACCESS OR BROADBAND SERVICE;".
- 13 Renumber succeeding subparagraphs accordingly.
- 14 Page 10, strike lines 7 through 12 and substitute:
15 "(XV) FACILITATING ACADEMIC OR SCHOLARLY RESEARCH; OR".
- 16 Page 15, strike lines 22 and 23 and substitute "DESCRIBED IN SUBSECTIONS
17 (2)(e) AND (2)(f) OF THIS SECTION. IF".
- 18 Page 17, line 11, strike "AND".
- 19 Page 17, strike lines 19 through 26 and substitute:

1 "(A) THE FORM OF THE ALERT, INCLUDING BY USER COMPLAINT OR
2 DETECTION BY THE SOCIAL MEDIA COMPANY OR SOCIAL MEDIA PLATFORM;
3 AND
4 (B) THE PERCENTAGE OF SUCH CONTENT OR ACTIVITY THAT WAS
5 ULTIMATELY ACTIONED;"

6 Page 18, strike lines 10 and 11.

7 Renumber succeeding subparagraphs accordingly.

8 Page 18, strike lines 14 through 16.

9 Renumber succeeding subparagraphs accordingly.

10 Page 18, strike line 25 and substitute "RESPONSE TIME FOR EACH REQUEST;
11 AND

12 (e) A GENERAL DESCRIPTION OF THE SOCIAL MEDIA PLATFORM'S
13 PUBLISHED POLICIES REGARDING THE AGE OF USERS AND HOW THE SOCIAL
14 MEDIA PLATFORM VERIFIES USERS' AGES, HOW THE SOCIAL MEDIA
15 COMPANY THAT OPERATES THE SOCIAL MEDIA PLATFORM RESPONDS TO
16 USER REPORTS OF POTENTIAL VIOLATIONS, AND WHAT ACTION IS TAKEN
17 WHEN A USER IS FOUND TO HAVE VIOLATED THE SOCIAL MEDIA
18 PLATFORM'S PUBLISHED POLICIES REGARDING AGE, INCLUDING:

19 (I) THE TOTAL NUMBER OF USERS THE SOCIAL MEDIA PLATFORM
20 IDENTIFIED, EITHER THROUGH USERS, EMPLOYEES, OR AUTOMATED MEANS,
21 WHO DID NOT PROVIDE THEIR TRUE AGES TO THE SOCIAL MEDIA PLATFORM
22 OR WHO OTHERWISE VIOLATED THE SOCIAL MEDIA PLATFORM'S PUBLISHED
23 POLICIES REGARDING AGE; AND

24 (II) THE SOCIAL MEDIA COMPANY'S RESPONSE TO USERS IDENTIFIED
25 AS HAVING NOT PROVIDED THEIR TRUE AGES OR OTHERWISE VIOLATING
26 THE SOCIAL MEDIA PLATFORM'S PUBLISHED POLICIES REGARDING AGE,
27 INCLUDING THE TOTAL NUMBER OF USER ACCOUNTS THAT WERE ACTIONED
28 BY THE SOCIAL MEDIA COMPANY AND A BREAKDOWN BY PERCENTAGES OF
29 THE ACTIONS TAKEN."

30 Page 19, strike lines 19 through 27.

31 Page 20, strike lines 1 through 4 and substitute "PLATFORM OWNED OR
32 OPERATED BY THE SOCIAL MEDIA COMPANY, THE FOLLOWING DATA
33 CONCERNING HOW MINORS IN THE UNITED STATES USED THE SOCIAL
34 MEDIA PLATFORM DURING THE PRECEDING YEAR, DISAGGREGATED BY AGE
35 CATEGORY AND GENDER BOTH FOR ALL USERS IN THE UNITED STATES AND
36 FOR ALL USERS IN COLORADO:

- 1 (a) THE TOTAL NUMBER OF MINOR USERS WHO USED THE SOCIAL
2 MEDIA PLATFORM;
3 (b) THE DISTRIBUTION OF MINOR USERS WHO SPEND AT LEAST".
- 4 Page 20, line 8, strike "(IV)" and substitute "(c)".
- 5 Page 20, strike lines 11 through 17.
- 6 Page 20, line 18, strike "(VII)" and substitute "(d)".
- 7 Page 20, line 23, strike "(VIII)" and substitute "(e)".
- 8 Page 21, line 1, strike "(IX)" and substitute "(f)".
- 9 Page 21, line 4, strike "(X)" and substitute "(g)".
- 10 Page 21, line 9, strike "(XI)" and substitute "(h)".
- 11 Page 21, line 13, strike "(XII)" and substitute "(i)".
- 12 Page 21, strike lines 16 through 27 and substitute "FAMILY ACCOUNT".
- 13 Page 22, strike lines 1 through 11.
- 14 Page 22, line 17, strike "**disclosures.**" and substitute "**disclosures -**
15 **commercially reasonable efforts.**".
- 16 Page 22, after line 27 insert:
- 17 "(3) IN SATISFYING THE REPORTING REQUIREMENTS DESCRIBED IN
18 SECTIONS 6-1-1604 AND 6-1-1605, A SOCIAL MEDIA COMPANY SHALL
19 MAKE COMMERCIALY REASONABLE EFFORTS TO IDENTIFY THE AGE
20 CATEGORIES OF USERS. FOR THE PURPOSES OF THIS SUBSECTION (3), THE
21 USE OF CURRENT TECHNOLOGY FOR AGE ESTIMATION, AGE ASSURANCE,
22 ADVERTISING TARGETING, OR PLATFORM MEASUREMENT IS CONSIDERED
23 A COMMERCIALY REASONABLE EFFORT."
- 24 Page 23, line 12, strike "POLICIES;" and substitute "POLICIES OR STATE
25 LAW;".
- 26 Page 23, line 14, strike "POLICIES," and substitute "POLICIES OR STATE
27 LAW,".

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