

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0226.01 Richard Sweetman x4333

SENATE BILL 24-158

SENATE SPONSORSHIP

Hansen and Michaelson Jenet,

HOUSE SPONSORSHIP

Lukens,

Senate Committees

Business, Labor, & Technology

House Committees

A BILL FOR AN ACT

101 CONCERNING SOCIAL MEDIA COMPANIES, AND, IN CONNECTION
102 THEREWITH, ESTABLISHING REQUIREMENTS FOR THE
103 OPERATION OF SOCIAL MEDIA PLATFORMS BY SOCIAL MEDIA
104 COMPANIES AND AUTHORIZING THE ATTORNEY GENERAL TO
105 ENFORCE THE NEW REQUIREMENTS UNDER THE "COLORADO
106 CONSUMER PROTECTION ACT".

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 that on or before July 1, 2025, a social media

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.

company must post published policies for each of its social media platforms. Thereafter, a social media company must post any updates to the policies within 14 days after the implementation of the updated policies. The published policies must include:

- Contact information that allows a user to ask the social media company questions about the published policies;
- A description of the process that a user must follow to flag content, groups, or other users that the user believes violate the published policies;
- A process to which the social media company commits for the purpose of responding to and resolving user questions and flags;
- A statement that the use of the social media platform for the promotion, sale, or advertisement of any illicit substance; for the sale of any firearm in violation of state or federal law; for sex trafficking of a juvenile; or for the possession, display, exchange, distribution, sale, or creation of, or the inducement to create, sexually exploitative material is prohibited;
- A description of the social media company's process for enforcing its published policies and the potential consequences of violating the published policies; and
- A statement that violations of the published policies that also violate state or federal law will be reported to law enforcement for investigation and potential prosecution.

A social media company must annually submit to the attorney general a report that includes, for each social media platform owned or operated by the social media company:

- The current version of the published policies of the social media platform;
- If the social media company has filed its first report, a complete and detailed description of any changes to the published policies since the previous report;
- A statement of whether the current version of the published policies contains definitions and provisions relating to illicit substances, the sale of firearms in violation of state or federal law, sex trafficking of a juvenile, or the possession, display, exchange, distribution, sale, or creation of, or the inducement to create, sexually exploitative material and, if so, the definitions of those categories and a description of those provisions;
- A detailed description of content moderation practices used by the social media company;
- Data describing actioned items of content and related actions taken by the social media company;

- Data concerning how juveniles in Colorado use the social media platform;
- A detailed description of the social media platform's age verification practices, how they are enforced, and how the social media platform responds to user reports of violations; and
- Data concerning a social media platform's application of its published policies.

The bill also requires a social media company to:

- Use a commercially reasonable process to verify each user's age;
- Allow each user of its social media platforms to select an option to apply the protections available to juveniles;
- Retain any information obtained for age verification purposes only for the purpose of compliance and for no other purpose and to dispose of such information securely after age verification is complete. Additionally, any agent of a social media company that processes age verification information must have its principal place of business in the United States.
- Provide readily accessible and easy-to-use tools and settings for parents and guardians to support an individual that a social media platform knows or reasonably should know is a juvenile with respect to the individual's use of the social media platform. A social media platform must provide similar tools to an individual that the social media platform knows or reasonably should know is a juvenile.
- Provide an individual that the platform knows or reasonably should know is a juvenile with clear and conspicuous warnings of certain threats and events regarding content that the individual shares or accesses on a social media platform;
- Immediately remove any user of a social media platform who promotes, sells, or advertises an illicit substance or engages in the sale of a firearm in violation of state or federal law, the sex trafficking of a juvenile, or the possession, display, exchange, distribution, sale, or creation of, or the inducement to create, sexually exploitative material; keep the user removed until there is human review of this activity; and permanently remove the user if human review confirms the user engaged in such an action;
- Retain for at least one year any data and metadata concerning users' identities and activities on the social media platform;
- Initially respond to any inquiry from a law enforcement

1 OR FILE COLLABORATION.

2 (3) "DARK PATTERN" MEANS A USER INTERFACE DESIGNED TO
3 SUBVERT OR IMPAIR, OR MANIPULATED WITH THE SUBSTANTIAL EFFECT OF
4 SUBVERTING OR IMPAIRING, A USER'S AUTONOMY, DECISION-MAKING, OR
5 CHOICE.

6 (4) "EDUCATIONAL ENTITY" MEANS A PUBLIC SCHOOL, A CHARTER
7 SCHOOL, AN INSTITUTE CHARTER SCHOOL, A BOARD OF COOPERATIVE
8 SERVICES, THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, A
9 PRIVATE SCHOOL, A DENOMINATIONAL SCHOOL, A PAROCHIAL SCHOOL, A
10 COMMUNITY COLLEGE, A STATE COLLEGE, A STATE UNIVERSITY, OR A
11 NONPROFIT PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTION.

12 (5) "EPHEMERAL CONTENT" MEANS CONTENT THAT IS
13 TEMPORARILY MADE AVAILABLE TO USERS OF A SOCIAL MEDIA PLATFORM
14 AND THAT INCLUDES FEATURES, NOTIFICATIONS, OR VISUAL DESIGN CUES
15 INDICATING THE CONTENT WILL SOON DISAPPEAR.

16 (6) "FIREARM" MEANS:

17 (a) A FIREARM, AS DEFINED IN SECTION 18-1-901 (3)(h);

18 (b) AN UNFINISHED OR THREE-DIMENSIONALLY PRINTED FRAME OR
19 RECEIVER OF A FIREARM, AS DEFINED IN SECTION 18-12-101 (1)(c.5); OR

20 (c) A MACHINE GUN CONVERSION DEVICE, AS DEFINED IN SECTION
21 18-12-101 (1)(g.2).

22 (7) "ILLICIT SUBSTANCE" MEANS:

23 (a) A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102
24 (5);

25 (b) ANY HEMP PRODUCT, AS DEFINED IN SECTION 25-5-427 (2)(d),
26 THAT IS NOT A TINCTURE OR COSMETIC AND HAS MORE THAN ONE AND
27 ONE-FOURTH MILLIGRAMS OF THC, AS DEFINED IN SECTION 44-10-209

1 (2)(d), PER SERVING OR HAS A RATIO OF CANNABIDIOL TO THC OF LESS
2 THAN TWENTY TO ONE; AND

3 (c) ANY PRODUCT THAT CONTAINS HEMP THAT IS INTENDED FOR
4 HUMAN CONSUMPTION AND IS NOT A COSMETIC, A DIETARY SUPPLEMENT,
5 A FOOD, A FOOD ADDITIVE, OR AN HERB.

6 (8) "INFINITE OR ENDLESS SCROLL" MEANS THE CONTINUOUS
7 DISPLAY OR SUGGESTION OF NEW CONTENT TO A USER OF A SOCIAL MEDIA
8 PLATFORM.

9 (9) "JUVENILE" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF
10 AGE.

11 (10) "PERSONALIZED RECOMMENDATION SYSTEM" MEANS A FULLY
12 OR PARTIALLY AUTOMATED SYSTEM USED TO SUGGEST, PROMOTE, OR
13 RANK CONTENT, BASED ON THE PERSONAL DATA OF USERS.

14 (11) (a) "PUBLISHED POLICIES" OR "POLICIES" MEANS POLICIES
15 ADOPTED AND PUBLISHED BY A SOCIAL MEDIA COMPANY OR SOCIAL MEDIA
16 PLATFORM THAT SPECIFY, AT LEAST, THE USER BEHAVIORS AND ACTIVITIES
17 THAT ARE PERMITTED ON THE SOCIAL MEDIA PLATFORM OWNED OR
18 OPERATED BY THE SOCIAL MEDIA COMPANY AND THE USER BEHAVIORS
19 AND ACTIVITIES THAT MAY SUBJECT A USER OR AN ITEM OF CONTENT TO
20 BEING ACTIONED.

21 (b) "PUBLISHED POLICIES" OR "POLICIES" INCLUDES TERMS OF
22 SERVICE AND COMMUNITY GUIDELINES.

23 (12) "SEX TRAFFICKING OF A JUVENILE" MEANS SELLING,
24 RECRUITING, HARBORING, TRANSPORTING, TRANSFERRING, ISOLATING,
25 ENTICING, PROVIDING, RECEIVING, OBTAINING BY ANY MEANS,
26 MAINTAINING, OR MAKING AVAILABLE A JUVENILE FOR THE PURPOSE OF
27 COMMERCIAL SEXUAL ACTIVITY.

1 (13) "SEXUALLY EXPLOITATIVE MATERIAL" HAS THE MEANING SET
2 FORTH IN SECTION 18-6-403 (2)(j).

3 (14) "SOCIAL MEDIA COMPANY" OR "COMPANY" MEANS A PERSON
4 THAT OWNS OR OPERATES ONE OR MORE SOCIAL MEDIA PLATFORMS.

5 (15) (a) "SOCIAL MEDIA PLATFORM" MEANS AN INTERNET-BASED
6 SERVICE OR APPLICATION THAT HAS USERS IN COLORADO AND MEETS
7 BOTH OF THE FOLLOWING CRITERIA:

8 (I) A SUBSTANTIAL FUNCTION OF THE SERVICE OR APPLICATION IS
9 TO ALLOW USERS TO INTERACT SOCIALLY WITH EACH OTHER WITHIN THE
10 SERVICE OR APPLICATION; AND

11 (II) THE SERVICE OR APPLICATION ALLOWS A USER TO:

12 (A) BECOME A REGISTERED USER, ESTABLISH AN ACCOUNT, OR
13 CONSTRUCT A PUBLIC OR SEMI-PUBLIC PROFILE FOR PURPOSES OF SIGNING
14 INTO AND USING THE SERVICE OR APPLICATION; AND

15 (B) CREATE OR POST CONTENT THAT IS VIEWABLE BY OTHER
16 USERS.

17 (b) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
18 INTERNET-BASED SERVICE OR APPLICATION WHERE THE PREDOMINANT OR
19 EXCLUSIVE FUNCTION OF THE SERVICE OR APPLICATION IS:

20 (I) PROVIDING ELECTRONIC MAIL;

21 (II) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
22 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
23 ENTERPRISE SO LONG AS ACCESS TO THE SERVICE OR APPLICATION IS
24 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
25 ENTERPRISE;

26 (III) SELLING ENTERPRISE SOFTWARE TO BUSINESSES,
27 GOVERNMENTS, OR NONPROFIT ORGANIZATIONS;

1 (IV) PROVIDING CLOUD-BASED ELECTRONIC STORAGE, INCLUDING
2 CLOUD-BASED STORAGE THAT ALLOWS COLLABORATIVE EDITING BY
3 INVITED USERS;

4 (V) FACILITATING TELECONFERENCING AND VIDEO CONFERENCING
5 FEATURES THAT ARE LIMITED TO CERTAIN PARTICIPANTS IN THE
6 TELECONFERENCE OR VIDEO CONFERENCE AND ARE NOT POSTED PUBLICLY
7 OR FOR BROAD DISTRIBUTION TO OTHER USERS;

8 (VI) FACILITATING CROWD-SOURCED CONTENT FOR REFERENCE
9 GUIDES SUCH AS ENCYCLOPEDIAS AND DICTIONARIES;

10 (VII) FACILITATING ONLINE SHOPPING OR E-COMMERCE IF THE
11 RELATED INTERACTIONS BETWEEN USERS OR ACCOUNT HOLDERS IS
12 LIMITED TO:

13 (A) THE ABILITY TO UPLOAD A POST AND COMMENT ON REVIEWS;

14 (B) THE ABILITY TO DISPLAY LISTS OR COLLECTIONS OF GOODS FOR
15 SALE OR WISH LISTS; AND

16 (C) OTHER FUNCTIONS THAT ARE FOCUSED ON ONLINE SHOPPING
17 OR E-COMMERCE RATHER THAN OTHER INTERACTIONS BETWEEN USERS OR
18 ACCOUNT HOLDERS;

19 (VIII) PROVIDING A STREAMING SERVICE THAT STREAMS ONLY
20 LICENSED MEDIA IN A CONTINUOUS FLOW FROM THE SERVICE, WEBSITE, OR
21 APPLICATION TO THE END USER AND DOES NOT REQUIRE A USER OR
22 ACCOUNT HOLDER TO OBTAIN A LICENSE FOR THE MEDIA BY AGREEMENT
23 TO A SOCIAL MEDIA PLATFORM'S TERMS OF SERVICE;

24 (IX) PROVIDING NEWS, SPORTS, ENTERTAINMENT, OR OTHER
25 CONTENT THAT IS PRESELECTED BY THE PROVIDER; EXCEPT THAT THIS
26 EXEMPTION DOES NOT APPLY TO CONTENT THAT IS USER GENERATED SUCH
27 AS A CHAT, COMMENT, OR INTERACTIVE FUNCTIONALITY THAT IS DIRECTLY

1 RELATED TO, OR DEPENDENT UPON, THE PROVISION OF THE NEWS, SPORTS,
2 ENTERTAINMENT, OR OTHER CONTENT;

3 (X) PROVIDING AN ONLINE SERVICE, WEBSITE, OR APPLICATION
4 THAT IS USED BY OR UNDER THE DIRECTION OF AN EDUCATIONAL ENTITY,
5 INCLUDING A LEARNING MANAGEMENT SYSTEM, A STUDENT ENGAGEMENT
6 PROGRAM, OR A SUBJECT OR SKILL-SPECIFIC PROGRAM, WHERE THE
7 MAJORITY OF THE CONTENT IS CREATED OR POSTED BY THE PROVIDER OF
8 THE ONLINE SERVICE, WEBSITE, OR APPLICATION AND THE ABILITY TO
9 CHAT, COMMENT, OR INTERACT WITH OTHER USERS IS DIRECTLY RELATED
10 TO THE PROVIDER'S CONTENT;

11 (XI) PROVIDING OR OBTAINING TECHNICAL SUPPORT FOR A
12 PLATFORM, PRODUCT, OR SERVICE; OR

13 (XII) PROVIDING CAREER DEVELOPMENT OPPORTUNITIES,
14 INCLUDING PROFESSIONAL NETWORKING, JOB SKILLS, LEARNING
15 CERTIFICATIONS, AND JOB POSTING AND APPLICATION SERVICES.

16 **6-1-1602. Social media companies - published policies -**
17 **required disclosures.** (1) ON OR BEFORE JULY 1, 2025, A SOCIAL MEDIA
18 COMPANY SHALL POST PUBLISHED POLICIES FOR EACH SOCIAL MEDIA
19 PLATFORM OWNED OR OPERATED BY THE SOCIAL MEDIA COMPANY. THE
20 PUBLISHED POLICIES MUST BE POSTED IN EACH SOCIAL MEDIA PLATFORM
21 IN A CLEAR AND CONSPICUOUS MANNER REASONABLY DESIGNED TO
22 INFORM ALL USERS OF THE SOCIAL MEDIA PLATFORM OF THE EXISTENCE
23 AND CONTENTS OF THE PUBLISHED POLICIES. THEREAFTER, A SOCIAL
24 MEDIA COMPANY SHALL POST ANY UPDATES TO THE POLICIES WITHIN
25 FOURTEEN DAYS AFTER THE IMPLEMENTATION OF THE UPDATED POLICIES.

26 (2) THE PUBLISHED POLICIES POSTED PURSUANT TO SUBSECTION
27 (1) OF THIS SECTION MUST INCLUDE:

1 (a) CONTACT INFORMATION FOR THE PURPOSE OF ALLOWING A
2 USER TO ASK THE SOCIAL MEDIA COMPANY QUESTIONS ABOUT THE
3 PUBLISHED POLICIES;

4 (b) A DESCRIPTION OF THE PROCESS THAT A USER MUST FOLLOW TO
5 FLAG CONTENT, GROUPS, OR OTHER USERS THAT THE USER BELIEVES
6 VIOLATE THE PUBLISHED POLICIES;

7 (c) A PROCESS TO WHICH THE SOCIAL MEDIA COMPANY COMMITS
8 FOR THE PURPOSE OF RESPONDING TO AND RESOLVING USER QUESTIONS
9 AND FLAGS AS DESCRIBED IN SUBSECTIONS (2)(a) AND (2)(b) OF THIS
10 SECTION. THIS PROCESS MUST INCLUDE PROCEDURES TO MAKE USERS
11 AWARE WHEN THE SOCIAL MEDIA COMPANY:

12 (I) REVIEWS A USER'S FLAG; AND

13 (II) RESPONDS TO A USER'S FLAG, INCLUDING WHETHER ACTION
14 WAS TAKEN IN RESPONSE.

15 (d) A STATEMENT THAT THE USE OF THE SOCIAL MEDIA PLATFORM
16 FOR THE PROMOTION, SALE, OR ADVERTISEMENT OF ANY ILLICIT
17 SUBSTANCE; FOR THE SALE OF ANY FIREARM IN VIOLATION OF STATE OR
18 FEDERAL LAW; FOR SEX TRAFFICKING OF A JUVENILE; OR FOR THE
19 POSSESSION, DISPLAY, EXCHANGE, DISTRIBUTION, SALE, OR CREATION OF,
20 OR THE INDUCEMENT TO CREATE, SEXUALLY EXPLOITATIVE MATERIAL IS
21 PROHIBITED;

22 (e) A DESCRIPTION OF THE SOCIAL MEDIA COMPANY'S PROCESS FOR
23 ENFORCING ITS PUBLISHED POLICIES AND THE POTENTIAL CONSEQUENCES
24 OF VIOLATING THE PUBLISHED POLICIES, WHICH DESCRIPTION INCLUDES:

25 (I) ACTIONS THE SOCIAL MEDIA COMPANY MAY TAKE AGAINST AN
26 ITEM OF CONTENT, A GROUP, OR A USER, INCLUDING ACTIONS DESCRIBED
27 IN SECTION 6-1-1601 (1); AND

1 (II) DETAILS CONCERNING:

2 (A) WHAT TYPES OF ACTIVITY ON THE SOCIAL MEDIA PLATFORM
3 VIOLATE A PUBLISHED POLICY;

4 (B) WHAT ACTIONS THE SOCIAL MEDIA COMPANY MAY TAKE IN
5 RESPONSE TO EACH TYPE OF ACTIVITY THAT VIOLATES A PUBLISHED
6 POLICY;

7 (C) HOW MANY VIOLATIONS OF A PUBLISHED POLICY ARE
8 REQUIRED TO RESULT IN A SPECIFIC ACTION; AND

9 (D) WHAT ACTIONS THE SOCIAL MEDIA COMPANY MAY TAKE IN
10 RESPONSE TO ACTIVITY THAT VIOLATES MULTIPLE PUBLISHED POLICIES;
11 AND

12 (f) A STATEMENT THAT VIOLATIONS OF THE PUBLISHED POLICIES
13 THAT VIOLATE STATE OR FEDERAL LAWS WILL BE REPORTED TO LAW
14 ENFORCEMENT FOR INVESTIGATION AND POTENTIAL PROSECUTION,
15 INCLUDING A DESCRIPTION OF WHEN AND HOW A VIOLATION INVOLVING
16 CONTENT CONCERNING AN ILLICIT SUBSTANCE, THE SALE OF A FIREARM IN
17 VIOLATION OF STATE OR FEDERAL LAW, SEX TRAFFICKING OF A JUVENILE,
18 OR THE POSSESSION, DISPLAY, EXCHANGE, DISTRIBUTION, SALE, OR
19 CREATION OF, OR THE INDUCEMENT TO CREATE, SEXUALLY EXPLOITATIVE
20 MATERIAL MAY BE REPORTED TO LAW ENFORCEMENT AND IN WHAT
21 FORMAT THIS INFORMATION WOULD BE PROVIDED.

22 (3) A SOCIAL MEDIA COMPANY SHALL MAKE ITS PUBLISHED
23 POLICIES AVAILABLE, AT A MINIMUM, IN ENGLISH AND SPANISH.

24 **6-1-1603. Social media companies - report required -**
25 **mandatory content - searchable public repository.** (1) ON AN ANNUAL
26 BASIS IN ACCORDANCE WITH SUBSECTION (2) OF THIS SECTION, A SOCIAL
27 MEDIA COMPANY SHALL SUBMIT TO THE ATTORNEY GENERAL, IN A USABLE

1 FORMAT, A REPORT THAT INCLUDES, FOR EACH SOCIAL MEDIA PLATFORM
2 OWNED OR OPERATED BY THE SOCIAL MEDIA COMPANY:

3 (a) THE CURRENT VERSION OF THE PUBLISHED POLICIES OF THE
4 SOCIAL MEDIA PLATFORM;

5 (b) IF A SOCIAL MEDIA COMPANY HAS FILED ITS FIRST REPORT, A
6 COMPLETE AND DETAILED DESCRIPTION OF ANY CHANGES TO THE
7 PUBLISHED POLICIES SINCE THE PREVIOUS REPORT;

8 (c) A STATEMENT OF WHETHER THE CURRENT VERSION OF THE
9 PUBLISHED POLICIES CONTAINS DEFINITIONS AND PROVISIONS RELATING TO
10 EACH OF THE FOLLOWING CATEGORIES OF CONTENT AND, IF SO, THE
11 DEFINITIONS OF THOSE CATEGORIES AND A DESCRIPTION OF THOSE
12 PROVISIONS:

13 (I) ILLICIT SUBSTANCES;

14 (II) SALES OF FIREARMS IN VIOLATION OF STATE OR FEDERAL
15 LAWS;

16 (III) SEX TRAFFICKING OF A JUVENILE; AND

17 (IV) POSSESSION, DISPLAY, EXCHANGE, DISTRIBUTION, SALE, OR
18 CREATION OF, OR THE INDUCEMENT TO CREATE, SEXUALLY EXPLOITATIVE
19 MATERIAL;

20 (d) A DETAILED DESCRIPTION OF CONTENT MODERATION
21 PRACTICES USED BY THE SOCIAL MEDIA COMPANY FOR EACH SOCIAL MEDIA
22 PLATFORM, INCLUDING:

23 (I) ANY EXISTING CONTENT MODERATION PRACTICES INTENDED TO
24 ADDRESS THE CATEGORIES OF CONTENT DESCRIBED IN SUBSECTION (1)(c)
25 OF THIS SECTION;

26 (II) UNDER WHAT CIRCUMSTANCES CONTENT MODERATION
27 SYSTEMS INVOLVE AUTOMATED REVIEW EXCLUSIVELY, HUMAN REVIEW

1 EXCLUSIVELY, OR ANY OTHER TYPE OR COMBINATION OF CONTENT
2 MODERATION PRACTICES;

3 (III) HOW CONTENT MODERATION SYSTEMS ARE USED TO ENFORCE
4 PUBLISHED POLICIES OF THE SOCIAL MEDIA PLATFORM, INCLUDING WHEN
5 AND HOW PUBLISHED POLICIES ARE ENFORCED USING AUTOMATED REVIEW,
6 HUMAN REVIEW, OR ANY OTHER TYPE OR COMBINATION OF CONTENT
7 MODERATION PRACTICES;

8 (IV) HOW THE SOCIAL MEDIA COMPANY RESPONDS TO USER
9 REPORTS OF CONTENT THAT VIOLATES ITS PUBLISHED POLICIES;

10 (V) HOW THE SOCIAL MEDIA COMPANY REMOVES INDIVIDUAL
11 PIECES OF CONTENT, USERS, OR GROUPS THAT VIOLATE THE PUBLISHED
12 POLICIES OR TAKES OTHER ACTION AGAINST A USER OR GROUP OF USERS
13 THAT VIOLATE THE PUBLISHED POLICIES; AND

14 (VI) THE LANGUAGES IN WHICH THE SOCIAL MEDIA COMPANY
15 MAKES PUBLISHED POLICIES AVAILABLE;

16 (e) (I) FOR THE PRECEDING TWELVE MONTHS, DATA INCLUDING:

17 (A) THE TOTAL NUMBER OF ITEMS OF CONTENT FLAGGED BY THE
18 SOCIAL MEDIA COMPANY, USERS, OR OTHER ENTITIES AS VIOLATING A
19 PUBLISHED POLICY, INCLUDING SUBTOTALS FOR CONTENT IN EACH
20 CATEGORY DESCRIBED IN SUBSECTION (1)(c) OF THIS SECTION;

21 (B) THE TOTAL NUMBER OF ACTIONED ITEMS OF CONTENT;

22 (C) THE PERCENTAGE OF FLAGGED ITEMS AND THE PERCENTAGE
23 OF ACTIONED ITEMS OF CONTENT IN EACH CATEGORY DESCRIBED IN
24 SUBSECTION (1)(c) OF THIS SECTION;

25 (D) THE NUMBER OF TIMES EACH ACTIONED ITEM OF CONTENT WAS
26 VIEWED BY USERS BEFORE IT WAS ACTIONED;

27 (E) THE NUMBER OF TIMES EACH ACTIONED ITEM OF CONTENT WAS

1 SHARED;

2 (F) THE NUMBER OF TIMES USERS APPEALED SOCIAL MEDIA
3 COMPANY ACTIONS TAKEN ON THAT SOCIAL MEDIA PLATFORM AND THE
4 NUMBER OF REVERSALS OF SOCIAL MEDIA COMPANY ACTIONS ON APPEAL,
5 DISAGGREGATED BY EACH TYPE OF ACTION; AND

6 (G) THE TOTAL NUMBER OF USERS' ACCOUNTS THAT WERE
7 ACTIONED BY THE SOCIAL MEDIA COMPANY DUE TO A USER'S VIOLATION
8 OF THE PUBLISHED POLICIES AND A BREAKDOWN BY PERCENTAGES OF ALL
9 ACTIONS TAKEN AGAINST USERS FOR CONTENT OR ACTIVITY RELATING TO
10 EACH CATEGORY DESCRIBED IN SUBSECTION (1)(c) OF THIS SECTION.

11 (II) ALL INFORMATION REQUIRED BY SUBSECTION (1)(e)(I) OF THIS
12 SECTION MUST BE DISAGGREGATED INTO THE FOLLOWING CATEGORIES:

13 (A) THE CATEGORY OF CONTENT, INCLUDING ANY RELEVANT
14 CATEGORIES OR SUBCATEGORIES DESCRIBED IN SUBSECTION (1)(c) OF THIS
15 SECTION;

16 (B) THE TYPE OF CONTENT, INCLUDING CATEGORIES FOR POSTS,
17 COMMENTS, MESSAGES, PROFILES OF USERS, OR GROUPS OF USERS;

18 (C) THE TYPE OF MEDIA CATEGORY OF THE CONTENT, INCLUDING
19 CATEGORIES FOR TEXT, IMAGES, AND VIDEOS;

20 (D) HOW THE CONTENT WAS FLAGGED, INCLUDING WHETHER THE
21 CONTENT WAS FLAGGED BY USERS, COMPANY EMPLOYEES, COMPANY
22 CONTRACTORS, COMMUNITY MODERATORS, ARTIFICIAL INTELLIGENCE,
23 SOFTWARE, AUTOMATED SYSTEMS, OR ANY OTHER MECHANISM; AND

24 (E) HOW THE CONTENT WAS ACTIONED, INCLUDING WHETHER THE
25 CONTENT WAS ACTIONED BY COMPANY EMPLOYEES, COMPANY
26 CONTRACTORS, COMMUNITY MODERATORS, ARTIFICIAL INTELLIGENCE,
27 SOFTWARE, AUTOMATED SYSTEMS, OR ANY OTHER MECHANISM.

1 (f) FOR THE PRECEDING TWELVE MONTHS, DATA CONCERNING HOW
2 JUVENILES IN COLORADO USE THE SOCIAL MEDIA PLATFORM, INCLUDING:

3 (I) THE TOTAL NUMBER OF JUVENILES IN COLORADO WHO USE THE
4 SOCIAL MEDIA PLATFORM;

5 (II) THE TOTAL NUMBER OF INDIVIDUALS WHO CREATE A USER
6 ACCOUNT THAT INCLUDES A DATE OF BIRTH INDICATING THAT THE
7 INDIVIDUAL IS AT LEAST EIGHTEEN YEARS OLD BUT WHO APPEAR,
8 ACCORDING TO THE SOCIAL MEDIA PLATFORM'S AGE VERIFICATION
9 PROCESS, TO BE JUVENILES;

10 (III) THE TOTAL NUMBER OF TIMES JUVENILE USERS CREATED,
11 VIEWED, SHARED, SEARCHED FOR, OR OTHERWISE INTERACTED WITH
12 CONTENT THAT VIOLATES THE SOCIAL MEDIA PLATFORM'S PUBLISHED
13 POLICIES RELATED TO EACH CATEGORY LISTED IN SUBSECTION (1)(c) OF
14 THIS SECTION, DISAGGREGATED BY EACH FORM OF INTERACTION AND EACH
15 CATEGORY;

16 (IV) THE TOTAL NUMBER OF ITEMS OF ACTIONED CONTENT THAT
17 WERE CREATED, VIEWED, SHARED, SEARCHED FOR, OR OTHERWISE
18 INTERACTED WITH BY JUVENILE USERS, DISAGGREGATED BY EACH FORM
19 OF INTERACTION;

20 (V) THE TOTAL NUMBER OF REPORTS THE SOCIAL MEDIA PLATFORM
21 RECEIVED, FROM ANY SOURCE, ABOUT USERS WHO HAVE NOT PROVIDED
22 THEIR TRUE AGES TO THE PLATFORM OR OTHERWISE VIOLATED THE
23 PLATFORM'S PUBLISHED AGE POLICIES, AND HOW THE PLATFORM
24 RESPONDED TO THESE REPORTS; AND

25 (VI) THE TOTAL NUMBER OF USERS' ACCOUNTS THAT WERE
26 SUSPENDED OR PERMANENTLY REMOVED FROM THE SOCIAL MEDIA
27 PLATFORM DUE TO A USER'S VIOLATION OF THE PLATFORM'S PUBLISHED

1 AGE POLICIES;

2 (g) A DESCRIPTION OF THE SOCIAL MEDIA PLATFORM'S AGE
3 VERIFICATION PRACTICES, HOW THEY ARE ENFORCED, HOW THE SOCIAL
4 MEDIA PLATFORM RESPONDS TO USER REPORTS OF VIOLATIONS, AND WHAT
5 ACTION IS TAKEN WHEN A USER IS FOUND TO HAVE VIOLATED THE SOCIAL
6 MEDIA PLATFORM'S AGE POLICIES; AND

7 (h) DATA CONCERNING A SOCIAL MEDIA PLATFORM'S APPLICATION
8 OF ITS PUBLISHED POLICIES, WHICH DATA MUST BE MADE PUBLICLY
9 AVAILABLE IN A CLEAR AND CONSPICUOUS MANNER AND INCLUDE:

10 (I) THE NUMBER OF TIMES IN THE PRECEDING CALENDAR YEAR
11 THAT THE SOCIAL MEDIA COMPANY REFERRED A VIOLATION OF ITS
12 PUBLISHED POLICIES TO LAW ENFORCEMENT AGENCIES IN COLORADO;

13 (II) THE NATURE OF EACH VIOLATION REFERRED TO LAW
14 ENFORCEMENT AGENCIES IN COLORADO;

15 (III) THE NUMBER OF TIMES THAT LAW ENFORCEMENT AGENCIES
16 IN COLORADO REQUESTED INFORMATION FROM THE SOCIAL MEDIA
17 COMPANY IN THE PRECEDING CALENDAR YEAR REGARDING A USER, A
18 GROUP, OR CONTENT CONCERNING AN ILLICIT SUBSTANCE, THE SALE OF A
19 FIREARM IN VIOLATION OF STATE OR FEDERAL LAW, SEX TRAFFICKING OF
20 A JUVENILE, OR THE POSSESSION, DISPLAY, EXCHANGE, DISTRIBUTION,
21 SALE, OR CREATION OF, OR THE INDUCEMENT TO CREATE, SEXUALLY
22 EXPLOITATIVE MATERIAL, WHEN SUCH INFORMATION IS IDENTIFIABLE
23 FROM THE REQUEST OR CONTENT, INCLUDING THE FORM OF EACH REQUEST,
24 AS WELL AS THE NUMBER OF REQUESTS THAT WENT UNANSWERED, THE
25 REASON WHY THE REQUESTS WENT UNANSWERED, AND THE AVERAGE AND
26 ACTUAL RESPONSE TIMES AND RESOLUTION TIMES OF EACH REQUEST; AND

27 (IV) THE NUMBER OF INDIVIDUALS WHO ARE EMPLOYED FULL-TIME

1 AT THE SOCIAL MEDIA COMPANY AND WHO RESPOND TO REQUESTS FOR
2 INFORMATION FROM LAW ENFORCEMENT AS PART OF THEIR EMPLOYMENT
3 DUTIES.

4 (2) IN CONNECTION WITH THE SUBMISSION OF THE REPORT
5 DESCRIBED IN SUBSECTION (1) OF THIS SECTION, A SOCIAL MEDIA
6 COMPANY SHALL CERTIFY THAT ALL REASONABLE EFFORTS HAVE BEEN
7 MADE TO PROVIDE COMPLETE, TRUE, AND ACCURATE INFORMATION IN
8 FULFILLMENT OF THE REQUIREMENTS OF THIS SECTION. THE FIRST REPORT
9 MUST BE SUBMITTED NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER
10 THE EFFECTIVE DATE OF THIS PART 16. THEREAFTER, REPORTS MUST BE
11 SUBMITTED NO LATER THAN FEBRUARY 1 OF EACH YEAR.

12 (3) THE ATTORNEY GENERAL SHALL MAKE ALL REPORTS
13 SUBMITTED PURSUANT TO THIS SECTION AVAILABLE TO THE PUBLIC IN A
14 SEARCHABLE REPOSITORY ON THE ATTORNEY GENERAL'S WEBSITE.

15 **6-1-1604. Social media companies - age verification**
16 **requirements - use and disposal of information - domestic**
17 **information processors.** (1) A SOCIAL MEDIA COMPANY SHALL USE A
18 COMMERCIALY REASONABLE PROCESS TO VERIFY THE AGE OF EACH USER
19 OF A SOCIAL MEDIA PLATFORM THAT THE SOCIAL MEDIA COMPANY OWNS
20 OR OPERATES.

21 (2) A SOCIAL MEDIA COMPANY SHALL ALLOW EACH USER OF A
22 SOCIAL MEDIA PLATFORM THAT THE SOCIAL MEDIA COMPANY OWNS OR
23 OPERATES TO SELECT AN OPTION TO APPLY TO THE USER THE PROTECTIONS
24 AVAILABLE TO JUVENILES, INCLUDING THE PROTECTIONS DESCRIBED IN
25 SECTIONS 6-1-1605, 6-1-1606, AND 6-1-1607.

26 (3) WITH REGARD TO ANY INFORMATION CONCERNING A USER
27 OBTAINED BY A SOCIAL MEDIA COMPANY OR ITS AGENT IN ORDER TO

1 COMPLY WITH THE REQUIREMENTS OF THIS SECTION, A SOCIAL MEDIA
2 COMPANY OR ITS AGENT SHALL:

3 (a) RETAIN SUCH INFORMATION ONLY FOR THE PURPOSE OF
4 COMPLIANCE WITH THIS SECTION AND FOR NO OTHER PURPOSE; AND

5 (b) SECURELY DISPOSE OF THE INFORMATION AFTER AGE
6 VERIFICATION IS COMPLETE.

7 (4) ANY AGENT OF A SOCIAL MEDIA COMPANY THAT PROCESSES
8 AGE VERIFICATION INFORMATION AS REQUIRED BY THIS SECTION SHALL
9 HAVE ITS PRINCIPAL PLACE OF BUSINESS IN THE UNITED STATES.

10 **6-1-1605. Social media companies - parental tools and settings**

11 **required - notice required.** (1) A SOCIAL MEDIA PLATFORM SHALL
12 PROVIDE READILY ACCESSIBLE AND EASY-TO-USE TOOLS AND SETTINGS
13 FOR PARENTS AND GUARDIANS TO SUPPORT AN INDIVIDUAL THAT A SOCIAL
14 MEDIA PLATFORM KNOWS OR REASONABLY SHOULD KNOW IS A JUVENILE
15 WITH RESPECT TO THE INDIVIDUAL'S USE OF THE SOCIAL MEDIA PLATFORM.

16 THE TOOLS AND SETTINGS MUST INCLUDE THE ABILITY TO:

17 (a) VIEW AND MANAGE A JUVENILE'S PRIVACY AND ACCOUNT
18 SETTINGS;

19 (b) RESTRICT PURCHASES AND FINANCIAL TRANSACTIONS BY THE
20 JUVENILE;

21 (c) VIEW METRICS OF TOTAL TIME SPENT ON THE SOCIAL MEDIA
22 PLATFORM;

23 (d) RESTRICT TIME SPENT ON THE PLATFORM BY THE JUVENILE,
24 INCLUDING THE ABILITY TO IMPLEMENT MAXIMUM DAILY USAGE
25 LIMITATIONS AND USAGE LIMITATIONS DURING CERTAIN HOURS;

26 (e) LIMIT AND OPT OUT OF:

27 (I) PERSONALIZED RECOMMENDATION SYSTEMS, WHILE STILL

1 ALLOWING DISPLAY OF CONTENT IN A CHRONOLOGICAL FORMAT;
2 (II) INFINITE OR ENDLESS SCROLL FEATURES, WHILE STILL
3 ALLOWING DISPLAY OF CONTENT IN A CHRONOLOGICAL FORMAT;
4 (III) EPHEMERAL CONTENT FEEDS;
5 (IV) PRIVATE MESSAGING AND PRIVATE CONTENT FEATURES;
6 (V) NOTIFICATION AND ALERT FEATURES;
7 (VI) REWARD FEATURES OF ANY KIND, INCLUDING REWARDS THE
8 SOCIAL MEDIA PLATFORM GIVES TO USERS FOR TIME SPENT ON THE
9 PLATFORM;
10 (VII) APPEARANCE-ALTERING FILTERS;
11 (VIII) AUTOMATIC PLAYING OF MEDIA; AND
12 (IX) GEOLOCATION FEATURES;
13 (f) LIMIT TYPES OR CATEGORIES OF RECOMMENDATIONS FROM
14 PERSONAL RECOMMENDATION SYSTEMS AND EPHEMERAL CONTENT FEEDS;
15 (g) REQUEST AND RECEIVE NOTIFICATIONS FROM THE SOCIAL
16 MEDIA PLATFORM ABOUT INTERACTIONS BETWEEN THE JUVENILE'S
17 ACCOUNT AND ACCOUNTS ASSOCIATED WITH ADULT USERS;
18 (h) REQUEST AND RECEIVE NOTIFICATIONS FROM THE SOCIAL
19 MEDIA PLATFORM ABOUT THE PRESENCE OF SEXUALLY EXPLOITATIVE
20 MATERIAL IN THE JUVENILE'S ACCOUNT AND INTERACTIONS BETWEEN THE
21 JUVENILE'S ACCOUNT AND SEXUALLY EXPLOITATIVE MATERIAL;
22 (i) EASILY REPORT PREDATORY ACTIVITY AND SEXUALLY
23 EXPLOITATIVE MATERIAL TO THE SOCIAL MEDIA PLATFORM; AND
24 (j) DELETE THE JUVENILE'S ACCOUNT AND ANY PERSONAL DATA
25 COLLECTED FROM OR SHARED BY THE JUVENILE ON THE SOCIAL MEDIA
26 PLATFORM.
27 (2) A SOCIAL MEDIA PLATFORM SHALL PROVIDE CLEAR AND

1 CONSPICUOUS NOTICE TO A USER THAT THE SOCIAL MEDIA PLATFORM
2 KNOWS OR REASONABLY SHOULD KNOW IS A JUVENILE WHEN TOOLS
3 DESCRIBED IN THIS SECTION ARE IN EFFECT AND WHAT SETTINGS OR
4 CONTROLS HAVE BEEN APPLIED.

5 **6-1-1606. Social media companies - safeguards and warnings**
6 **for juveniles.** (1) A SOCIAL MEDIA PLATFORM SHALL PROVIDE AN
7 INDIVIDUAL THAT THE SOCIAL MEDIA PLATFORM KNOWS OR REASONABLY
8 SHOULD KNOW IS A JUVENILE WITH READILY ACCESSIBLE AND
9 EASY-TO-USE SAFEGUARDS THAT INCLUDE THE ABILITY TO:

10 (a) LIMIT THE AMOUNT OF TIME THE JUVENILE SPENDS ON THE
11 SOCIAL MEDIA PLATFORM;

12 (b) LIMIT THE ABILITY OF OTHER INDIVIDUALS TO COMMUNICATE
13 WITH THE JUVENILE;

14 (c) PREVENT OTHER USERS, WHETHER REGISTERED OR NOT, FROM
15 VIEWING THE JUVENILE'S PERSONAL DATA COLLECTED BY OR SHARED ON
16 THE SOCIAL MEDIA PLATFORM, INCLUDING PREVENTING PUBLIC ACCESS TO
17 THE JUVENILE'S PERSONAL DATA;

18 (d) LIMIT AND OPT OUT OF:

19 (I) PERSONALIZED RECOMMENDATION SYSTEMS, WHILE STILL
20 ALLOWING DISPLAY OF CONTENT IN A CHRONOLOGICAL FORMAT;

21 (II) INFINITE OR ENDLESS SCROLL FEATURES, WHILE STILL
22 ALLOWING DISPLAY OF CONTENT IN A CHRONOLOGICAL FORMAT;

23 (III) EPHEMERAL CONTENT FEEDS;

24 (IV) PRIVATE MESSAGING AND PRIVATE CONTENT FEATURES;

25 (V) NOTIFICATION AND ALERT FEATURES;

26 (VI) REWARD FEATURES OF ANY KIND, INCLUDING REWARDS THE
27 SOCIAL MEDIA PLATFORM GIVES TO USERS FOR TIME SPENT ON THE

1 PLATFORM;

2 (VII) APPEARANCE-ALTERING FILTERS;

3 (VIII) AUTOMATIC PLAYING OF MEDIA; AND

4 (IX) GEOLOCATION FEATURES;

5 (e) LIMIT TYPES OR CATEGORIES OF RECOMMENDATIONS FROM

6 PERSONAL RECOMMENDATION SYSTEMS AND EPHEMERAL CONTENT FEEDS;

7 (f) RESTRICT THE SHARING OF THE GEOLOCATION OF THE JUVENILE

8 TO OTHER USERS ON THE SOCIAL MEDIA PLATFORM AND PROVIDE NOTICE

9 OF THE TRACKING OF THE JUVENILE'S GEOLOCATION; AND

10 (g) DELETE THE JUVENILE'S ACCOUNT AND ANY PERSONAL DATA

11 COLLECTED FROM OR SHARED BY THE JUVENILE ON THE SOCIAL MEDIA

12 PLATFORM.

13 (2) A SOCIAL MEDIA PLATFORM SHALL ENSURE THAT, IN THE CASE

14 OF A USER THE SOCIAL MEDIA PLATFORM KNOWS OR REASONABLY SHOULD

15 KNOW IS A JUVENILE, THE DEFAULT SETTING FOR ANY SAFEGUARD

16 DESCRIBED IN THIS SECTION IS THE OPTION AVAILABLE ON THE PLATFORM

17 THAT PROVIDES THE MOST PROTECTIVE LEVEL OF CONTROL OVER PRIVACY

18 AND SAFETY FOR THAT USER.

19 (3) A SOCIAL MEDIA PLATFORM SHALL PROVIDE AN INDIVIDUAL

20 THAT THE PLATFORM KNOWS OR REASONABLY SHOULD KNOW IS A

21 JUVENILE WITH CLEAR AND CONSPICUOUS WARNINGS WHEN:

22 (a) CONTENT SHARED BY THE JUVENILE ON THE SOCIAL MEDIA

23 PLATFORM MAY CONTAIN GEOLOCATION INFORMATION;

24 (b) THE JUVENILE'S DATA MAY BE TRACKED OR USED FOR THE

25 PURPOSE OF ALGORITHMIC PROFILING, RECOMMENDING CONTENT, OR

26 TARGETING ADVERTISING;

27 (c) THE JUVENILE'S DATA MAY BE SOLD TO THE SOCIAL MEDIA

1 PLATFORM'S ADVERTISING CLIENTS;

2 (d) THE JUVENILE'S ACCOUNT PROFILE IS RECOMMENDED OR
3 DISPLAYED TO ADULT USERS;

4 (e) THE JUVENILE'S ACCOUNT PROFILE IS RECOMMENDED OR
5 DISPLAYED TO USERS WHO ARE NOT ON THE JUVENILE'S POPULATED LIST
6 OF CONNECTED USERS ON THE SOCIAL MEDIA PLATFORM; AND

7 (f) THE JUVENILE SHARES OR RECEIVES PRIVATE CONTENT FROM
8 USERS WHO ARE NOT ON THE JUVENILE'S POPULATED LIST OF CONNECTED
9 USERS ON THE SOCIAL MEDIA PLATFORM.

10 **6-1-1607. Social media platforms - uses of dark patterns**
11 **prohibited.** A SOCIAL MEDIA PLATFORM SHALL NOT USE DARK PATTERNS
12 TO LEAD OR ENCOURAGE JUVENILES TO PROVIDE PERSONAL INFORMATION
13 BEYOND WHAT IS REASONABLY EXPECTED, TO DISABLE SAFEGUARDS OR
14 PARENTAL CONTROLS REQUIRED UNDER THIS PART 16, TO FORGO PRIVACY
15 PROTECTIONS, OR TO TAKE ANY ACTION THAT THE SOCIAL MEDIA
16 PLATFORM KNOWS IS NOT IN THE BEST INTEREST OF JUVENILES
17 REASONABLY LIKELY TO ACCESS THE SOCIAL MEDIA PLATFORM.

18 **6-1-1608. Social media companies - removal of users for**
19 **prohibited activity.** (1) A SOCIAL MEDIA COMPANY SHALL:

20 (a) IMMEDIATELY REMOVE ANY USER OF A SOCIAL MEDIA
21 PLATFORM WHO PROMOTES, SELLS, OR ADVERTISES AN ILLICIT SUBSTANCE
22 OR ENGAGES IN THE SALE OF A FIREARM IN VIOLATION OF STATE OR
23 FEDERAL LAW, THE SEX TRAFFICKING OF A JUVENILE, OR THE POSSESSION,
24 DISPLAY, EXCHANGE, DISTRIBUTION, SALE, OR CREATION OF, OR THE
25 INDUCEMENT TO CREATE, SEXUALLY EXPLOITATIVE MATERIAL AND KEEP
26 THE USER REMOVED UNTIL THERE IS HUMAN REVIEW OF THIS ACTIVITY;
27 AND

1 (b) PERMANENTLY AND AS SOON AS FEASIBLY POSSIBLE REMOVE
2 THE USER IF HUMAN REVIEW CONFIRMS THE USER ENGAGED IN AN ACTION
3 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION.

4 **6-1-1609. Social media companies - cooperation with law**
5 **enforcement agencies data retention - response timelines.** (1) A
6 SOCIAL MEDIA COMPANY SHALL RETAIN FOR AT LEAST ONE YEAR ANY
7 DATA AND METADATA CONCERNING USERS' IDENTITIES AND ACTIVITIES ON
8 THE SOCIAL MEDIA PLATFORM.

9 (2) A SOCIAL MEDIA COMPANY SHALL INITIALLY RESPOND TO ANY
10 INQUIRY OR LEGAL PROCESS FROM A LAW ENFORCEMENT AGENCY WITHIN
11 THREE DAYS TO CONFIRM RECEIPT AND SHALL FULFILL THE LAW
12 ENFORCEMENT REQUEST WITHIN THIRTY DAYS AFTER RECEIVING THE
13 INQUIRY. A SOCIAL MEDIA COMPANY SHALL PRESERVE THE DATA NEEDED
14 TO RESPOND TO AN INQUIRY FROM A LAW ENFORCEMENT AGENCY.

15 (3) A SOCIAL MEDIA COMPANY SHALL NOT ALERT A USER TO THE
16 FACT THAT A LAW ENFORCEMENT AGENCY IS INVESTIGATING THE USER'S
17 ACTIVITY AND ACCOUNT.

18 (4) ANY INFORMATION THAT A SOCIAL MEDIA COMPANY PROVIDES
19 TO A LAW ENFORCEMENT AGENCY AS DESCRIBED IN THIS PART 16 SHALL
20 BE PROVIDED IN AN EASILY USABLE FORMAT.

21 **6-1-1610. Social media companies - use of algorithms.** THE USE
22 OF A DESIGN, ALGORITHM, OR FEATURE TO PROMOTE OR ENCOURAGE
23 ENGAGEMENT OR USE BY A JUVENILE ON A SOCIAL MEDIA PLATFORM IS
24 CONSIDERED "PROCESSING THAT PRESENTS A HEIGHTENED RISK OF HARM
25 TO A CONSUMER", AS DESCRIBED IN SECTION 6-1-1309, AND IS SUBJECT TO
26 THE REQUIREMENTS OF SECTION 6-1-1309.

27 **6-1-1611. Right to cure.** PRIOR TO INITIATING ANY ENFORCEMENT

1 ACTION PURSUANT TO SECTION 6-1-1612, THE ATTORNEY GENERAL OR
2 DISTRICT ATTORNEY SHALL ISSUE A NOTICE OF VIOLATION TO A SOCIAL
3 MEDIA COMPANY ALLEGED TO HAVE VIOLATED THIS PART 16 IF A CURE IS
4 DEEMED POSSIBLE. IF THE SOCIAL MEDIA COMPANY FAILS TO CURE THE
5 VIOLATION WITHIN SIXTY DAYS AFTER THE RECEIPT OF THE NOTICE OF
6 VIOLATION, AN ACTION MAY BE BROUGHT PURSUANT TO PART 1 OF THIS
7 ARTICLE 1.

8 **6-1-1612. Social media companies - violations - unfair or**
9 **deceptive trade practice.** A VIOLATION OF THIS PART 16 IS A DECEPTIVE
10 TRADE PRACTICE, AS DESCRIBED IN SECTION 6-1-105 (1)(eeee).

11 **6-1-1613. Duties and obligations not exclusive - remedies not**
12 **exclusive.** (1) THE DUTIES AND OBLIGATIONS IMPOSED BY THIS PART 16
13 ARE IN ADDITION TO ANY OTHER DUTIES OR OBLIGATIONS IMPOSED UNDER
14 LOCAL, STATE, OR FEDERAL LAW, AND THIS PART 16 DOES NOT RELIEVE
15 ANY PARTY FROM ANY DUTIES OR OBLIGATIONS IMPOSED UNDER LAW.

16 (2) THE REMEDIES OR PENALTIES PROVIDED BY THIS PART 16 ARE
17 IN ADDITION TO EACH OTHER AND TO ANY OTHER REMEDIES OR PENALTIES
18 AVAILABLE UNDER LOCAL, STATE, OR FEDERAL LAW.

19 **6-1-1614. Severability.** IF ANY PROVISION OF THIS PART 16 OR THE
20 APPLICATION THEREOF TO ANY PERSON OR CIRCUMSTANCE IS HELD
21 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR
22 APPLICATIONS OF THIS PART 16 THAT CAN BE GIVEN EFFECT WITHOUT THE
23 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF
24 THIS PART 16 ARE DECLARED TO BE SEVERABLE.

25 **SECTION 2.** In Colorado Revised Statutes, 6-1-105, **amend**
26 (1)(cccc) and (1)(dddd); and **add** (1)(eeee) as follows:

27 **6-1-105. Unfair or deceptive trade practices.** (1) A person

1 engages in a deceptive trade practice when, in the course of the person's
2 business, vocation, or occupation, the person:

3 (cccc) Sells or offers for sale a product that is age-restricted to a
4 person who does not meet the age restriction; ~~or~~

5 (dddd) Fails to register a mobile home park in violation of section
6 38-12-1106; OR

7 (eeee) KNOWINGLY OR RECKLESSLY VIOLATES OR AIDS OR ABETS
8 THE COMMISSION OF A VIOLATION OF PART 16 OF THIS ARTICLE 1.

9 **SECTION 3. Act subject to petition - effective date.** This act
10 takes effect July 1, 2025; except that, if a referendum petition is filed
11 pursuant to section 1 (3) of article V of the state constitution against this
12 act or an item, section, or part of this act within the ninety-day period
13 after final adjournment of the general assembly, then the act, item,
14 section, or part will not take effect unless approved by the people at the
15 general election to be held in November 2024 and, in such case, will take
16 effect July 1, 2025, or on the date of the official declaration of the vote
17 thereon by the governor, whichever is later.