

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 25-0452.01 Richard Sweetman x4333

SENATE BILL 25-086

SENATE SPONSORSHIP

Frizell and Daugherty, Amabile, Ball, Coleman, Exum, Jodeh, Kipp, Mullica, Roberts, Snyder

HOUSE SPONSORSHIP

Boesenecker and Hartsook,

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House Committees

A BILL FOR AN ACT

101 **CONCERNING PROTECTIONS FOR USERS OF SOCIAL MEDIA, AND, IN**
102 **CONNECTION THEREWITH, ESTABLISHING CERTAIN**
103 **REQUIREMENTS FOR SOCIAL MEDIA COMPANIES.**

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 establishes certain requirements for social media companies and social media platforms in order to protect users. Specifically, the bill:

- Relocates, with amendments, certain language requiring a social media platform to include a function that provides

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.

SENATE
3rd Reading Unamended
February 26, 2025

SENATE
Amended 2nd Reading
February 25, 2025

minor users information about their engagement in social media, which language was enacted in 2024 by House Bill 24-1136;

- Requires a social media company to publish and update policies for each social media platform owned or operated by the social media company (published policies) and establishes mandatory contents for the published policies;
- Requires a social media company to submit to the department of law an annual report that includes, for each social media platform owned or operated by the social media company, information concerning the published policies and violations of the published policies;
- Requires a social media company to annually make publicly available a report that includes, for each social media platform owned or operated by the social media company, certain data concerning how minor users used the social media platform, including a description of all product experiments that were conducted on 1,000 or more minor users;
- Requires a social media company, upon the notification of a user's alleged violation of the published policies or of state or federal law, to determine within 72 hours whether the violation occurred and, if so, to remove the user from the applicable social media platform within 24 hours after the determination is made;
- Requires a social media platform with at least one million users to provide a streamlined process to allow Colorado law enforcement agencies to contact the social media company that operates the social media platform and to comply with a search warrant within 72 hours after receiving the search warrant;
- Makes a violation of the new requirements an unfair or deceptive trade practice under the "Colorado Consumer Protection Act", to be punished accordingly; and
- Authorizes the attorney general to adopt rules to carry out the new requirements.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that:

4 (a) Criminal activity endangering Colorado youth occurs widely

1 on social media platforms;

2 (b) Through social media, minors can readily obtain illicit
3 substances and firearms in violation of state and federal law; and

4 (c) Minors using social media platforms are regularly victimized
5 by sexually exploitative crimes, such as sex trafficking and sextortion.

6 (2) The general assembly also finds that self-regulation by social
7 media companies has not worked, and it is time for Colorado to step in
8 and put common-sense laws in place to protect its youth.

9 (3) Therefore, the general assembly declares that it is in the best
10 interests of the people of Colorado to create a safer social media
11 environment for minors by directing social media companies to:

12 (a) Provide annual data about minors' use of social media
13 platforms, including metrics concerning criminal activity;

14 (b) State their policies concerning criminal activity and remove
15 users who engage in criminal violations; and

16 (c) Responsibly assist Colorado law enforcement agencies with
17 lawful criminal investigations.

18 **SECTION 2.** In Colorado Revised Statutes, **amend with**
19 **relocated provisions** part 16 of article 1 of title 6 as follows:

20 **6-1-1601. Definitions.** AS USED IN THIS PART 16, UNLESS THE
21 CONTEXT OTHERWISE REQUIRES:

22 (1) "ACTIONED" MEANS A SOCIAL MEDIA COMPANY, DUE TO A
23 SUSPECTED OR CONFIRMED VIOLATION OF ITS PUBLISHED POLICIES, HAS
24 TAKEN SOME FORM OF ACTION, INCLUDING REMOVAL, DEMONETIZATION,
25 DEPRIORITIZATION, BANNING, SUSPENDING, OR TAKING A SIMILAR
26 MEASURE AGAINST A USER OR AN ITEM OF CONTENT.

27 (2) "AGE CATEGORY" MEANS ONE OF THE FOLLOWING AGE

1 GROUPINGS:

2 (a) UNDER THIRTEEN YEARS OF AGE;

3 (b) AT LEAST THIRTEEN YEARS OF AGE BUT UNDER SIXTEEN YEARS
4 OF AGE;

5 (c) AT LEAST SIXTEEN YEARS OF AGE BUT UNDER EIGHTEEN YEARS
6 OF AGE;

7 (d) AT LEAST EIGHTEEN YEARS OF AGE BUT UNDER TWENTY-FIVE
8 YEARS OF AGE;

9 (e) AT LEAST TWENTY-FIVE YEARS OF AGE BUT UNDER
10 THIRTY-FIVE YEARS OF AGE;

11 (f) AT LEAST THIRTY-FIVE YEARS OF AGE BUT UNDER FORTY-FIVE
12 YEARS OF AGE;

13 (g) AT LEAST FORTY-FIVE YEARS OF AGE; AND

14 (h) NOT RELEVANT, WHICH AGE GROUPING INCLUDES USER
15 ACCOUNTS FOR WHICH AGE IS NOT RELEVANT, SUCH AS ORGANIZATIONAL
16 OR ENTITY ACCOUNTS.

17 (3) "COLORADO LAW ENFORCEMENT AGENCY" MEANS A STATE OR
18 LOCAL AGENCY IN COLORADO THAT EMPLOYS PEACE OFFICERS, AS
19 DESCRIBED IN SECTIONS 16-2.5-501 AND 24-31-901.

20 (4) (a) "CONTENT" MEANS ANY STATEMENTS, COMMENTS, MEDIA,
21 OR INFORMATION THAT IS CREATED, POSTED, SHARED, OR OTHERWISE
22 INTERACTED WITH BY USERS ON A SOCIAL MEDIA PLATFORM.

23 (b) "CONTENT" DOES NOT INCLUDE MEDIA PLACED ON AN
24 INTERNET-BASED SERVICE OR APPLICATION EXCLUSIVELY FOR THE
25 PURPOSE OF CLOUD STORAGE, TRANSMITTING FILES, OR FILE
26 COLLABORATION.

27 (5) "EDUCATIONAL ENTITY" MEANS A PUBLIC SCHOOL, A CHARTER

1 SCHOOL, AN INSTITUTE CHARTER SCHOOL, A BOARD OF COOPERATIVE
2 SERVICES, THE COLORADO SCHOOL FOR THE DEAF AND THE BLIND, A
3 PRIVATE SCHOOL, A DENOMINATIONAL SCHOOL, A PAROCHIAL SCHOOL, A
4 COMMUNITY COLLEGE, A STATE COLLEGE, A STATE UNIVERSITY, A
5 NONPROFIT PRIVATE POSTSECONDARY EDUCATIONAL INSTITUTION, OR AN
6 EDUCATION AND TRAINING PROGRAM APPROVED BY THE DIRECTOR OF THE
7 DIVISION OF PROFESSIONS AND OCCUPATIONS IN THE DEPARTMENT OF
8 REGULATORY AGENCIES.

9 (6) "FIREARM" MEANS:

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

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

13 (c) A MACHINE GUN CONVERSION DEVICE, AS DEFINED IN SECTION
14 18-12-101 (1)(g.2).

15 (7) (a) "ILLCIT SUBSTANCE" MEANS:

16 (I) A CONTROLLED SUBSTANCE, AS DEFINED IN SECTION 18-18-102
17 (5);

18 (II) ANY HEMP PRODUCT, AS DEFINED IN SECTION 25-5-427 (2)(d),
19 THAT IS NOT A TINCTURE OR COSMETIC AND HAS MORE THAN ONE AND
20 ONE-FOURTH MILLIGRAMS OF THC, AS DEFINED IN SECTION 44-10-209
21 (2)(d), PER SERVING OR HAS A RATIO OF CANNABIDIOL TO THC OF LESS
22 THAN TWENTY TO ONE; AND

23 (III) ANY PRODUCT THAT CONTAINS HEMP THAT IS INTENDED FOR
24 HUMAN CONSUMPTION AND IS NOT A COSMETIC, A DIETARY SUPPLEMENT,
25 A FOOD, A FOOD ADDITIVE, OR AN HERB.

26 (b) NOTWITHSTANDING SUBSECTION (7)(a) OF THIS SECTION,
27 "ILLCIT SUBSTANCE" DOES NOT INCLUDE:

1 (I) A PRODUCT THAT MAY BE PRODUCED AND SOLD IN COLORADO
2 PURSUANT TO AND IN COMPLIANCE WITH SECTION 25-5-427, ARTICLE 10
3 OF TITLE 44, AND RULES ADOPTED PURSUANT TO SUCH PROVISIONS; OR

4 (II) A PRODUCT THAT MAY BE PRODUCED FOR PERSONAL USE OR
5 PRODUCED AND ADMINISTERED FOR NATURAL MEDICINE SERVICES
6 PURSUANT TO AND IN COMPLIANCE WITH ARTICLE 170 OF TITLE 12,
7 SECTION 18-18-434, ARTICLE 50 OF TITLE 44, AND RULES ADOPTED
8 PURSUANT TO SUCH PROVISIONS.

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

11 (9) "MINOR SAFETY TOOL" MEANS A FEATURE, SETTING, TOOL, OR
12 SIMILAR OPTION THAT ALLOWS A MINOR USER OR THEIR PARENT TO
13 PROTECT THE PRIVACY, SECURITY, OR HEALTH OF THE MINOR USER ON A
14 SOCIAL MEDIA PLATFORM, INCLUDING A FEATURE, SETTING, TOOL, OR
15 SIMILAR OPTION THAT ALLOWS AN INDIVIDUAL TO:

16 (a) MAKE AN ACCOUNT PRIVATE;

17 (b) CONTROL THE SENDING OR RECEIPT OF DIRECT MESSAGES OR
18 COMMENTS;

19 (c) BLOCK OR REPORT SUSPICIOUS ACCOUNTS;

20 (d) CONTROL TIME SPENT OR CONTENT VIEWED; OR

21 (e) DISABLE OR ALTER ALGORITHMIC SUGGESTIONS OF CONTENT.

22 (10) "PARENT" MEANS A PARENT OR A LEGAL GUARDIAN OF A
23 MINOR.

24 (11) (a) "PUBLISHED POLICIES" MEANS POLICIES ADOPTED AND
25 PUBLISHED BY A SOCIAL MEDIA COMPANY PURSUANT TO SECTION 6-1-1603
26 THAT SPECIFY, AT LEAST, THE USER BEHAVIORS AND ACTIVITIES THAT ARE
27 PERMITTED ON A SOCIAL MEDIA PLATFORM OWNED OR OPERATED BY THE

1 SOCIAL MEDIA COMPANY AND THE USER BEHAVIORS AND ACTIVITIES THAT
2 MAY SUBJECT A USER OR AN ITEM OF CONTENT TO BEING ACTIONED.

3 (b) "PUBLISHED POLICIES" INCLUDES TERMS OF SERVICE AND
4 COMMUNITY GUIDELINES.

5 (12) "SEARCH WARRANT" MEANS A SEARCH WARRANT DULY
6 EXECUTED PURSUANT TO PART 3 OF ARTICLE 3 OF TITLE 16.

7 (13) "SEX TRAFFICKING OF A MINOR" MEANS SELLING, RECRUITING,
8 HARBORING, TRANSPORTING, TRANSFERRING, ISOLATING, ENTICING,
9 PROVIDING, RECEIVING, OBTAINING BY ANY MEANS, MAINTAINING, OR
10 MAKING AVAILABLE A MINOR FOR THE PURPOSE OF COMMERCIAL SEXUAL
11 ACTIVITY, AS DEFINED IN SECTION 18-3-502 (3).

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

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

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

19 (I) A SUBSTANTIAL FUNCTION OF THE SERVICE OR APPLICATION IS
20 TO ALLOW USERS TO INTERACT SOCIALLY WITH EACH OTHER WITHIN THE
21 SERVICE OR APPLICATION; AND

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

23 (A) BECOME A REGISTERED USER, ESTABLISH AN ACCOUNT,
24 CONSTRUCT A PUBLIC OR SEMIPUBLIC PROFILE FOR PURPOSES OF SIGNING
25 INTO AND USING THE SERVICE OR APPLICATION, OR POPULATE A LIST OF
26 OTHER USERS OR ACCOUNTS WITH WHOM AN INDIVIDUAL SHARES A SOCIAL
27 CONNECTION WITHIN THE SERVICE OR APPLICATION; AND

1 (B) CREATE OR POST CONTENT THAT IS VIEWABLE BY OTHER
2 USERS.

3 (b) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
4 INTERNET-BASED SERVICE OR APPLICATION IF THE PREDOMINANT OR
5 EXCLUSIVE FUNCTION OF THE SERVICE OR APPLICATION IS:

6 (I) PROVIDING INTERNET ACCESS OR BROADBAND SERVICE;

7 (II) PROVIDING ELECTRONIC MAIL;

8 (III) PROVIDING DIRECT MESSAGING WHEREBY MESSAGES ARE
9 SENT BETWEEN DEVICES BY ELECTRONIC MEANS, ARE SHARED BETWEEN
10 A SENDER AND A RECIPIENT, ARE VISIBLE ONLY TO THE SENDER AND THE
11 RECIPIENT, ARE NOT POSTED PUBLICLY, AND ARE NOT EMBEDDED INTO A
12 SOCIAL MEDIA PLATFORM;

13 (IV) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
14 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
15 ENTERPRISE, SO LONG AS ACCESS TO THE SERVICE OR APPLICATION IS
16 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
17 ENTERPRISE;

18 (V) SELLING ENTERPRISE SOFTWARE TO BUSINESSES,
19 GOVERNMENTS, OR NONPROFIT ORGANIZATIONS;

20 (VI) PROVIDING CLOUD-BASED ELECTRONIC STORAGE, INCLUDING
21 CLOUD-BASED STORAGE THAT ALLOWS COLLABORATIVE EDITING BY
22 INVITED USERS;

23 (VII) FACILITATING TELECONFERENCING AND VIDEO
24 CONFERENCING FEATURES THAT ARE LIMITED TO CERTAIN PARTICIPANTS
25 IN THE TELECONFERENCE OR VIDEO CONFERENCE AND ARE NOT POSTED
26 PUBLICLY OR FOR BROAD DISTRIBUTION TO OTHER USERS;

27 (VIII) FACILITATING CROWDSOURCED CONTENT FOR REFERENCE

1 GUIDES, SUCH AS ENCYCLOPEDIAS, EDUCATIONAL MATERIALS, AND
2 DICTIONARIES;

3 (IX) FACILITATING ONLINE SHOPPING OR E-COMMERCE IF THE
4 RELATED INTERACTIONS BETWEEN USERS OR ACCOUNT HOLDERS ARE
5 LIMITED TO:

6 (A) THE ABILITY TO POST AND VIEW COMMENTS AS PART OF
7 RATINGS AND REVIEWS OF PRODUCTS;

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

10 (C) OTHER FUNCTIONS THAT ARE FOCUSED ON ONLINE SHOPPING
11 OR E-COMMERCE RATHER THAN OTHER INTERACTIONS BETWEEN USERS OR
12 ACCOUNT HOLDERS;

13 (X) PROVIDING A STREAMING SERVICE THAT:

14 (A) STREAMS ONLY LICENSED AND NOT USER-GENERATED MEDIA
15 IN A CONTINUOUS FLOW FROM THE SERVICE, WEBSITE, OR APPLICATION TO
16 THE END USER; AND

17 (B) DOES NOT REQUIRE A USER OR ACCOUNT HOLDER TO OBTAIN
18 A LICENSE TO THE MEDIA BY AGREEMENT TO THE SERVICE'S OR
19 APPLICATION'S TERMS OF SERVICE;

20 (XI) PROVIDING NEWS, SPORTS, ENTERTAINMENT, OR OTHER
21 CONTENT THAT IS PRESELECTED BY THE PROVIDER AND NOT
22 USER-GENERATED;

23 (XII) PROVIDING AN ONLINE SERVICE, WEBSITE, OR APPLICATION
24 THAT IS USED BY OR UNDER THE DIRECTION OF AN EDUCATIONAL ENTITY,
25 INCLUDING A LEARNING MANAGEMENT SYSTEM, A STUDENT ENGAGEMENT
26 PROGRAM, OR A SUBJECT- OR SKILL-SPECIFIC PROGRAM, WHERE THE
27 CONTENT IS PREDOMINANTLY CREATED OR POSTED BY THE PROVIDER OF

1 THE ONLINE SERVICE, WEBSITE, OR APPLICATION AND THE ABILITY TO
2 CHAT, COMMENT, OR INTERACT WITH OTHER USERS IS DIRECTLY RELATED
3 TO THE PROVIDER'S CONTENT;

4 (XIII) PROVIDING OR OBTAINING TECHNICAL SUPPORT FOR A
5 SOFTWARE PLATFORM, PRODUCT, OR SERVICE;

6 (XIV) PROVIDING CAREER DEVELOPMENT OPPORTUNITIES,
7 INCLUDING PROFESSIONAL NETWORKING, JOB SKILLS, LEARNING
8 CERTIFICATIONS, AND JOB POSTING AND APPLICATION SERVICES;

9 (XV) FACILITATING ACADEMIC OR SCHOLARLY RESEARCH; OR

10 (XVI) REPORTING OR DISSEMINATING NEWS INFORMATION FOR A
11 MASS MEDIUM, AS DEFINED IN SECTION 13-90-119 (1)(a).

12 (c) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
13 INTERNET-BASED SERVICE OR APPLICATION IF:

14 (I) THE CONTENT THAT IS POSTED OR CREATED IS PREDOMINANTLY
15 POSTED OR CREATED BY THE PROVIDER OF THE INTERNET-BASED SERVICE
16 OR APPLICATION AND NOT USER-GENERATED; AND

17 (II) THE ABILITY TO CHAT, COMMENT, OR INTERACT WITH OTHER
18 USERS IS DIRECTLY RELATED TO THE PROVIDER'S CONTENT.

19 (17) "SUBJECT USE" MEANS THE USE OF A SOCIAL MEDIA PLATFORM
20 FOR:

21 (a) THE SALE OR ADVERTISEMENT OF AN ILLICIT SUBSTANCE;

22 (b) THE SALE OF A FIREARM IN VIOLATION OF STATE OR FEDERAL
23 LAW;

24 (c) SEX TRAFFICKING OF A MINOR; OR

25 (d) THE POSSESSION, DISPLAY, EXCHANGE, DISTRIBUTION, SALE, OR
26 CREATION OF, OR THE INDUCEMENT TO CREATE, SEXUALLY EXPLOITATIVE
27 MATERIAL.

1 **6-1-1602. [Formerly 6-1-1601] Social media platform - minor**
2 **users - standards.** (1) On or after January 1, 2026, a social media
3 platform must ~~establish~~ INCLUDE a function that either:

4 (a) Meets the criteria in subsection (2) of this section and ~~be~~ IS
5 informed by the standards established in subsection ~~(5)~~ (4) of this section;
6 or

7 (b) Displays a pop-up or full screen notification to a user who
8 attests to being under ~~the age of~~ eighteen YEARS OF AGE when the user:

9 (I) Has spent one cumulative hour on the social media platform
10 during a twenty-four-hour period; or

11 (II) Is on a social media platform between the hours of 10 p.m.
12 and 6 a.m.

13 (2) The function established pursuant to subsection (1) of this
14 section must provide users who are under ~~the age of~~ eighteen YEARS OF
15 AGE with information about their engagement in social media that helps
16 the user understand the impact of social media on the developing brain
17 and the mental and physical health of ~~youth~~ MINOR users. The information
18 must be supported by data from peer-reviewed scholarly articles or the
19 sources included in the mental health and technology resource bank
20 established in section 22-2-127.8 (1).

21 (3) If the social media platform establishes the function described
22 in subsection (1)(b) of this section, the function must repeat at least every
23 thirty minutes after the initial notification.

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

26 ~~(I) Has more than one hundred thousand active users in Colorado;~~

27 ~~(II) Permits a person to become a registered user, establish an~~

1 ~~account, or create a public or semipublic profile for the purpose of~~
2 ~~allowing users to create, share, and view user-generated content through~~
3 ~~the account or profile;~~

4 ~~(III) Enables one or more users to create or post content that can~~
5 ~~be viewed by other users of the medium; and~~

6 ~~(IV) Includes a substantial function to allow users to interact~~
7 ~~socially with each other within the service or application. A service or~~
8 ~~application that provides electronic mail or direct messaging services~~
9 ~~does not meet the criterion described in this subsection (4) on the basis of~~
10 ~~that function alone.~~

11 ~~(b) "Social media platform" does not include an internet-based~~
12 ~~service or application in which the predominant or exclusive function is:~~

13 ~~(I) Providing electronic mail;~~

14 ~~(II) Facilitating commercial transactions, if the interaction with~~
15 ~~other users or account holders is generally limited to:~~

16 ~~(A) The ability to upload a post and comment on reviews or the~~
17 ~~ability to display lists or collections of goods for sale or wish lists; and~~

18 ~~(B) The primary function of the platform is focused on online~~
19 ~~shopping or e-commerce rather than interactions between users or~~
20 ~~account holders;~~

21 ~~(III) Facilitating teleconferencing and video conferencing features~~
22 ~~that are limited to certain participants in the teleconference or video~~
23 ~~conference and are not posted publicly or for broad distribution to other~~
24 ~~users;~~

25 ~~(IV) Facilitating crowd-sourced content for reference guides such~~
26 ~~as encyclopedias and dictionaries;~~

27 ~~(V) Providing cloud-based electronic services, including~~

- 1 cloud-based services that allow collaborative editing by invited users;
- 2 (VI) Consisting primarily of news, sports, entertainment, or other
3 content that is preselected by the provider and not user generated and any
4 chat, comment, or interactive functionality that is provided incidental to,
5 directly related to, or dependent upon provision of the content;
- 6 (VII) Interactive gaming, virtual gaming, or an online service that
7 allows the creation and uploading of content for the purpose of interactive
8 or virtual gaming;
- 9 (VIII) Providing information concerning businesses, products, or
10 travel information, including user reviews or rankings of businesses or
11 products;
- 12 (IX) Facilitating communication within a business or an enterprise
13 among employees or affiliates of the business or enterprise, so long as
14 access to the service or application is restricted to employees or affiliates
15 of the business or enterprise;
- 16 (X) Selling enterprise software to businesses, governments, or
17 nonprofit organizations;
- 18 (XI) Providing a streaming service that streams only licensed
19 media in a continuous flow from the service, website, or application to the
20 end user and does not require a user or account holder to obtain a license
21 for the media by agreement with a social media platform's terms of
22 service;
- 23 (XII) Providing an online service, website, or application that is
24 used by or under the direction of an educational entity, including a
25 learning management system, a student engagement program, or a
26 subject- or skill-specific program, for which the majority of the content
27 is created or posted by the provider of the online service, website, or

1 application and the ability to chat, comment, or interact with other users
2 is directly related to the provider's content;

3 ~~(XIII) Providing or obtaining technical support for a platform,~~
4 ~~product, or service;~~

5 ~~(XIV) Providing career development opportunities, including~~
6 ~~professional networking, job skills, learning certifications, and job~~
7 ~~posting and application services;~~

8 ~~(XV) Focused on facilitating academic or scholarly research; or~~

9 ~~(XVI) Reporting or disseminating news information for a mass~~
10 ~~medium, as defined in section 13-90-119.~~

11 ~~(5) (4) The chief information officer in the office of information~~
12 ~~technology, in consultation with the director of the center for health and~~
13 ~~environmental data division of the Colorado department of public health~~
14 ~~and environment and the temporary stakeholder group established in~~
15 ~~section 22-2-127.8, shall establish standards for a user tool or function~~
16 ~~that meets the requirements of subsection (1) of this section for a social~~
17 ~~media platform. The standards must:~~

18 ~~(a) Recommend intervals for notification frequency that are~~
19 ~~similar to those in subsection (3) of this section;~~

20 ~~(b) Provide sample messaging for the content of the notification;~~

21 ~~(c) Be informed by data and research on the efficacy of~~
22 ~~notifications; and~~

23 ~~(d) Recommend the age range of users who would most benefit~~
24 ~~from notifications.~~

25 ~~(5) NOTWITHSTANDING SECTION 6-1-1601 (16), AS USED IN THIS~~
26 ~~SECTION, "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN~~
27 ~~INTERNET-BASED SERVICE OR APPLICATION IF THE PREDOMINANT OR~~

1 EXCLUSIVE FUNCTION OF THE SERVICE OR APPLICATION IS INTERACTIVE
2 GAMING, VIRTUAL GAMING, OR ALLOWING FOR THE CREATION AND
3 UPLOADING OF CONTENT FOR THE PURPOSE OF INTERACTIVE OR VIRTUAL
4 GAMING.

5 **6-1-1603. Social media companies - published policies -**
6 **required disclosures.** (1) ON OR BEFORE JULY 1, 2026, A SOCIAL MEDIA
7 COMPANY SHALL POST PUBLISHED POLICIES FOR EACH SOCIAL MEDIA
8 PLATFORM OWNED OR OPERATED BY THE SOCIAL MEDIA COMPANY. THE
9 PUBLISHED POLICIES MUST BE POSTED IN A CLEAR AND CONSPICUOUS
10 MANNER REASONABLY DESIGNED TO INFORM ALL USERS OF THE SOCIAL
11 MEDIA PLATFORM OF THE EXISTENCE AND CONTENTS OF THE PUBLISHED
12 POLICIES. AFTER THE INITIAL POSTING OF THE PUBLISHED POLICIES, A
13 SOCIAL MEDIA COMPANY SHALL POST ANY MATERIAL UPDATES TO THE
14 PUBLISHED POLICIES WITHIN FOURTEEN DAYS AFTER THE IMPLEMENTATION
15 OF THE UPDATED PUBLISHED POLICIES.

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

18 (a) CONTACT INFORMATION OR A DESCRIPTION OF THE PROCESS
19 THAT ALLOWS A USER TO ASK THE SOCIAL MEDIA COMPANY QUESTIONS
20 ABOUT, OR REPORT VIOLATIONS OF, THE PUBLISHED POLICIES;

21 (b) A DESCRIPTION OF THE PROCESS THAT A USER MUST FOLLOW TO
22 FLAG CONTENT, ACTIVITY, GROUPS, OR OTHER USERS THAT THE USER
23 BELIEVES VIOLATE THE PUBLISHED POLICIES;

24 (c) A DESCRIPTION OF THE SOCIAL MEDIA COMPANY'S PROCESS TO
25 RESPOND TO AND RESOLVE USER QUESTIONS, REPORTS, AND FLAGS AS
26 DESCRIBED IN SUBSECTIONS (2)(e) AND (2)(f) OF THIS SECTION. IF
27 APPLICABLE, THIS DESCRIPTION MUST INCLUDE INFORMATION ABOUT THE

1 PROCESS BY WHICH THE SOCIAL MEDIA COMPANY INFORMS A REPORTING
2 USER OF THE ACTION TAKEN IN RESPONSE TO THE USER'S QUESTION,
3 REPORT, OR FLAG.

4 (d) A DESCRIPTION OF THE SOCIAL MEDIA PLATFORM'S
5 RESTRICTIONS ON THE USE OF THE SOCIAL MEDIA PLATFORM AS TO
6 SUBJECT USES;

7 (e) A DESCRIPTION OF THE SOCIAL MEDIA COMPANY'S PROCESS FOR
8 ENFORCING ITS PUBLISHED POLICIES AS TO SUBJECT USES AND THE
9 POTENTIAL CONSEQUENCES OF VIOLATING THE PUBLISHED POLICIES AS TO
10 SUBJECT USES, WHICH DESCRIPTION INCLUDES:

11 (I) ACTIONS THE SOCIAL MEDIA COMPANY MAY TAKE AGAINST AN
12 ITEM OF CONTENT, A GROUP, OR A USER, INCLUDING ACTIONS DESCRIBED
13 IN SECTION 6-1-1607; AND

14 (II) DETAILS CONCERNING:

15 (A) WHAT ACTIONS THE SOCIAL MEDIA COMPANY MAY TAKE IN
16 RESPONSE TO ACTIVITY THAT VIOLATES A PUBLISHED POLICY ON SUBJECT
17 USES, INCLUDING WHETHER AND HOW THOSE ACTIONS MAY VARY WHEN
18 MULTIPLE VIOLATIONS OF A PUBLISHED POLICY OR POLICIES OCCUR; AND

19 (B) HOW MANY VIOLATIONS OF A PUBLISHED POLICY CONCERNING
20 A SUBJECT USE ARE REQUIRED TO RESULT IN A SPECIFIC ACTION;

21 (f) A DESCRIPTION OF WHEN VIOLATIONS OF PUBLISHED POLICIES
22 ARE REPORTED TO LAW ENFORCEMENT FOR INVESTIGATION AND
23 POTENTIAL PROSECUTION, INCLUDING A DESCRIPTION OF WHEN AND HOW
24 SUBJECT USES WILL BE REPORTED TO LAW ENFORCEMENT AND IN WHAT
25 FORMAT THIS INFORMATION WILL BE PROVIDED; AND

26 (g) A LIST OF THE LANGUAGES IN WHICH THE PUBLISHED POLICIES
27 ARE AVAILABLE.

1 **6-1-1604. Social media companies - published policies and**
2 **violations report required.** (1) ON AN ANNUAL BASIS IN ACCORDANCE
3 WITH SECTION 6-1-1606, A SOCIAL MEDIA COMPANY SHALL SUBMIT TO THE
4 DEPARTMENT OF LAW, IN A MACHINE-READABLE AND OPEN FORMAT, A
5 REPORT THAT INCLUDES, FOR EACH SOCIAL MEDIA PLATFORM OWNED OR
6 OPERATED BY THE SOCIAL MEDIA COMPANY:

7 (a) THE CURRENT VERSION OF THE PUBLISHED POLICIES OF THE
8 SOCIAL MEDIA PLATFORM;

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

12 (c) A STATEMENT OF WHETHER THE CURRENT VERSION OF THE
13 PUBLISHED POLICIES CONTAINS DEFINITIONS AND PROVISIONS RELATING TO
14 SUBJECT USES; ==

15 (d) FOR THE PRECEDING CALENDAR YEAR, DATA PERTAINING TO
16 EACH CATEGORY OF SUBJECT USES FROM USERS BASED IN THE UNITED
17 STATES AS TO:

18 (I) THE TOTAL NUMBER OF INSTANCES IN WHICH THE SOCIAL MEDIA
19 COMPANY WAS ALERTED TO ILLEGAL CONTENT, ILLEGAL ACTIVITY, OR
20 POTENTIALLY PUBLISHED-POLICY-VIOLATING CONTENT OR ACTIVITY,
21 DISAGGREGATED BY:

22 (A) THE FORM OF THE ALERT, INCLUDING BY USER COMPLAINT OR
23 DETECTION BY THE SOCIAL MEDIA COMPANY OR SOCIAL MEDIA PLATFORM;
24 AND

25 (B) THE PERCENTAGE OF SUCH CONTENT OR ACTIVITY THAT WAS
26 ULTIMATELY ACTIONED;

27 (II) THE NUMBER OF ACCOUNTS ACTIONED FOR VIOLATING A

1 PUBLISHED POLICY AS TO SUBJECT USES, DISAGGREGATED BY:

2 (A) THE NUMBER OF DAYS BETWEEN DETECTION OF THE
3 VIOLATION AND THE SUSPENSION OR REMOVAL OF EACH ACCOUNT; AND

4 (B) THE AGE CATEGORY OF THE OPERATOR OF THE SUSPENDED OR
5 REMOVED ACCOUNT;

6 (III) WHETHER THE ACCOUNT AND VIOLATIVE CONTENT OR
7 ACTIVITY WAS REFERRED TO LAW ENFORCEMENT;

8 (IV) THE TOTAL NUMBER OF ACTIONED ITEMS OF CONTENT,
9 DISAGGREGATED BY TYPE OF ACTION;

10

==

11 (V) THE DISTRIBUTION OF VIEWS OF ACTIONED ITEMS OF CONTENT
12 BY AGE CATEGORY AND BY SUBJECT USE;

13

==

14 (VI) THE NUMBER OF INSTANCES IN WHICH A USER APPEALED A
15 DECISION TO REMOVE THE USER'S ACTIONED CONTENT OR REMOVE OR
16 SUSPEND THE USER'S ACCOUNT AND THE PERCENTAGE OF APPEALS THAT
17 RESULTED IN THE RESTORATION OF CONTENT OR AN ACCOUNT;

18 (VII) THE NUMBER OF USERS REFERRED TO LAW ENFORCEMENT,
19 DISAGGREGATED BY AGE CATEGORY; AND

20 (VIII) THE NUMBER OF REQUESTS FROM COLORADO LAW
21 ENFORCEMENT AGENCIES FOR USER DATA, DISAGGREGATED BY THE
22 RESPONSE TIME FOR EACH REQUEST; AND

23 (e) A GENERAL DESCRIPTION OF THE SOCIAL MEDIA PLATFORM'S
24 PUBLISHED POLICIES REGARDING THE AGE OF USERS AND HOW THE SOCIAL
25 MEDIA PLATFORM VERIFIES USERS' AGES, HOW THE SOCIAL MEDIA
26 COMPANY THAT OPERATES THE SOCIAL MEDIA PLATFORM RESPONDS TO
27 USER REPORTS OF POTENTIAL VIOLATIONS, AND WHAT ACTION IS TAKEN

1 WHEN A USER IS FOUND TO HAVE VIOLATED THE SOCIAL MEDIA
2 PLATFORM'S PUBLISHED POLICIES REGARDING AGE, INCLUDING:

3 (I) THE TOTAL NUMBER OF USERS THE SOCIAL MEDIA PLATFORM
4 IDENTIFIED, EITHER THROUGH USERS, EMPLOYEES, OR AUTOMATED MEANS,
5 WHO DID NOT PROVIDE THEIR TRUE AGES TO THE SOCIAL MEDIA PLATFORM
6 OR WHO OTHERWISE VIOLATED THE SOCIAL MEDIA PLATFORM'S PUBLISHED
7 POLICIES REGARDING AGE; AND

8 (II) THE SOCIAL MEDIA COMPANY'S RESPONSE TO USERS IDENTIFIED
9 AS HAVING NOT PROVIDED THEIR TRUE AGES OR OTHERWISE VIOLATING
10 THE SOCIAL MEDIA PLATFORM'S PUBLISHED POLICIES REGARDING AGE,
11 INCLUDING THE TOTAL NUMBER OF USER ACCOUNTS THAT WERE ACTIONED
12 BY THE SOCIAL MEDIA COMPANY AND A BREAKDOWN BY PERCENTAGES OF
13 THE ACTIONS TAKEN.

14 (2) ON AN ANNUAL BASIS IN ACCORDANCE WITH SECTION
15 6-1-1606, A SOCIAL MEDIA COMPANY SHALL SUBMIT TO THE DEPARTMENT
16 OF LAW, IN A MACHINE-READABLE AND OPEN FORMAT, A REPORT THAT
17 INCLUDES, FOR EACH SOCIAL MEDIA PLATFORM OWNED OR OPERATED BY
18 THE SOCIAL MEDIA COMPANY:

19 (a) THE TOTAL NUMBER OF COLORADO-BASED USERS OR ACCOUNT
20 HOLDERS ON THE SOCIAL MEDIA PLATFORM; AND

21 (b) WHETHER A COLORADO-BASED USER'S ACCOUNT OR VIOLATIVE
22 CONTENT WAS SHARED WITH LAW ENFORCEMENT AND, IF SO, WHICH
23 SUBJECT USE OR SUBJECT USES WERE INVOLVED.

24 (3) IN SATISFYING THE REPORTING REQUIREMENTS DESCRIBED IN
25 SUBSECTIONS (1) AND (2) OF THIS SECTION, A SOCIAL MEDIA COMPANY
26 SHALL CERTIFY THAT ALL REASONABLE EFFORTS HAVE BEEN MADE TO
27 PROVIDE COMPLETE, TRUE, AND ACCURATE INFORMATION IN FULFILLMENT

1 OF THE REQUIREMENTS OF THIS SECTION.

2 **6-1-1605. Social media companies - minor usage report**

3 **required.** (1) ON AN ANNUAL BASIS IN ACCORDANCE WITH SECTION
4 6-1-1606, A SOCIAL MEDIA COMPANY SHALL MAKE PUBLICLY AVAILABLE,
5 IN A MACHINE-READABLE AND OPEN FORMAT AND IN A LOCATION THAT IS
6 EASILY ACCESSIBLE, A REPORT THAT INCLUDES, FOR EACH SOCIAL MEDIA
7 PLATFORM OWNED OR OPERATED BY THE SOCIAL MEDIA COMPANY, THE
8 FOLLOWING DATA CONCERNING HOW MINORS IN THE UNITED STATES USED
9 THE SOCIAL MEDIA PLATFORM DURING THE PRECEDING YEAR,
10 DISAGGREGATED BY AGE CATEGORY AND GENDER BOTH FOR ALL USERS IN
11 THE UNITED STATES AND FOR ALL USERS IN COLORADO:

12 (a) THE TOTAL NUMBER OF MINOR USERS WHO USED THE SOCIAL
13 MEDIA PLATFORM;

14 (b) THE DISTRIBUTION OF MINOR USERS WHO SPEND AT LEAST ONE
15 HOUR PER DAY ON THE SOCIAL MEDIA PLATFORM, REPORTED IN ONE-HOUR
16 INCREMENTS, FROM ONE HOUR THROUGH TWENTY-FOUR HOURS;

17 (c) THE DISTRIBUTION OF MINOR USERS WHO SPEND MORE THAN
18 THIRTY MINUTES ON THE SOCIAL MEDIA PLATFORM BETWEEN THE HOURS
19 OF 10 P.M. AND 6 A.M., REPORTED IN THIRTY-MINUTE INCREMENTS;

20
21 (d) ON AVERAGE, HOW MANY NOTIFICATIONS WERE SENT WITH
22 RESPECT TO THE TENTH, TWENTY-FIFTH, FIFTIETH, SEVENTY-FIFTH,
23 NINETIETH, NINETY-NINTH, AND NINETY-NINE AND NINE-TENTHS
24 PERCENTILES OF MINOR USERS DURING EACH HOUR BETWEEN THE HOURS
25 OF 8 A.M. AND 3 P.M.;

26 (e) ON AVERAGE, HOW MANY NOTIFICATIONS WERE SENT WITH
27 RESPECT TO THE TENTH, TWENTY-FIFTH, FIFTIETH, SEVENTY-FIFTH,

1 NINETIETH, NINETY-NINTH, AND NINETY-NINE AND NINE-TENTHS
2 PERCENTILES OF MINOR USERS DURING EACH HOUR BETWEEN THE HOURS
3 OF 10 P.M. AND 6 A.M.;

4 (f) THE ONE HUNDRED PIECES OF PUBLIC CONTENT MOST
5 FREQUENTLY VIEWED BY MINOR USERS EACH MONTH, INCLUDING
6 HYPERLINKS TO EACH PIECE OF CONTENT;

7 (g) THE TOTAL NUMBER OF MINOR USERS WHO HAVE VIEWED,
8 COMMENTED ON, SHARED, OR OTHERWISE INTERACTED WITH ACTIONED
9 CONTENT THAT WAS FOUND TO VIOLATE THE SOCIAL MEDIA PLATFORM'S
10 PUBLISHED POLICIES, DISAGGREGATED BY PUBLISHED POLICY VIOLATION
11 TYPE AND BY SUBJECT USE;

12 (h) A LIST OF MINOR SAFETY TOOLS MADE AVAILABLE BY THE
13 SOCIAL MEDIA PLATFORM, NOTING WHICH TOOLS ARE ENABLED BY
14 DEFAULT AND THE TOTAL NUMBER AND PERCENTAGE OF MINOR USERS
15 WHO HAVE EACH TOOL ENABLED; AND

16 (i) IF THE SOCIAL MEDIA PLATFORM MAKES AVAILABLE THE
17 ABILITY TO LINK A PARENT OR FAMILY ACCOUNT, THE PERCENTAGE OF
18 MINOR USERS WHO HAVE LINKED THEIR ACCOUNT TO SUCH A PARENT OR
19 FAMILY ACCOUNT.

20 (2) IN SATISFYING THE REPORTING REQUIREMENT DESCRIBED IN
21 SUBSECTION (1) OF THIS SECTION, A SOCIAL MEDIA COMPANY SHALL
22 CERTIFY THAT ALL REASONABLE EFFORTS HAVE BEEN MADE TO PROVIDE
23 COMPLETE, TRUE, AND ACCURATE INFORMATION IN FULFILLMENT OF THE
24 REQUIREMENTS OF THIS SECTION.

25 **6-1-1606. Timing of reports - public disclosures -**
26 **commercially reasonable efforts.** (1) THE FIRST SUBMISSION OF
27 REPORTS BY A SOCIAL MEDIA COMPANY MADE PURSUANT TO SECTION

1 6-1-1604 (1) AND (2) AND THE FIRST PUBLIC DISCLOSURE OF REPORTS BY
2 A SOCIAL MEDIA COMPANY MADE PURSUANT TO SECTION 6-1-1605 (1)
3 SHALL OCCUR NO LATER THAN ONE HUNDRED EIGHTY DAYS AFTER THE
4 EFFECTIVE DATE OF THIS PART 16, AS AMENDED. THEREAFTER, REPORTS
5 SHALL BE SUBMITTED NO LATER THAN FEBRUARY 1 OF EACH YEAR.

6 (2) EACH REPORT SUBMITTED PURSUANT TO SECTION 6-1-1604 (1)
7 AND (2) MAY BE MADE AVAILABLE TO THE PUBLIC AT THE ATTORNEY
8 GENERAL'S DISCRETION.

9 (3) IN SATISFYING THE REPORTING REQUIREMENTS DESCRIBED IN
10 SECTIONS 6-1-1604 AND 6-1-1605, A SOCIAL MEDIA COMPANY SHALL
11 MAKE COMMERCIALY REASONABLE EFFORTS TO IDENTIFY THE AGE
12 CATEGORIES OF USERS. FOR THE PURPOSES OF THIS SUBSECTION (3), THE
13 USE OF CURRENT TECHNOLOGY FOR AGE ESTIMATION, AGE ASSURANCE,
14 ADVERTISING TARGETING, OR PLATFORM MEASUREMENT IS CONSIDERED
15 A COMMERCIALY REASONABLE EFFORT.

16 **6-1-1607. Social media companies and social media platforms**
17 **- removal of users for prohibited activity.** (1) EXCEPT AS DESCRIBED
18 IN SUBSECTION (3) OF THIS SECTION, UPON THE DETECTION BY A SOCIAL
19 MEDIA PLATFORM OR SOCIAL MEDIA COMPANY, OR UPON THE
20 NOTIFICATION TO A SOCIAL MEDIA PLATFORM OR SOCIAL MEDIA COMPANY
21 BY A USER, A PARENT OF A MINOR USER, A VISITOR, OR A COLORADO LAW
22 ENFORCEMENT AGENT, THAT A USER OF A SOCIAL MEDIA PLATFORM
23 ENGAGES IN ONE OR MORE SUBJECT USES, THE SOCIAL MEDIA COMPANY
24 THAT OPERATES THE SOCIAL MEDIA PLATFORM SHALL:

25 (a) DETERMINE WITHIN SEVENTY-TWO HOURS AFTER DETECTION
26 OR NOTIFICATION WHETHER THE USER VIOLATED THE SOCIAL MEDIA
27 PLATFORM'S PUBLISHED POLICIES OR STATE LAW; AND

1 (b) IF THE SOCIAL MEDIA COMPANY DETERMINES THAT THE USER
2 VIOLATED THE SOCIAL MEDIA PLATFORM'S PUBLISHED POLICIES OR STATE
3 LAW, TERMINATE THE USER'S ACCOUNT ON THE SOCIAL MEDIA PLATFORM
4 WITHIN TWENTY-FOUR HOURS AFTER THE DETERMINATION IS MADE AND
5 USE AVAILABLE METHODS AND TECHNOLOGY TO PREVENT THE USER FROM
6 OPERATING, REGISTERING, ESTABLISHING, OR OPENING AN ACCOUNT OR
7 PROFILE ON THE PLATFORM.

8 (2) A SOCIAL MEDIA COMPANY SHALL:

9 (a) IMPLEMENT A REVIEW PROCESS ALLOWING A USER TO APPEAL
10 A DETERMINATION DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION; AND

11 (b) REVIEW AN APPEAL AND MAKE A DETERMINATION CONCERNING
12 THE APPEAL WITHIN FOURTEEN CALENDAR DAYS AFTER THE USER
13 REQUESTS AN APPEAL.

14 (3) A SOCIAL MEDIA PLATFORM MAY ALLOW A USER TO SELL OR
15 ADVERTISE MEDICAL MARIJUANA OR RETAIL MARIJUANA TO USERS WHO
16 ARE AT LEAST TWENTY-ONE YEARS OF AGE SO LONG AS THE SALE OR
17 ADVERTISING COMPLIES WITH ANY RULES ADOPTED PURSUANT TO SECTION
18 44-10-203 (3)(a).

19 **6-1-1608. Social media contact process - search warrants -**
20 **deadline for compliance - extension of deadline - applicability.** (1) A
21 SOCIAL MEDIA COMPANY SHALL ENSURE THAT EACH OF ITS SOCIAL MEDIA
22 PLATFORMS PROVIDES A STREAMLINED PROCESS TO ALLOW COLORADO
23 LAW ENFORCEMENT AGENCIES TO CONTACT THE SOCIAL MEDIA COMPANY,
24 WHICH PROCESS DOES AT LEAST THE FOLLOWING:

25 (a) MAKES AVAILABLE A STAFFED HOTLINE FOR COLORADO LAW
26 ENFORCEMENT AGENCY PERSONNEL FOR PURPOSES OF:

27 (I) RECEIVING AND RESPONDING TO QUESTIONS ABOUT SEARCH

1 WARRANTS;

2 (II) ACKNOWLEDGING RECEIPT OF A SEARCH WARRANT; AND

3 (III) PROVIDING STATUS UPDATES ON SEARCH WARRANT

4 COMPLIANCE TO A REQUESTING COLORADO LAW ENFORCEMENT AGENCY;

5 (b) INCLUDES A METHOD TO PROVIDE REGULAR STATUS UPDATES

6 TO A REQUESTING COLORADO LAW ENFORCEMENT AGENCY IN RESPONSE

7 TO A QUESTION PERTAINING TO A SEARCH WARRANT, AN

8 ACKNOWLEDGMENT OF RECEIPT OF A SEARCH WARRANT, OR THE STATUS

9 OF FULFILLING THE REQUEST OF A SEARCH WARRANT; AND

10 (c) PROVIDES CONTINUOUS AVAILABILITY OF THE PROCESS TO

11 COLORADO LAW ENFORCEMENT AGENCIES.

12 (2) EXCEPT AS PROVIDED IN SUBSECTION (3) OF THIS SECTION OR

13 ANY OTHER LAW, INCLUDING SECTION 32 OF ARTICLE II OF THE STATE

14 CONSTITUTION; THE "COLORADO PRIVACY ACT", PART 13 OF THIS ARTICLE

15 1; SECTION 16-3-301 (4); AND THE "REPRODUCTIVE HEALTH EQUITY

16 ACT", PART 4 OF ARTICLE 6 OF TITLE 25, A SOCIAL MEDIA COMPANY SHALL

17 COMPLY WITH A SEARCH WARRANT WITHIN SEVENTY-TWO HOURS AFTER

18 RECEIVING THE SEARCH WARRANT IF ALL OF THE FOLLOWING APPLY:

19 (a) THE SEARCH WARRANT IS PROVIDED TO THE SOCIAL MEDIA

20 COMPANY BY A COLORADO LAW ENFORCEMENT AGENCY;

21 (b) THE SUBJECT OF THE SEARCH WARRANT IS INFORMATION

22 ASSOCIATED WITH AN ACCOUNT ON A SOCIAL MEDIA PLATFORM OPERATED

23 BY THE SOCIAL MEDIA COMPANY; AND

24 (c) THE INFORMATION IS CONTROLLED BY A USER OF THE SOCIAL

25 MEDIA PLATFORM.

26 (3) A COURT MAY REASONABLY EXTEND THE TIME REQUIRED TO

27 COMPLY WITH A SEARCH WARRANT PURSUANT TO SUBSECTION (2) OF THIS

1 SECTION IF THE COURT MAKES A WRITTEN FINDING THAT THE SOCIAL
2 MEDIA COMPANY HAS SHOWN GOOD CAUSE FOR THE EXTENSION AND THAT
3 AN EXTENSION WOULD NOT CAUSE AN ADVERSE RESULT, AS DEFINED IN 18
4 U.S.C. SEC. 2705 (a)(2).

5 (4) THIS SECTION DOES NOT APPLY TO A SOCIAL MEDIA PLATFORM
6 WITH FEWER THAN ONE MILLION DISCRETE MONTHLY USERS.

7 **6-1-1609. Violations - unfair or deceptive trade practice.** A
8 PERSON THAT KNOWINGLY OR RECKLESSLY VIOLATES THIS PART 16 OR
9 AIDS OR ABETS A VIOLATION OF THIS PART 16 COMMITS A DECEPTIVE
10 TRADE PRACTICE, AS DESCRIBED IN SECTION 6-1-105 (1)(iii).

11 **6-1-1610. 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 ANY OTHER REMEDIES OR PENALTIES AVAILABLE UNDER
18 LOCAL, STATE, OR FEDERAL LAW.

19 **6-1-1611. Severability.** IF ANY PROVISION OF THIS PART 16 OR THE
20 APPLICATION OF THIS PART 16 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 **6-1-1612. Rules.** THE ATTORNEY GENERAL MAY ADOPT RULES FOR
26 THE PURPOSE OF CARRYING OUT THIS PART 16.

27 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iii)

1 as follows:

2 **6-1-105. Unfair or deceptive trade practices - definitions.**

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

5 (iii) KNOWINGLY OR RECKLESSLY VIOLATES OR AIDS OR ABETS
6 THE COMMISSION OF A VIOLATION OF PART 16 OF THIS ARTICLE 1.

7 **SECTION 4. Act subject to petition - effective date.** This act
8 takes effect at 12:01 a.m. on the day following the expiration of the
9 ninety-day period after final adjournment of the general assembly; except
10 that, if a referendum petition is filed pursuant to section 1 (3) of article V
11 of the state constitution against this act or an item, section, or part of this
12 act within such period, then the act, item, section, or part will not take
13 effect unless approved by the people at the general election to be held in
14 November 2026 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.