

House File 633 - Introduced

HOUSE FILE 633

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A BILL FOR

1 An Act relating to certain companies that censor online content
2 and providing civil penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 554E.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Dominant social media company*" means and includes a
5 person or an affiliate of a person who owns or operates a
6 social networking website.

7 2. "*Internet site*" means the same as defined in section 4.1.

8 3. "*Person*" means the same as defined in section 4.1.

9 4. "*Social networking website*" means and includes an
10 internet site that meets all of the following criteria:

11 a. Allows users, through the creation of pages within
12 the internet site or profiles or by other means, to provide
13 information about themselves that is available to the public
14 or to other users.

15 b. Allows users a mechanism for communication with other
16 users.

17 c. Has at least seventy-five million subscribers or members.

18 d. Was not affiliated with any one religion or political
19 party from its inception.

20 Sec. 2. NEW SECTION. 554E.2 Prohibition on censorship —
21 notice.

22 1. A dominant social media company shall not affect the
23 ability of a user to create, view, comment, or otherwise
24 interact with content that constitutes constitutionally
25 protected speech on the dominant social media company's
26 social networking website by limiting, blocking, or otherwise
27 restricting any content on the social networking website or the
28 user's access to the social networking website.

29 2. Within thirty days after a dominant social media company
30 violates subsection 1, the dominant social media company shall
31 provide the user with electronic notice that explains why the
32 user's content was limited, blocked, or otherwise restricted,
33 or why the user's access to the social networking website was
34 restricted.

35 Sec. 3. NEW SECTION. 554E.3 Enforcement — penalties —

1 rules.

2 1. The office of the attorney general shall enforce the
3 provisions of this chapter.

4 2. The office of the attorney general shall assess a civil
5 penalty for a violation of this chapter in an amount not to
6 exceed one hundred thousand dollars for each violation.

7 3. The office of the attorney general shall adopt rules
8 pursuant to chapter 17A to administer and interpret this
9 chapter.

10

EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill relates to certain companies that censor online
14 content.

15 The bill creates new Code chapter 554E. The bill defines
16 "dominant social media company" to include a person or an
17 affiliate of a person who owns or operates a social networking
18 website. The bill defines "internet site" by reference to
19 Code section 4.1, as a specific location on the internet that
20 is determined by internet protocol numbers, by a domain name,
21 or by both. The bill defines "person" by reference to Code
22 section 4.1, as an individual, corporation, limited liability
23 company, government or governmental subdivision or agency,
24 business trust, estate, trust, partnership or association, or
25 any other legal entity. The bill defines "social networking
26 website" to include an internet site that allows users to
27 provide information about themselves that is available to
28 the public or to other users, allows users a mechanism for
29 communication with other users, has at least 75 million
30 subscribers or members, and was not affiliated with any one
31 religion or political party from its inception.

32 The bill prohibits a dominant social media company
33 from affecting the ability of a user to create, view,
34 comment, or otherwise interact with content that constitutes
35 constitutionally protected speech on its social networking

1 website by restricting any content on the social networking
2 website, or by restricting the user's access to the social
3 networking website.

4 The bill provides that, within 30 days after a dominant
5 social media company restricts a user's content that
6 constitutes constitutionally protected speech on its social
7 networking website, or restricts the user's access to its
8 social networking website, the dominant social media company
9 shall provide the user with notice explaining why the user's
10 content was restricted, or why the user's access to the social
11 networking website was restricted.

12 The bill requires the office of the attorney general to
13 enforce the provisions of new Code chapter 554E, assess a civil
14 penalty for a violation of the new Code chapter in an amount
15 not to exceed \$100,000 for each violation, and adopt rules to
16 administer and interpret the bill.