

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Governmental Oversight and Accountability

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BILL: SB 7072

INTRODUCER: Governmental Oversight and Accountability Committee

SUBJECT: Social Media Platforms

DATE: April 28, 2021

I. Amendments Contained in Message:

House Amendment – 942955 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment – 942955 adds Legislative findings and a provision conferring jurisdiction to the courts of this state for actions brought against a social media platform that deplatforms, censors, shadow bans or applies post-prioritization algorithms to Florida candidates and Florida users.

This amendment clarifies definitions including the terms “social media platform” (SMP) and “deplatform.” The amendment also revises the applicable standard for a violation of deplatforming a candidate to willfully instead of knowingly to align with the standard for the commission’s jurisdiction. The in-kind contribution provision is also changed to the willful standard.

This amendment also:

- Increases the fines imposed on a SMP for willfully deplatforming a candidate to \$250,000 per day for a candidate for statewide office and \$25,000 per day for a candidate for other offices.
- Excludes from the antitrust violator vendor list provisions contracts with a public entity to provide goods or services for emergency response efforts related to a declaration of a state of emergency issued by the Governor.
- Includes injunctive relief as a form of equitable relief in the listing of permissible remedies.
- Requires a SMP to provide a user with a method to be identified as a qualified candidate and which provides sufficient information to allow the SMP to confirm the user’s qualification by reviewing the Division of Elections’ website.
- Requires a SMP provide notice of censorship, shadow banning or deplatforming to the user within 7 days instead of 30 days after the censoring action.