HB 5C 2022C

1 A bill to be entitled 2 An act relating to social media platforms; amending s. 3 501.2041, F.S.; revising the definition of the term 4 "social media platform"; reenacting ss. 106.072(1)(c) 5 and 287.137(1)(f), F.S., relating to social media 6 deplatforming of political candidates and antitrust 7 violations, denial or revocation of the right to 8 transact business with public entities, and denial of 9 economic benefits, respectively, to incorporate the amendment made to s. 501.2041, F.S., in a reference 10 11 thereto; providing an effective date. 12 13 Be It Enacted by the Legislature of the State of Florida: 14 15 Section 1. Paragraph (g) of subsection (1) of section 16 501.2041, Florida Statutes, is amended to read: 17 Unlawful acts and practices by social media 18 platforms.-As used in this section, the term: 19 (1)20 "Social media platform" means any information service, 21 system, Internet search engine, or access software provider 22 that: 23 Provides or enables computer access by multiple users

Page 1 of 3

to a computer server, including an Internet platform or a social

CODING: Words stricken are deletions; words underlined are additions.

24

25

media site;

HB 5C 2022C

2. Operates as a sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity;

3. Does business in the state; and

26

27

28

29

30

31

32

33

34

35

3637

38

39

40

41

42

43

44

45

46

47

50

- 4. Satisfies at least one of the following thresholds:
- a. Has annual gross revenues in excess of \$100 million, as adjusted in January of each odd-numbered year to reflect any increase in the Consumer Price Index.
- b. Has at least 100 million monthly individual platform participants globally.

The term does not include any information service, system,

Internet search engine, or access software provider operated by
a company that owns and operates a theme park or entertainment
complex as defined in s. 509.013.

Section 2. For the purpose of incorporating the amendment made by this act to section 501.2041, Florida Statutes, in a reference thereto, paragraph (c) of subsection (1) of section 106.072, Florida Statutes, is reenacted to read:

106.072 Social media deplatforming of political candidates.—

- (1) As used in this section, the term:
- (c) "Social media platform" has the same meaning as in s. 501.2041.
 - Section 3. For the purpose of incorporating the amendment

Page 2 of 3

CODING: Words stricken are deletions; words underlined are additions.

HB 5C 2022C

made by this act to section 501.2041, Florida Statutes, in a reference thereto, paragraph (f) of subsection (1) of section 287.137, Florida Statutes, is reenacted to read:

287.137 Antitrust violations; denial or revocation of the right to transact business with public entities; denial of economic benefits.—

(1) As used in this section, the term:

- under the laws of any state or of the United States which operates as a social media platform, as defined in s. 501.2041, with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an entity.
 - Section 4. This act shall take effect upon becoming a law.