STATE OF NEW YORK

4511

2021-2022 Regular Sessions

IN SENATE

February 5, 2021

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT to amend the general business law, in relation to requiring social media networks to provide and maintain mechanisms for reporting hate speech on their platform

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The general business law is amended by adding a new section 394-ccc to read as follows:

§ 394-ccc. Social media networks; hate speech prohibited. 1. As used in this section, the following terms shall have the following meanings:

(a) "Hate speech" means a public expression, either verbally, in writing or through images, which intentionally makes a statement about a group of persons because of race, ethnicity, nationality, religion or beliefs, sexual orientation, gender identity or physical, mental or intellectual disability.

(b) "Social media network" means service providers, which, for profit-making purposes, operate internet platforms that are designed to enable users to share any content with other users or to make such content available to the public.

2. A social media network shall provide and maintain a clear and easily accessible mechanism for individual users to report and make complaints of hate speech. Such mechanism shall be clearly accessible to users of such network and easily accessed from both a social media networks' application and website.

3. Each social media network shall have a clear and concise policy readily available and accessible on their website and application which includes how such social media network will respond and address incidents of hate speech which have been reported. Such policy shall include a mechanism to allow such social media network to provide a direct

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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response to any individual who has reported possible hate speech and inform such individual how the matter is being handled.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.