

# STATE OF NEW YORK

4512

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 vaccine misinformation on their platform

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

1 Section 1. The general business law is amended by adding a new section  
2 394-ccc to read as follows:

3 § 394-ccc. Social media networks; vaccine misinformation prohibited.  
4 1. As used in this section, the following terms shall have the following  
5 meanings:

6 (a) "Vaccine misinformation" means a public expression, either verbally,  
7 in writing or through images, which intentionally is misleading  
8 about vaccines, vaccine side effects, vaccine components, vaccine effi-  
9 cacy, the relationship between illness and vaccines, or any other  
10 substantive information as it relates to vaccines.

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

15 2. A social media network shall provide and maintain a clear and easi-  
16 ly accessible mechanism for individual users to report and make  
17 complaints of vaccine misinformation. Such mechanism shall be clearly  
18 accessible to users of such network and easily accessed from both a  
19 social media networks' application and website.

20 3. Each social media network shall have a clear and concise policy  
21 readily available and accessible on their website and application which  
22 includes how such social media network will respond and address inci-  
23 dents of vaccine misinformation which have been reported. Such policy  
24 shall include a mechanism to allow such social media network to provide

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

LBD08384-01-1

1 a direct response to any individual who has reported possible vaccine  
2 misinformation and inform such individual how the matter is being  
3 handled.

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