STATE OF NEW YORK

4531

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 election misinformation 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; election misinformation prohibited. 1. As used in this section, the following terms shall have the following meanings:

(a) "Election misinformation" means a public expression, either verbally, in writing or through images, which intentionally is misleading about a federal, state or local election.

(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 election misinformation. 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 election misinformation which have been reported. Such policy shall include a mechanism to allow such social media network to provide a direct response to any individual who has reported possible election

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

LBD08342-02-1

misinformation 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.