

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:

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; election misinformation prohibited.

4 1. As used in this section, the following terms shall have the following
5 meanings:

6 (a) "Election misinformation" means a public expression, either
7 verbally, in writing or through images, which intentionally is mislead-
8 ing about a federal, state or local election.

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

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

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

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1 misinformation and inform such individual how the matter is being
2 handled.

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