

REFERENCE TITLE: social media platforms; standards; notification

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# **SB 1124**

Introduced by  
Senators Rogers: Kern, Wadsack; Representatives Gillette, Parker J, Smith

AN ACT

AMENDING TITLE 18, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 7; RELATING TO SOCIAL MEDIA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 18, Arizona Revised Statutes, is amended by adding  
3 chapter 7, to read:

4 CHAPTER 7

5 SOCIAL MEDIA PLATFORMS

6 ARTICLE 1. GENERAL PROVISIONS

7 18-701. Definitions

8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "CANDIDATE" HAS THE SAME MEANING PRESCRIBED IN SECTION 16-901.

10 2. "CENSOR" INCLUDES ANY ACTION TAKEN BY AN EMPLOYEE OF THIS STATE  
11 IN THE EMPLOYEE'S OFFICIAL CAPACITY:

12 (a) TO DELETE, REGULATE, RESTRICT, EDIT, ALTER, INHIBIT THE  
13 PUBLICATION OR REPUBLICATION OF, OR SUSPEND A RIGHT TO POST, REMOVE OR  
14 POST AN ADDENDUM TO ANY CONTENT OR MATERIAL POSTED TO A SOCIAL MEDIA  
15 PLATFORM BY A USER.

16 (b) TO INHIBIT THE ABILITY OF A USER TO BE VIEWABLE BY OR TO  
17 INTERACT WITH ANOTHER USER OF THE SOCIAL MEDIA PLATFORM.

18 (c) TO ADD OR TAKE AWAY CREDIBILITY TO POLITICAL SPEECH POSTED TO A  
19 SOCIAL MEDIA PLATFORM THAT COULD HAVE THE EFFECT OF SWAYING POLITICAL  
20 VIEWS, INCLUDING FACT-CHECKING, ISSUING WARNINGS, FLAGGING, HIGHLIGHTING  
21 OR CAUTIONING USERS TO BELIEVE OR DISBELIEVE CONTENT BASED ON POLITICAL  
22 VIEWS.

23 3. "DEPLATFORM" MEANS THE ACT OR PRACTICE BY A SOCIAL MEDIA  
24 PLATFORM OF PERMANENTLY DELETING OR BANNING A USER OR TEMPORARILY DELETING  
25 OR BANNING A USER FOR MORE THAN FOURTEEN DAYS FROM THE SOCIAL MEDIA  
26 PLATFORM.

27 4. "SOCIAL MEDIA PLATFORM":

28 (a) MEANS A PUBLIC OR SEMIPUBLIC INTERNET-BASED SERVICE OR  
29 APPLICATION THAT MEETS ALL OF THE FOLLOWING:

30 (i) OPERATES AS A SOLE PROPRIETORSHIP, PARTNERSHIP, LIMITED  
31 LIABILITY COMPANY, CORPORATION, ASSOCIATION OR OTHER LEGAL ENTITY.

32 (ii) DOES BUSINESS IN THIS STATE.

33 (iii) HAS ANNUAL GROSS REVENUES OF MORE THAN \$100,000,000 DIRECTLY  
34 FROM OPERATING THE SOCIAL MEDIA PLATFORM AND NOT FROM SELLING GOODS AND  
35 SERVICES, AS ADJUSTED IN JANUARY OF EACH ODD-NUMBERED YEAR TO REFLECT ANY  
36 INCREASE IN THE CONSUMER PRICE INDEX, AND HAS AT LEAST ONE HUNDRED MILLION  
37 MONTHLY INDIVIDUAL PLATFORM PARTICIPANTS GLOBALLY.

38 (iv) PRIMARILY FUNCTIONS TO CONNECT USERS IN ORDER TO ALLOW USERS  
39 TO INTERACT SOCIALLY WITH EACH OTHER WITHIN THE PLATFORM. EMAIL OR DIRECT  
40 MESSAGING SERVICES DO NOT MEET THIS CRITERION ON THE BASIS OF THAT  
41 FUNCTION ALONE.

42 (v) ALLOWS USERS TO CREATE A PUBLIC OR SEMIPUBLIC PROFILE FOR THE  
43 PURPOSES OF LOGGING IN TO AND USING THE PLATFORM, POPULATE A PUBLIC LIST  
44 OF OTHER USERS WITH WHOM AN INDIVIDUAL SHARES A SOCIAL CONNECTION WITHIN  
45 THE PLATFORM, AND POST CONTENT THAT IS VIEWABLE BY OTHER USERS.

1 (b) DOES NOT INCLUDE A BROADBAND INTERNET ACCESS SERVICE PROVIDER  
2 OR AN ONLINE SERVICE, APPLICATION, CLOUD SERVICES PROVIDER OR WEBSITE:

3 (i) THAT CONSISTS PRIMARILY OF NEWS, SPORTS, ENTERTAINMENT,  
4 E-COMMERCE OR INFORMATION OR CONTENT THAT IS NOT USER-GENERATED BUT IS  
5 PRESELECTED BY THE PROVIDER.

6 (ii) FOR WHICH ANY CHAT, COMMENTS OR INTERACTIVE FUNCTIONALITY IS  
7 INCIDENTAL TO, DIRECTLY RELATED TO OR DEPENDENT ON THE PROVISION OF THE  
8 CONTENT DESCRIBED IN ITEM (i) OF THIS SUBDIVISION.

9 (c) DOES NOT INCLUDE CLOUD STORAGE, SHARED DOCUMENT COLLABORATION  
10 AND OTHER CLOUD COMPUTING SERVICES.

11 5. "USER" MEANS A PERSON WHO RESIDES OR IS DOMICILED IN THIS STATE  
12 AND WHO HAS AN ACCOUNT ON A SOCIAL MEDIA PLATFORM, REGARDLESS OF WHETHER  
13 THE PERSON POSTS OR PREVIOUSLY POSTED CONTENT OR MATERIAL TO THE SOCIAL  
14 MEDIA PLATFORM.

15 18-702. Candidates; deplatforming prohibited; civil penalty

16 A. A SOCIAL MEDIA PLATFORM MAY DEPLATFORM A CANDIDATE WHO IS KNOWN  
17 BY THE SOCIAL MEDIA PLATFORM TO BE A CANDIDATE, BEGINNING ON THE DATE OF  
18 THE CANDIDATE'S QUALIFICATION AND ENDING ON THE DATE OF THE ELECTION OR  
19 THE DATE THE CANDIDATE CEASES TO BE A CANDIDATE AS ALLOWED UNDER THE  
20 COMMUNICATIONS DECENTRY ACT OF 1996 (P.L. 104-104; 110 STAT. 133; 47 UNITED  
21 STATES CODE 230).

22 B. IF THE SECRETARY OF STATE FINDS THAT A SOCIAL MEDIA PLATFORM HAS  
23 VIOLATED SUBSECTION A OF THIS SECTION, THE SECRETARY OF STATE MAY IMPOSE A  
24 CIVIL PENALTY ON THE SOCIAL MEDIA PLATFORM OF \$250,000 PER DAY FOR A  
25 CANDIDATE FOR STATEWIDE OFFICE WHO WAS DEPLATFORMED BY THE SOCIAL MEDIA  
26 PLATFORM AND \$25,000 PER DAY FOR A CANDIDATE FOR ANY OTHER OFFICE WHO WAS  
27 DEPLATFORMED BY THE SOCIAL MEDIA PLATFORM.

28 18-703. Censorship standards

29 A SOCIAL MEDIA PLATFORM SHALL PUBLISH THE STANDARDS, INCLUDING  
30 DETAILED DEFINITIONS, THAT THE SOCIAL MEDIA PLATFORM USES FOR DETERMINING  
31 HOW IT WILL CENSOR OR DEPLATFORM THE SOCIAL MEDIA PLATFORM'S USERS.

32 18-704. Penalties; exceptions

33 A. A SOCIAL MEDIA PLATFORM EMPLOYEE WHO VIOLATES THIS CHAPTER IS  
34 SUBJECT TO REMOVAL FROM STATE SERVICE, REDUCTION IN GRADE, DEBARMENT FROM  
35 STATE EMPLOYMENT FOR A PERIOD OF NOT MORE THAN FIVE YEARS, SUSPENSION,  
36 REPRIMAND OR A CIVIL PENALTY NOT TO EXCEED \$1,000.

37 B. THIS CHAPTER DOES NOT PROHIBIT A SOCIAL MEDIA PLATFORM EMPLOYEE  
38 FROM ENGAGING IN LAWFUL ACTIONS WITHIN THE OFFICIAL AUTHORITY OF THE  
39 EMPLOYEE FOR THE PURPOSE OF EITHER:

40 1. EXERCISING LEGITIMATE LAW ENFORCEMENT FUNCTIONS DIRECTLY RELATED  
41 TO ACTIVITIES TO COMBAT CHILD PORNOGRAPHY, HUMAN TRAFFICKING OR THE  
42 ILLEGAL TRANSPORTING OF OR TRANSACTING IN CONTROLLED SUBSTANCES.

43 2. SAFEGUARDING OR PREVENTING THE UNLAWFUL DISSEMINATION OF  
44 PROPERLY CLASSIFIED STATE SECURITY INFORMATION.