

152 (b) "Interactive computer service" includes:

153 (i) a web service;

154 (ii) a web system;

155 (iii) a website;

156 (iv) a web application; or

157 (v) a web portal.

158 (7) "Minor" means an individual who is under the age of 18 and has not been
159 emancipated as that term is defined in Section 80-7-102.

160 (8) "Post" means content that an account holder makes available on the account
161 holder's account for other account holders or users to view.

162 (9) "Social media company" means any domestic business entity or foreign business
163 entity that:

164 (a) provides a social media platform that has at least 10,000,000 account holders; and

165 (b) is an interactive computer service.

166 (10) (a) "Social media platform" means an online forum that a social media company
167 makes available for an account holder to:

168 (i) create a profile;

169 (ii) upload posts;

170 (iii) view the posts of other account holders; and

171 (iv) interact with other account holders or users.

172 (b) "Social media platform" does not include an online service, website, or application:

173 (i) where the predominant or exclusive function is:

174 (A) electronic mail;

175 (B) direct messaging ~~§~~ **→ consisting of messages, photos, or videos that are sent from**
175a **one device to another through electronic means ←§** ;

176 (C) a streaming service that:

177 (I) provides only licensed media in a continuous flow from the service, website, or
178 application to the end user; and

179 (II) does not obtain a license to the media from a user by agreement to its terms of
180 service;

180a **§ → (D) news, sports, entertainment, or other content that is is preselected by the provider and**
180b **not user generated, if any chat, comment, or interactive functionality that is also provided is**
180c **incidental to, directly related to, or dependent upon provision of the content; ←§**

181 **§ → [(D)] (E) ←§** online shopping or e-commerce, if the interaction with other users or
181a account

182 holders is generally limited to:

183 (I) the ability to post and comment on reviews;

184 (II) the ability to display lists or collections of goods for sale or wish lists; and

185 (III) other functions that are focused on online shopping or e-commerce rather than

186 interaction between users or account holders;

187 ~~§~~ ~~(F)~~ ~~(F)~~ ~~§~~ business to business software that is not accessible to the general public;

188 ~~§~~ ~~(F)~~ ~~(G)~~ ~~§~~ cloud storage or shared document collaboration;

189 ~~§~~ ~~(G)~~ ~~(H)~~ ~~§~~ providing access to or interacting with data visualization platforms,

189a libraries, or

190 hubs;

191 ~~§~~ ~~(H)~~ ~~(I)~~ ~~§~~ to permit comments on a digital news website, if the news content is

191a posted only

192 by the provider of the digital news website; § → [or

193 ~~(F)~~ ~~(J)~~ ~~§~~ for the purpose of providing or obtaining technical support for the social media

194 ~~§~~ ~~→~~ company's ~~§~~ platform ~~§~~ ~~→~~ , products, or services ~~§~~ ~~;~~ ~~§~~ ~~→~~ or

194a (K) academic or scholarly research; §

195 (ii) where:

196 (A) the majority of the content that is posted or created is posted or created by the

197 provider of the online service, website, or application; and

198 (B) the ability to chat, comment, or interact with other account holders is directly

199 related to the provider's content; or

200 (iii) that is a classified ad service that only permits the sale of goods and prohibits the

201 solicitation of personal services.

202 (11) "User" means a person who has access to view all, or some of, the posts made on a

203 social media platform, but is not an account holder.

204 (12) (a) "Utah account holder" means a person that is a Utah resident and an account

205 holder.

206 (b) "Utah account holder" includes a Utah minor account holder.

207 (13) "Utah minor account holder" means a Utah account holder who is a minor.

208 (14) "Utah resident" means a person who resides or operates in Utah and:

209 (a) if the person is an individual, has their primary residence in Utah; or

210 (b) if the person is a business entity or organization, has a principal place of business or

211 principal location in Utah.

212 Section 4. Section **13-63-102** is enacted to read:

213 **13-63-102. Age verification for use of social media platform -- Age limits --**