



UTAH STATE SENATE

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January 31, 2023

Mr. President,

The Business and Labor Committee reports a favorable recommendation on **S.B. 152**, SOCIAL MEDIA REGULATION AMENDMENTS, by Senator M. K. McKell, with the following amendments:

1. *Page 6, Line 166 through Page 7, Line 201:*

- 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 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; =

Bill Number



SB0152

Action Class



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Action Code



SCRAMD

(D) news, sports, entertainment, or other content that is is preselected by the provider and not user generated, if any chat, comment, or interactive functionality that is also provided is 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 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 ~~{(E)}~~ **(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, libraries, or
190 hubs;

191 ~~{(H)}~~ **(I)** to permit comments on a digital news website, if the news content is posted only

192 by the provider of the digital news website; ~~{or}~~

193 ~~{(I)}~~ **(J)** for the purpose of providing or obtaining technical support for the social media

194 **company's** platform **, products, or services** ; or

(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
201 the

201 solicitation of personal services.

Respectfully,

S.B. 152

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Curtis S. Bramble
Chair

Voting: 8-0-0

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