Date of Hearing: June 21, 2022

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION
Jesse Gabriel, Chair
SB 1056 (Umberg) – As Amended April 7, 2022

SENATE VOTE: 34-0

SUBJECT: Violent posts

SUMMARY: This bill would require a social media platform (SMP), as defined, to state whether it has a mechanism for reporting violent posts, as defined, and, if it does, to include a link to the reporting mechanism in that statement; and would permit a person who is the target of a violent post to seek a court order requiring the SMP to remove the violent post. Specifically, **this bill would**:

1) Require an SMP to clearly and conspicuously state whether it has a mechanism for reporting violent posts that is available to users and nonusers of the platform.

2) If the SMP has a reporting mechanism, require the statement pursuant to 1), above, to include a link to that reporting mechanism.

3) Permit a person who is the target of a violent post, or reasonably believes the person is the target of a violent post, to seek an order requiring the SMP to remove the violent post and any related violent post the court determines shall be removed in the interests of justice.

4) Provide that, if the SMP has a reporting mechanism described in 1), above, a person shall not bring an action pursuant to 3), above, until the person has notified the SMP of the violent post and requested that it be removed through the reporting mechanism.

5) Provide that a person may bring an action pursuant to 3), above, before 48 hours have passed since providing notice to an SMP pursuant to 4), above, but the court shall not rule on the request for an order until 48 hours have passed from the provision of notice; and permit a court to dismiss such an action if the SMP deletes the post before 48 hours have passed from the provision of notice.

6) Require a court to award court costs and reasonable attorney's fees to a prevailing plaintiff in an action brought pursuant to 3), above.

7) Permit a court to award reasonable attorney's fees to a prevailing defendant upon a finding by the court that the plaintiff's prosecution of the action was not in good faith.

8) Exempt from the bill an SMP with fewer than 1,000,000 discrete monthly users.

9) Define "social media platform" to mean an internet-based service or application that has users in California and that meets all of the following criteria:

    - The primary purpose of the service or application is to connect users and allow users to interact with each other within the service or application.

    - The service or application allows users to do all of the following:

- Construct a public or semipublic profile within a bounded system created by the service or application.
- Populate a list of other users with whom an individual shares a connection within the system.
- View and navigate a list of connections made by other individuals within the system.
- Create or post content viewable by other users.

10) Define "violent post" to mean content on an SMP that contains a true threat against a specific person or an incitement to imminent lawless action that is not protected by the First Amendment to the United States Constitution.

11) Define "content" to mean media that are created, posted, shared, or otherwise interacted with by users on an internet-based service; and specify that "content" does not include media put online exclusively for the purpose of file sharing.

12) Define "user" to mean a person with an account on an SMP.

EXISTING LAW:

1) Provides, under the U.S. Constitution, that "Congress shall make no law . . . abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." (U.S. Const., 1st Amend., as applied to the states through the 14th Amendment's Due Process Clause; *see Gitlow v. New York* (1925) 268 U.S. 652.)

2) Provides under the California Constitution for the right of every person to freely speak, write and publish his or her sentiments on all subjects, being responsible for the abuse of this right. Existing law further provides that a law may not restrain or abridge liberty of speech or press. (Cal. Const., art. I, Sec. 2(a).)

3) Holds that incitement to violence or unlawful acts and "fighting words" are not protected speech under the First Amendment. (*See,* e.g., *Braxton v. Municipal Court for San Francisco Judicial Dist.* (1973) 10 Cal. 3d 138, 148.)

4) Holds that speech is not protected under the First Amendment if it rises to the level of a "true threat," i.e., a statement where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals. (*See,* e.g., *Thunder Studios, Inc. v. Kazal* (2021) 13 F.4th 736, 746.)

5) Pursuant to the Federal Communications Decency Act of 1996, provides, that "no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider," and affords broad protection from civil liability for the good faith content moderation decisions of interactive computer services. (47 U.S.C. Sec. 230(c)(1) and (2).)

6) Specifies that no cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with 5), above. (47 U.S.C. Sec. 230(e)(3).)

7) Prohibits a person from posting on the internet or social media the personal information or image of a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address for any of the following purposes: (a) with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address; (b) to incite a third person to cause imminent great bodily harm to the reproductive health care services patient, et al.; or (c) to threaten the reproductive health care services patient, et al., in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety. (Gov. Code Secs. 6218(a) and 6218.01.)

8) Defines "social media", for the purposes of 7), above, to mean an electronic service or account, or electronic content, including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations. (Gov. Code Secs. 6218.05(g).)

FISCAL EFFECT: This bill has been keyed non-fiscal by the Legislative Counsel. According to the Senate Appropriations Committee, "[u]nknown workload cost pressures due to increased workload for the judicial branch to adjudicate court filings generated by the provisions of this bill (Trial Court Trust Fund, General Fund)."

COMMENTS:

1) **Purpose of this bill**: This bill seeks to curb the propagation of violent threats on social media by providing a legal mechanism for individuals to compel the removal of content containing true threats that are not protected by the First Amendment. This bill is author-sponsored.

2) **Author's statement**: According to the author:

> SB 1056 would establish the Online Violence Prevention Act to protect victims of threats on social media platforms. Social media platforms can reunite friends, foster meaningful relationships, and provide perspectives that traditional media might ignore. Unfortunately, social media platforms have also been used for violence. The January 6, 2021 attack on the United States Capitol was planned and coordinated largely through various social media channels, with some participants openly threatening to commit acts of violence against elected officials. Many individuals on social media platforms – especially people of color, women, and LGBTQ+ individuals – are also frequently barraged with threats of violence, simply for speaking out or sharing their perspectives.
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> While the guarantees of free speech and free expression protect vehement disagreement, even to the point of unpleasantness, there is no constitutional protection for true threats or incitements to imminent acts of violence. Such statements stifle speech, by inducing fear in the speakers, and add nothing to the online discourse. Yet there is no clear avenue for the target of such violence to have the violent post removed from a social media platform. Therefore, SB 1056 provides a precisely tailored solution for individuals who are the targets of online threats or incitements to imminent violence.

3) **Social media, violent content, and content moderation**: As online social media become increasingly central to the public discourse, the companies responsible for managing SMPs

are faced with a complex dilemma regarding content moderation, i.e., how the platforms determine what content warrants disciplinary action such as removal of the item or banning of the user. In broad terms, there is a general public consensus that certain types of content, such as child pornography, depictions of graphic violence, emotional abuse, and threats of physical harm, are undesirable, and should be mitigated on these platforms to the extent possible. Many other categories of information, however, such as hate speech, racism, extremism, misinformation, political interference, and harassment, are far more difficult to reliably define, and assignment of their boundaries is often fraught with political bias. In such cases, both action and inaction by these companies seems to be equally maligned: too much moderation and accusations of censorship and suppressed speech arise; too little, and the platform risks foster a toxic, sometimes dangerous community.

This dilemma has been at the forefront of the public conscience since, in the wake of the attack on the nation's capital on January 6, 2021, the sitting President of the United States was banned from some SMPs for incitement of violence and propagation of misinformation. But the largest SMPs are faced with thousands, if not millions of similarly difficult decisions related to content moderation on a daily basis. Despite the problem being more visible than ever, the machinations of content moderation in many ways remain a mystery.

As early as September 2021, The Wall Street Journal began publishing articles detailing otherwise opaque machinations of Facebook, referring to a trove of internal documents received by the media outlet, along with a consortium of other news organizations. These articles mainly detailed fatal flaws in content moderation and algorithmic prioritization by the company that underlie known toxic effects on individual users and on the greater public discourse at large. In October, these articles were revealed to have resulted from redacted documents provided by Frances Haugen, a former lead product manager for Facebook's division on civic integrity, who had disclosed the documents to the U.S. Securities and Exchange Commission and applied for whistleblower protection. Since then, Haugen has made a number of media appearances and testified before Congress and the U.K. Parliament to answer questions pertaining to the documents and to elaborate on their content.

Haugen explained that one critical shortcoming in Facebook's content moderation efforts involves the over-reliance on artificial intelligence-based automated systems for content moderation that are insufficient to address the scope and complexity of the problem. Documents reviewed by the Wall Street Journal demonstrated that, in 2019, Facebook cut the time human reviewers focused on hate speech complaints from users, along with several other changes that reduced total complaints such as making the user complaint process more onerous. The result was increased reliance on AI enforcement of its content policies and inflation of the apparent success of the technology. Haugen cited internal studies from Facebook that estimated the company effectively removes posts that generate only 3-5% of hate speech views on its platforms, and that the AI systems they rely on will only be capable of detecting, in the best of circumstances, 10-20% of objectionable content in the short-medium term. Haugen also raised deep concerns before Congress about "Facebook's ability to operate in a safe way in languages beyond maybe the top 20 in the world," suggesting that content-based approaches relying on AI to moderate the social media ecosystem are doomed to fail, since the technology cannot adequately account for linguistic and cultural diversity.

According to a 2021 Pew Research Center report, 14% of American adults have experienced physical threats online, a figure that has doubled since 2014.[1] This includes nearly a third of Americans ages 18-29. In many cases, these threats are direct, specific, and likely indicators of imminent violence or other lawless actions, but due to shortcomings of online content moderation, including over-reliance on insufficient AI moderation systems, they nonetheless remain unaddressed. The risks of these threats propagating without mitigation are exemplified by recent reports indicating a host of social media posts containing direct threats to elected officials and incitement to violent action leading up to the insurrection attempt on January 6, 2021.[2]

This bill aims to curb the propagation of violent content on SMPs by requiring SMPs to clearly and conspicuously state whether they have a mechanism for reporting violent content, and by providing a legal mechanism to compel the removal of that content.

4) **Challenges to regulating content on SMPs**: Efforts to address online content moderation at the state level have often been frustrated by issues of federal preemption. Specifically, Section 230 of the federal Communications Decency Act of 1996, which provides that an online platform generally cannot be held liable for content posted by third parties, explicitly preempts any conflicting state law. The law was designed to permit online platforms to freely moderate content in good faith without the risk of liability for content moderation decisions. But in effect, the liability shield provided by Section 230, coupled with its preemption of state law, makes it remarkably difficult to legislate at the state level with respect to content moderation.

   The First Amendment of the U.S. Constitution poses additional obstacles with respect to regulating content moderation by SMPs. The First Amendment of the U.S. Constitution provides that "Congress shall make no law […] abridging the freedom of speech […]" (U.S. Const., 1st Amend.), and courts have consistently held that this prohibition on legislation abridging speech applies to state and local governments. (*See,* e.g., *Gitlow v. New York* (1925) 268 U.S. 652.) Courts have further established the contours of First Amendment protection of speech to include prohibitions against government compellation of speech and against laws that serve the purpose of chilling speech on the basis of content, even if the law itself does not explicitly ban certain speech. This means most efforts by legislatures to require the removal of specific content from SMPs, regardless of how noxious that content may be, are liable to be challenged as unconstitutional, risking infringement on either the speech rights of the users generating that content or on the rights of the SMP to publish content without government suppression based on the content of that speech.

   As a result, attempts to impose specific guidelines, restrictions, or requirements on SMPs have thus far been unsuccessful. That said, the Supreme Court has upheld on several occasions the notion that certain types of speech are not protected under the First Amendment. For instance, the Supreme Court has held that incitement to violence or

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[1] Emily A. Vogels, "The State of Online Harassment," *Pew Research Center*, Jan. 13, 2021, https://www.pewresearch.org/internet/wp-content/uploads/sites/9/2021/01/PI_2021.01.13_Online-Harassment_FINAL-1.pdf [as of Jun. 18, 2022].

[2] *See*, e.g., C. Silverman, et al., "Facebook Hosted Surge of Misinformation and Insurrection Threats in Months Leading Up to Jan. 6 Attack, Records Show," *ProPublica*, Jan. 4, 2022, https://www.propublica.org/article/facebook-hosted-surge-of-misinformation-and-insurrection-threats-in-months-leading-up-to-jan-6-attack-records-show [as of Jun. 18, 2022].

unlawful acts and "fighting words" are not protected speech under the First Amendment (*see*, e.g., *Braxton v. Municipal Court for San Francisco Judicial Dist.* (1973) 10 Cal. 3d 138, 148.), nor is speech that rises to the level of a "true threat," i.e., a statement where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals. (*See,* e.g., *Thunder Studios, Inc. v. Kazal* (2021) 13 F.4th 736, 746.)

This bill seeks to capitalize on the lack of protections for these types of speech by permitting a target of violent content to obtain a court order for its removal, and specifically defining violent content to mean incitement or threats that are not protected by the First Amendment.

5) **Bill would provide a legal mechanism for compelling the removal of violent posts from SMPs**: This bill would require an SMP, as defined, with more than 1,000,000 discrete monthly users to clearly and conspicuously state whether it has a mechanism for reporting violent posts, as defined, that is available to users and nonusers of the platform, and that, if the SMP has a mechanism, to include in that statement a link to the reporting mechanism. The bill would also permit a person who is the target of a violent post, or reasonably believes themselves to be the target of a violent post, to seek an order requiring the SMP to remove the violent post and any related violent post the court determines shall be removed in the interests of justice. The bill allows a person to bring an action under its provisions at any time if the SMP does not have a reporting mechanism, but if the SMP does have a reporting mechanism, it requires the person to first notify the SMP of the violent post and to request its removal through the reporting mechanism. Under the bill, a prevailing plaintiff is entitled to court costs and reasonable attorney's fees, and a prevailing defendant may be awarded court costs and reasonable attorney's fees upon a finding that the plaintiff's prosecution of the action was not in good faith.

   In a clear attempt to avoid violating the First Amendment, the bill defines "violent post" to mean "content on a social media platform that contains a true threat against a specific person or an incitement to imminent lawless action *that is not protected by the First Amendment of the United States Constitution*." Since the content is therefore, by definition, not protected speech, the bill represents a unique approach to combating harmful content on SMPs while potentially allaying some First Amendment concerns. By encouraging the construction of an internal reporting mechanism for violent posts as a means of avoiding the legal process, the bill may also incentivize SMPs to develop more robust internal processes for policing violent content, and to effectively deputize users to police violent content through the reporting mechanism that may otherwise fall through the cracks.

   The availability of a legal mechanism for compelling removal of violent posts may result in such content being removed before it can spread, and the provision of costs and fees to prevailing plaintiffs seems likely to encourage more robust moderation of violent content by SMPs. That said, the authorization to award costs and fees to a prevailing defendant is likely to significantly reduce the utilization of this mechanism. While these costs are only imposed upon a finding that the action was not brought in good faith, the risk of facing such a finding and incurring the substantial associated costs is likely to deter all but the wealthiest of potential plaintiffs. Furthermore, since the defendant in this case would be an SMP with more than 1,000,000 monthly users, both access to highly qualified counsel and to capital for paying costs would be extremely asymmetrical. That the imposition of costs and fees on an

individual plaintiff could be financially devastating, but would likely be absorbable by the defendant, may accordingly mitigate the intended benefits of providing the legal mechanism.

Nonetheless, as the events of January 6, 2021 demonstrated, the failure to remove violent posts including true threats and incitement to lawlessness can have catastrophic consequences, and current efforts by SMPs to internally police this content are arguably insufficient. This bill is likely to encourage useful mechanisms to supplement internal moderation of violent content, and legal recourse in the event those mechanisms fail.

6) **Assignment of court costs and attorney's fees may violate the spirit, if not the letter, of Section 230**: Section 230 of the federal Communications Decency Act of 1996 (CDA) provides that "[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider," and affords broad protection from civil liability for the good faith content moderation decisions of interactive computer services. (47 U.S.C. Sec. 230(c)(1) and (2).) Though Section 230 was originally passed in response to judicial inconsistency with respect to the liability of internet service providers (ISPs) under statutes pertaining to "publishers" of content created by others, it has since been interpreted to confer operators of SMPs and other online services with broad immunity from liability for content posted on their platforms by others.

   Section 230 also indicates that "[n]othing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section," but further provides that "[n]o cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section." (47 U.S.C. Sec. 230(e)(3).) The latter provision has generally been interpreted to expressly preempt any state law that has the effect of treating a social media or other online platform as the publisher of information posted by other users, including prescriptive requirements relating to content moderation. This is consistent with the law's original intent, which was to ensure that internet platforms facilitating the sharing of content can do so without considerable risk of liability in the event that content is not meticulously policed. As the Electronic Frontier Foundation points out in an issue brief relating to Section 230 protections:

   > Given the sheer size of user-generated websites (for example, Facebook alone has more than 1 billion users, and YouTube users upload 100 hours of video every minute), it would be infeasible for online intermediaries to prevent objectionable content from cropping up on their site. Rather than face potential liability for their users' actions, most would likely not host any user content at all or would need to protect themselves by being actively engaged in censoring what we say, what we see, and what we do online.[3]

   Technically, this bill does not directly impose liability on an SMP that fails to remove a violent post, but rather provides an avenue for a person to seek a court order to have that violent post removed. However, because the bill requires a court to award court costs and reasonable attorney's fees to a prevailing plaintiff in an action brought under the bill, in effect, the bill would impose some cost liability on the basis of an SMP's failure to remove content. From a practical standpoint, this could consequently produce precisely the

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[3] "CDA 230: The most important law protecting internet speech," *Electronic Frontier Foundation*, https://www.eff.org/issues/cda230, [as of Apr. 4, 2021].

circumstances Section 230 was designed to avoid. An SMP would be required to make complex legal determinations as to whether or not a particular post constitutes a true threat or incitement to imminent lawless action, or risk paying substantial costs.

Since preemptive removal of a post would not present a similar risk of liability regardless of whether the post constituted protected speech, the result may well be a tendency among SMPs to remove *any* content presenting a remote possibility of being considered a violent post under this bill. While the bill is careful to define "violent post" such that it exclusively encompasses unprotected speech in order to avoid running afoul of the First Amendment, in this way, the bill could effectively chill certain types of speech that are protected if they have the potential to be construed as violent.

Additionally, because an SMP with a mechanism for reporting violent posts can avoid this risk by removing the post within 48 hours, rather than reviewing the post to determine whether or not it constitutes a violent post under this bill, the SMP may be incentivized to remove any post that has been reported. Such a system could be easily abused to force removal of posts as a form of harassment, or weaponized to control a media narrative or catalyze social unrest.

Nonetheless, given the magnitude of risks presented by violent, threatening, and inciting posts on social media, the objective of encouraging removal of content likely to lead to such catastrophic outcomes is one of significant state concern. Because, pursuant to this bill, the presence of a mechanism for reporting violent posts can insulate an SMP from some potential liability, the bill may also encourage the creation of such mechanisms, thereby helping to combat violent content.

This bill has been double-referred to the Assembly Judiciary Committee, where the bill will be analyzed should it pass out of this Committee. The Assembly Judiciary Committee has historically been responsible for analyzing issues of federal preemption and First Amendment constitutionality across a broad range of contexts. While the constitutionality of the cause of action provided by this bill is a critical policy consideration, in this case, it is arguably more appropriately addressed by the committee of second referral based on jurisdictional precedent.

7) **Definition of "social media platform"**: As issues pertaining to social media have come into focus in the policymaking arena, this Legislature has generally struggled to consistently define what constitutes a "social media platform" for regulatory purposes. While certain services clearly constitute SMPs, some services maintain social components but may not be appropriately subject to the same regulations. For instance, while canonical SMPs such as Facebook and Twitter invariably fall within scope, those that permit sharing fitness information with friends or transferring money along with descriptive messages may or may not. Depending on the nature of the legislation in question, the appropriate contours of services captured may indeed vary, but a consistent starting point to define the universe of services being discussed would arguably facilitate thoughtful policymaking.

   Toward this end, this Committee, in collaboration with the Senate Judiciary Committee, endeavored to develop a uniform definition of "social media platform" to use consistently across bills pertaining to social media that are currently pending. The definition fundamentally relies on essential aspects of SMPs, including a substantial function of interacting socially, the ability to establish connections with others, and the creation or

sharing of content. Importantly, this definition is not intended to preclude this bill or future legislation from further defining the contours of the policy's scope, including through additional exemptions where appropriate (e.g. based on platform size or revenue).

The author of this bill has agreed to the following amendments which would incorporate that uniform definition, along with the accompanying definition of "content" on which it relies:

Author's amendment:

On page 2, line 8, after the word "means" insert: "***statements or comments made by users and***".

On page 2, line 11, strike "file sharing" and insert: "***cloud storage, transmitting documents, or file collaboration***".

On page 2, line 18, strike "The primary purpose" and insert: "***(A) A substantial function***".

On page 2, line 19, after the word "interact" insert: "***socially***".

On page 2, after line 20, insert: "***(B) A service or application for which a substantial function is the conveyance of email or direct messages shall not be considered to meet this criterion on the basis of that function alone.***".

On page 2, lines 23-24, strike "within a bounded system created by" and insert: "***for purposes of signing into and using***".

On page 2, strike lines 27-28, inclusive.

On page 2, line 29, strike "(D)" and insert "***(C)***", and after the word "users" insert: "***, including, but not limited to, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users***".

8) Related legislation: AB 587 (Gabriel) would require social media companies, as defined, to post their terms of service in a manner reasonably designed to inform all users of specified policies and would require a social media company to submit quarterly reports concerning specified content moderation practices to the Attorney General.

AB 1628 (Ramos) would require an online platform, as defined, that operates in this state to create and publicly post a policy statement including specified information pertaining to the use of the platform to illegally distribute controlled substances.

AB 2826 (Muratsuchi) would require the Department of Technology to establish a program to identify qualified research projects and require online platforms to turn over research material for those projects; and would require the Department of Technology to submit annual reports to the Legislature concerning research projects approved and conducted.

SB 1018 (Pan), as it is proposed to be amended in this Committee, would require a social media platform, as defined, to disclose to the public on or before July 1, 2023, and annually thereafter, statistics regarding the extent to which, in the preceding 12-month period, items of content that the platform determined violated its policies were recommended or otherwise

amplified by platform algorithms before and after those items were identified as in violation of the platform's policies, disaggregated by category of policy violated.

9) **Prior legislation**: AB 13 (Chau, 2021) would have enacted the Automated Decision Systems Accountability Act of 2021 and stated the intent of the Legislature that state agencies use an acquisition method that minimizes the risk of adverse and discriminatory impacts resulting from the design and application of automated decision systems. This bill was held under submission in the Senate Appropriations Committee.

   AB 1114 (Gallagher, 2021) would have required a social media company located in California to develop a policy or mechanism to address content or communications that purport to state factual information that is demonstrably false or that constitute unprotected speech, including obscenity, incitement of imminent lawless action, and true threats. This bill died in the Assembly Arts, Entertainment, Sports, Tourism, & Internet Media Committee.

   AB 1379 (E. Garcia, 2021) would have prohibited a social media platform from amplifying, in a manner that violates its terms of service or written public promises, content that is in violation of the platform's terms of service. This bill died in the Assembly Elections Committee.

   SB 388 (Stern, 2021) would have required a social media platform company, as defined, with 25,000,000 or more unique monthly users, as specified, to report to the Department of Justice specified information pertaining to its efforts to prevent, mitigate the effects of, and remove potentially harmful content. This bill died in the Senate Judiciary Committee.

   AB 2442 (Chau, 2020) would have required social media companies to disclose whether or not they have a policy concerning misinformation. This bill died in the Senate Judiciary Committee.

   AB 1316 (Gallagher, 2019) would have prohibited social media internet website operators located in California, as defined, from removing or manipulating content from that site on the basis of the political affiliation or political viewpoint of that content, except as specified. This bill was held in the Assembly Rules Committee.

   AB 3169 (Gallagher, 2018) would have prohibited any person who operates a social media internet website or search engine located in California, as specified, from removing or manipulating content on the basis of the political affiliation or political viewpoint of that content. This bill failed passage in the Privacy & Consumer Protection Committee.

   SB 1424 (Pan, 2018) would have established a privately-funded advisory group to study the spread of false information on social media platforms, and would have tasked the advisory group with drafting a model strategic plan for social media platforms to use to mitigate the problem. This bill was vetoed by Governor Brown, whose veto message indicated that a statutory advisory group was not necessary because there is already extensive research and investigation concerning the spread of false information on social media.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Landon Klein / P. & C.P. / (916) 319-2200