

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0106.01 Nicole Myers x4326

SENATE BILL 24-084

SENATE SPONSORSHIP

Cutter,

HOUSE SPONSORSHIP

Garcia,

Senate Committees
Judiciary

House Committees

A BILL FOR AN ACT

101 CONCERNING A REQUIREMENT THAT THE ATTORNEY GENERAL
102 UNDERTAKE CERTAIN MEASURES IN AN EFFORT TO PREVENT THE
103 PROLIFERATION OF MISINFORMATION AND DISINFORMATION,
104 AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

To prevent and combat the sharing and spreading of misinformation and disinformation, the attorney general is required to:

- Establish an initiative to encourage respectful engagement

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- and discourse;
- Develop and share a curriculum to facilitate productive and honest conversations regarding statewide and national issues to help people find common ground; and
- Collaborate with organizations across the state to develop and update the materials that are used in connection with the curriculum.

The attorney general is also required to study how the internet and other media channels, including social media platforms, are used to share and spread misinformation and disinformation. In addition, the attorney general is required to review relevant state and federal constitutional provisions and federal laws and regulations to address preemption and the intersection of state and federal authority. The attorney general may invite experts to collaborate or consult with the attorney general or to provide other assistance to the attorney general in performing the duties specified in the bill.

The attorney general is required to publish a report of its findings and to submit the report to the judiciary committees of the senate and the house of representatives. The report must include recommendations for state legislation.

For the 2024-2025 state fiscal year, \$150,000 is appropriated to the department of law for the implementation of the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 24-31-117 as
3 follows:

4 **24-31-117. Misinformation and disinformation prevention**
5 **campaign - study - report - appropriation - repeal.** (1) TO PREVENT
6 AND COMBAT THE SHARING AND SPREADING OF MISINFORMATION AND
7 DISINFORMATION, THE ATTORNEY GENERAL SHALL, AT A MINIMUM:

8 (a) ESTABLISH AN INITIATIVE TO ENCOURAGE RESPECTFUL
9 ENGAGEMENT AND DISCOURSE;

10 (b) DEVELOP AND SHARE A CURRICULUM THAT CAN BE USED BY
11 SCHOOLS, ORGANIZATIONS, AND COMMUNITY LEADERS TO FACILITATE
12 PRODUCTIVE AND HONEST CONVERSATIONS REGARDING STATEWIDE AND
13 NATIONAL ISSUES TO HELP PEOPLE FIND COMMON GROUND; AND

1 (c) COLLABORATE WITH ORGANIZATIONS ACROSS THE STATE TO
2 DEVELOP AND UPDATE THE MATERIALS THAT ARE USED IN CONNECTION
3 WITH THE CURRICULUM.

4 (2) (a) THE ATTORNEY GENERAL SHALL STUDY HOW THE INTERNET
5 AND OTHER MEDIA CHANNELS, INCLUDING SOCIAL MEDIA PLATFORMS, ARE
6 USED TO SHARE AND SPREAD MISINFORMATION AND DISINFORMATION. THE
7 STUDY MUST, AT A MINIMUM:

8 (I) EXAMINE THE PREVALENCE OF MISINFORMATION AND
9 DISINFORMATION ON THE INTERNET AND OTHER MEDIA CHANNELS;

10 (II) IDENTIFY THE ROLES OF THE STATE AND FEDERAL
11 GOVERNMENTS IN PREVENTING AND ADDRESSING MISINFORMATION AND
12 DISINFORMATION;

13 (III) IDENTIFY LAWS IMPLEMENTED BY OTHER STATES OR THE
14 FEDERAL GOVERNMENT THAT ARE INTENDED TO PREVENT THE USE OF THE
15 INTERNET AND OTHER MEDIA CHANNELS FOR SHARING AND SPREADING
16 MISINFORMATION AND DISINFORMATION;

17 (IV) EXAMINE ANY OTHER RELEVANT DATA, INFORMATION, OR
18 RESOURCES, AS DEEMED NECESSARY BY THE ATTORNEY GENERAL,
19 CONCERNING THE USE OF THE INTERNET FOR SHARING AND SPREADING
20 MISINFORMATION AND DISINFORMATION; AND

21 (V) EXAMINE THE LEGAL FRAMEWORK GOVERNING THE
22 REGULATION OF ONLINE SPEECH AND ONLINE ACTIVITIES, INCLUDING BUT
23 NOT LIMITED TO THE FIRST AMENDMENT TO THE UNITED STATES
24 CONSTITUTION AND THE PROVISIONS OF 47 U.S.C. SEC. 230 OF THE
25 FEDERAL "COMMUNICATIONS DECENCY ACT OF 1996".

26 (b) IN ADDITION, THE ATTORNEY GENERAL SHALL REVIEW
27 RELEVANT STATE AND FEDERAL CONSTITUTIONAL PROVISIONS AND

1 FEDERAL LAWS AND REGULATIONS TO ADDRESS PREEMPTION AND THE
2 INTERSECTION OF STATE AND FEDERAL AUTHORITY.

3 (3) THE ATTORNEY GENERAL MAY INVITE EXPERTS IN
4 CONSTITUTIONAL LAW, TECHNOLOGY, AND OTHER RELEVANT AREAS TO
5 COLLABORATE OR CONSULT WITH THE ATTORNEY GENERAL OR TO PROVIDE
6 OTHER ASSISTANCE IN THE ATTORNEY GENERAL'S PERFORMANCE OF THE
7 DUTIES SPECIFIED IN THIS SECTION.

8 (4) BY MARCH 1, 2025, THE ATTORNEY GENERAL SHALL
9 COMPLETE, PUBLISH, AND SUBMIT TO THE JUDICIARY COMMITTEES OF THE
10 SENATE AND THE HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
11 COMMITTEES, A REPORT OF ITS FINDINGS AS A RESULT OF THE STUDY AND
12 RESEARCH CONDUCTED PURSUANT TO SUBSECTION (2) OF THIS SECTION.
13 THE REPORT MUST ALSO INCLUDE RECOMMENDATIONS FOR STATE
14 LEGISLATION:

15 (a) TO PREVENT THE USE OF THE INTERNET FOR CONVEYING
16 MISINFORMATION AND DISINFORMATION;

17 (b) CONCERNING CIVIL LIABILITY FOR A COMPANY THAT ENABLES
18 OR FAILS TO ACT IN PREVENTING THE SHARING AND PROLIFERATION OF
19 MISINFORMATION AND DISINFORMATION WITH ITS ALGORITHM AND
20 WEBSITES;

21 (c) TO ADDRESS THE IMPACTS OF MISINFORMATION AND
22 DISINFORMATION ON YOUTH AND ON THE MENTAL HEALTH OF THE
23 GENERAL POPULATION;

24 (d) CONCERNING TRANSPARENCY, EDUCATION, AND PUBLIC
25 AWARENESS CAMPAIGNS REGARDING MISINFORMATION AND
26 DISINFORMATION; AND

27 (e) CONCERNING ANY OTHER PUBLIC POLICY CHANGES NECESSARY

1 TO REDUCE OR ELIMINATE THE USE OF THE INTERNET FOR MISINFORMATION
2 AND DISINFORMATION.

3 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2026.

4 **SECTION 2. Appropriation.** For the 2024-25 state fiscal year,
5 \$150,000 is appropriated to the department of law. This appropriation is
6 from the general fund. The department may use this appropriation to
7 implement this act.

8 **SECTION 3. Safety clause.** The general assembly finds,
9 determines, and declares that this act is necessary for the immediate
10 preservation of the public peace, health, or safety or for appropriations for
11 the support and maintenance of the departments of the state and state
12 institutions.