

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 1048
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Author:	Sen. Jett
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Bill Analysis

SB 1048 provides that social media sites operating in the state shall be subject to a private right of action by a social media website user if the social media website purposely deletes or censors a user's political or religious speech or uses an algorithm that deletes political or religious speech. Damages can include up to \$75,000.00 per intentional deletion or censoring, actual damages, punitive damages if aggravating factors are present, and other forms of equitable relief. The prevailing party shall be awarded court costs and attorney fees. Any social media site that restores the deleted speech may use such fact to mitigate any damages. The measure also prohibits the use of a user's alleged hate speech as a basis for justification or defense to the action against the social media website at trial. A social media site shall be immune from damages in certain circumstances outlined in the measure. Users must be 18 years of age or older to have standing to bring action. The Attorney General may bring a civil cause of action under this section on behalf of social media website users who reside in the state.

Prepared by: Kalen Taylor