

CHAPTER 2022-267

Senate Bill No. 6-C

An act relating to social media platforms; amending s. 501.2041, F.S.; revising the definition of the term “social media platform”; reenacting ss. 106.072(1)(c) and 287.137(1)(f), F.S., relating to social media deplatforming of political candidates and antitrust violations, denial or revocation of the right to transact business with public entities, and denial of economic benefits, respectively, to incorporate the amendment made to s. 501.2041, F.S., in references thereto; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (g) of subsection (1) of section 501.2041, Florida Statutes, is amended to read:

501.2041 Unlawful acts and practices by social media platforms.—

(1) As used in this section, the term:

(g) “Social media platform” means any information service, system, Internet search engine, or access software provider that:

1. Provides or enables computer access by multiple users to a computer server, including an Internet platform or a social media site;

2. Operates as a sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity;

3. Does business in the state; and

4. Satisfies at least one of the following thresholds:

a. Has annual gross revenues in excess of \$100 million, as adjusted in January of each odd-numbered year to reflect any increase in the Consumer Price Index.

b. Has at least 100 million monthly individual platform participants globally.

~~The term does not include any information service, system, Internet search engine, or access software provider operated by a company that owns and operates a theme park or entertainment complex as defined in s. 509.013.~~

Section 2. For the purpose of incorporating the amendment made by this act to section 501.2041, Florida Statutes, in a reference thereto, paragraph (c) of subsection (1) of section 106.072, Florida Statutes, is reenacted to read:

106.072 Social media deplatforming of political candidates.—

(1) As used in this section, the term:

(c) “Social media platform” has the same meaning as in s. 501.2041.

Section 3. For the purpose of incorporating the amendment made by this act to section 501.2041, Florida Statutes, in a reference thereto, paragraph (f) of subsection (1) of section 287.137, Florida Statutes, is reenacted to read:

287.137 Antitrust violations; denial or revocation of the right to transact business with public entities; denial of economic benefits.—

(1) As used in this section, the term:

(f) “Person” means a natural person or an entity organized under the laws of any state or of the United States which operates as a social media platform, as defined in s. 501.2041, with the legal power to enter into a binding contract and which bids or applies to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an entity.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor April 22, 2022.

Filed in Office Secretary of State April 22, 2022.