**5152-S AMS VALD S1350.1 - NOT FOR FLOOR USE**

**SSB 5152** - S AMD **27**

By Senator Valdez

**ADOPTED 02/15/2023**

Beginning on page 2, line 34, strike all of section 3 and insert the following:

"NEW SECTION. **Sec.**  (1) For an action brought under section 2 of this act, the sponsor of the electioneering communication may be held liable, and not the broadcasting station or other medium except as provided in subsection (2) of this section.

(2) A broadcasting station or other medium may be held liable in a cause of action brought under section 2 of this act if:

(a) The broadcasting station or other medium removes any disclosure described in section 2(4) of this act from the electioneering communication it broadcasts; or

(b) Subject to affirmative defenses described in section 2 of this act, the broadcasting station or other medium changes the content of an electioneering communication such that it qualifies as synthetic media, as defined in section 2 of this act.

(3)(a) 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. However, an interactive computer service may be held liable in accordance with subsection (2) of this section.

(b) "Interactive computer service" means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the internet and such systems operated or services offered by libraries or educational institutions.

(c) "Information content provider" means any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the internet or any other interactive computer service."

EFFECT: (1) Specifies that broadcasters or other media entities may be held liable for violating the act for removing previously present disclosures in media or altering an electioneering communication so that it qualifies as synthetic media, subject to affirmative defenses.

(2) Specifies that no provider or user of an interactive computer service is treated as the publisher or speaker of any information provided by another information content provider.