

SSB 5152 - S AMD 27
By Senator Valdez

ADOPTED 02/15/2023

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

3 "NEW SECTION. **Sec. 3.** (1) For an action brought under section 2
4 of this act, the sponsor of the electioneering communication may be
5 held liable, and not the broadcasting station or other medium except
6 as provided in subsection (2) of this section.

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

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

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

16 (3)(a) No provider or user of an interactive computer service
17 shall be treated as the publisher or speaker of any information
18 provided by another information content provider. However, an
19 interactive computer service may be held liable in accordance with
20 subsection (2) of this section.

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

27 (c) "Information content provider" means any person or entity
28 that is responsible, in whole or in part, for the creation or
29 development of information provided through the internet or any other
30 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.

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