

Hall of the House of Representatives

93rd General Assembly - Regular Session, 2021

Amendment Form

Subtitle of House Bill No. 1647

TO PROMOTE ARKANSAS VOICES; AND TO COMBAT CANCEL CULTURE AND PROTECT FREEDOM
OF SPEECH.

Amendment No. 2 to House Bill 1647

Amend House Bill No. 1647 as engrossed H3/10/21 (version: 03/10/2021 09:40:22 AM):

Page 3, line 25, delete "(4)" and substitute "(4)(A)"

AND

Page 3, delete line 26, and substitute the following:

"47 U.S.C. § 230(f), as it existed on January 1, 2021.

(B) "Interactive computer service" does not include internet service providers, email or any online service, application, or website consisting primarily of news, sports, entertainment, or other information or content that is not user-generated but is preselected or curated by the provider and for which any chat, comment, or interactive functionality is incidental to, directly related to, or dependent on the provision of the content;"

AND

Page 4, line 32, delete "(c)" and substitute "(c)(1)"

AND

Page 5, delete line 1, and substitute the following:

"time that the content was posted.

(2) It shall not be a defense to a violation under this chapter for an interactive computer service to assert any term of service that is unconscionable, inequitable, or that purports in any manner that the interactive computer service may act unilaterally to take any action described under this chapter against content or an information content provider."

AND



Page 5, delete lines 6 and 7, and substitute the following:

"reasonably believes is patently:
(1) In furtherance of"

AND

Page 5, delete line 13, and substitute the following:

"(3) Promoting terrorism or"

AND

Page 5, delete lines 17 through 19, and substitute the following:

"(a)(1) A violation of this chapter is:
(A) An unfair and deceptive act or practice, as defined by
the Deceptive Trade Practices Act, § 4-88-101 et seq.; and
(B) Punishable solely by action of the Attorney General.
(2) All remedies, penalties, and authority granted to the
Attorney"

AND

Page 5, line 22, delete "(c)" and substitute "(3)"

AND

Page 5, delete line 24, and substitute the following:

"conduct under other law.
(b) It is an affirmative defense to a single occurrence of a violation
of this chapter if within ten (10) days of receiving the first communication
from the Attorney General of a violation of this chapter, the interactive
computer service provides the Attorney General and the affected internet
content provider with notice that the violation was a single occurrence and
was cured."

AND

Page 5, line 25, delete "(d)" and substitute "(c)"

AND

Page 5, line 28, delete "describes" and substitute "described"

AND

Page 5, delete 29, and substitute the following:

"content moderation policies in plain and particular language in its terms of
service that were conspicuously disclosed separately from other unrelated
disclosures and made them"

AND

Page 5, line 35, delete "Provides an" and substitute "Provided the aggrieved information content provider an"

AND

Page 6, delete line 1, and substitute the following:
"was violated; and"

AND

Page 6, line 2, delete "Provides the" and substitute "Provided the"

AND

Page 6, line 4, delete "moderation; and" and substitute "moderation."

AND

Page 6, delete line 5, and substitute the following:

"(d) An interactive computer service shall publish on a quarterly basis and in a conspicuous manner and location on its service the statistics of:"

AND

Page 6, line 6, delete "(i)" and substitute "(1)"

AND

Page 6, line 8, delete "(ii)" and substitute "(2)"

AND

Page 6, line 9, delete "(d)(3)(B)" and substitute "(c)(3)(B)"

AND

Page 6, line 10, delete "(iii)" and substitute "(3)"

The Amendment was read _____

By: Representative Evans

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Chief Clerk