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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To amend section 230 of the Communications Act of 1934 to reaffirm
civil rights, victims' rights, and consumer protections.

IN THE HOUSE OF REPRESENTATIVES

Mr. MCEACHIN introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend section 230 of the Communications Act of 1934
to reaffirm civil rights, victims' rights, and consumer
protections.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Safeguarding Against
5 Fraud, Exploitation, Threats, Extremism, and Consumer
6 Harms Act" or the "SAFE TECH Act".

1 **SEC. 2. COMMUNICATIONS DECENTRY ACT IMPROVEMENTS.**

2 Section 230 of the Communications Act of 1934 (47

3 U.S.C. 230) is amended—

4 (1) in subsection (c)—

5 (A) in paragraph (1)—

6 (i) by striking “No provider” and in-
7 serting the following:

8 “(A) IN GENERAL.—Except as provided in
9 paragraph (3), no provider”;

10 (ii) by striking “any information” and
11 inserting “any speech”;

12 (iii) by inserting before the period at
13 the end the following: “, unless the pro-
14 vider or user has accepted payment to
15 make the speech available or, in whole or
16 in part, created or funded the creation of
17 the speech”; and

18 (iv) by adding at the end the fol-
19 lowing:

20 “(B) AFFIRMATIVE DEFENSE.—In any ac-
21 tion in which the defendant raises subpara-
22 graph (A) as a defense, the defendant shall
23 have the burden of persuasion, by a preponder-
24 ance of the evidence, that the defendant is a
25 provider or user of an interactive computer
26 service and is being treated as the publisher or

1 speaker of speech provided by another informa-
2 tion content provider.”;

3 (B) in paragraph (2)(B), by striking
4 “paragraph (1)” and inserting “subparagraph
5 (A)”; and

6 (C) by adding at the end the following:

7 “(3) EXCLUSION FROM ‘GOOD SAMARITAN’ IM-
8 MUNITY.—

9 “(A) INJUNCTIVE RELIEF.—Paragraph (1)
10 shall not apply to any request for injunctive re-
11 lief arising from the failure of an interactive
12 computer service provider to remove, restrict
13 access to or availability of, or prevent dissemi-
14 nation of material that is likely to cause irrep-
15 arable harm.

16 “(B) LIMITATION OF LIABILITY.—In the
17 case of an interactive computer service provider
18 that complies with an order granting injunctive
19 relief described in subparagraph (A), such com-
20 pliance shall not subject the interactive com-
21 puter service provider to liability for removing,
22 restricting access to or availability of, or pre-
23 venting dissemination of material subject to the
24 order.”; and

1 (2) in subsection (e), by adding at the end the
2 following:

3 “(6) NO EFFECT ON CIVIL RIGHTS LAWS.—
4 Nothing in this section shall be construed to limit,
5 impair, or prevent any action alleging discrimination
6 on the basis of any protected class, or conduct that
7 has the effect or consequence of discriminating on
8 the basis of any protected class, under any Federal
9 or State law.

10 “(7) NO EFFECT ON ANTITRUST LAWS.—Noth-
11 ing in this section shall be construed to prevent, im-
12 pair, or limit any action brought under Federal or
13 State antitrust law.

14 “(8) NO EFFECT ON STALKING, HARASSMENT,
15 OR INTIMIDATION LAWS.—Nothing in this section
16 shall be construed to prevent, impair, or limit any
17 action alleging stalking, cyberstalking, harassment,
18 cyberharassment, or intimidation based, in whole or
19 in part, on sex (including sexual orientation and
20 gender identity), race, color, religion, ancestry, na-
21 tional origin, or physical or mental disability brought
22 under Federal or State law.

23 “(9) NO EFFECT ON INTERNATIONAL HUMAN
24 RIGHTS LAW.—Nothing in this section shall be con-
25 strued to prevent, impair, or limit any action

1 brought under section 1350 of title 28, United
2 States Code.

3 “(10) NO EFFECT ON WRONGFUL DEATH AC-
4 TIONS.—Nothing in this section shall be construed
5 to prevent, impair, or limit any civil action for a
6 wrongful death.”.