



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3641

Introduced 2/22/2021, by Rep. Ryan Spain

SYNOPSIS AS INTRODUCED:

New Act

Creates the Social Media Platforms Liability for Incitement of Violence Act. Provides that a social media platform having actual knowledge of a post on its platform that causes an incitement of violence shall remove the post within 24 hours. Provides that failure by a social media platform to remove the post within 24 hours shall result in a civil penalty of \$10,000 per violation. Effective immediately.

LRB102 13379 LNS 18723 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Social
5 Media Platforms Liability for Incitement of Violence Act.

6 Section 5. Definitions. As used in this Act:

7 "Incitement of violence" means speech that creates an
8 immediate risk of harm to a specific person or persons or to
9 property.

10 "Post" means any information or data submitted by a third
11 party to a social media platform that is capable of then being
12 displayed using the software or approved hardware.

13 "Social media platform" means an electronic medium where
14 users may create and view user-generated content, such as
15 uploaded or downloaded videos or still photographs, blogs,
16 video blogs, podcasts, or instant messages.

17 Section 10. Prohibitions. A social media platform having
18 actual knowledge of a post on its platform that causes an
19 incitement of violence shall remove the post within 24 hours.

20 Section 15. Penalties. Failure by a social media platform
21 to comply with the provisions of Section 10 shall result in a

1 civil penalty of \$10,000 per violation.

2 Section 97. Severability. If any provision of this Act or
3 its application to any person or circumstance is held invalid,
4 the invalidity does not affect other provisions or
5 applications of this Act which can be given effect without the
6 invalid provision, and to this end the provisions of this Act
7 are severable.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.