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HOUSE FLOOR AMENDMENTS

2023 Regular Session

Amendments proposed by Representative Pressly to Re-Reengrossed Senate Bill No. 162
by Senator McMath

1 AMENDMENT NO. 1

2 In House Committee Amendment No. 4 proposed by the House Committee on Commerce
3 to Re-Reengrossed Senate Bill No. 162 by Senator McMath (#3752), on page 1, delete lines
4 16 through 34 in their entirety and insert in lieu thereof the following:

5 "(12)(a) "Social media platform" means an online forum that does all of
6 the following:

7 (i) Permits a person to become a registered user, establish an account,
8 and create a public profile for the primary purpose of interacting socially with
9 other account holders within the service or application.

10 (ii) Enables an account holder to generate content that can be viewed,
11 posted, and shared by a potentially unlimited number of other account holders
12 of the platform by default and without account holder intervention.

13 (iii) Enables account holders to establish mutual connections for the
14 purpose of interacting socially as a part of a network. For the purposes of this
15 Chapter, "mutual connection" occurs when both account holders assent to a
16 connection request either by sending the request or by agreeing to the request.
17 Unilaterally following or subscribing to receive content from another account
18 holder does not constitute a "mutual connection".

19 (iv) Provides functionality on the platform for users to privately message
20 their connections."

21 AMENDMENT NO. 2

22 In House Committee Amendment No. 21 proposed by the House Committee on Commerce
23 to Re-Reengrossed Senate Bill No. 162 by Senator McMath (#3752), on page 3, delete lines
24 30 through 34 in their entirety and insert in lieu thereof the following:

25 "B. A social media platform shall not permit a Louisiana resident who
26 is a minor under the age of 13 to be an account holder unless the minor has the
27 express consent of a parent or guardian."

28 AMENDMENT NO. 3

29 In House Committee Amendment No. 24 proposed by the House Committee on Commerce
30 to Re-Reengrossed Senate Bill No. 162 by Senator McMath (#3752), on page 4, delete lines
31 34 and 35 in their entirety and insert in lieu thereof the following:

32 "(2) The display of any targeted advertising in the account based on the
33 Louisiana minor account holder's age, gender or interests."

1 AMENDMENT NO. 4

2 In House Committee Amendment No. 27 proposed by the House Committee on Commerce
3 to Re-Reengrossed Senate Bill No. 162 by Senator McMath (#3752), on page 5, line 7,
4 change "A" to "A. A"

5 AMENDMENT NO. 5

6 On page 2, line 25, change "(11)" to "(11)(a)"

7 AMENDMENT NO. 6

8 On page 2, between lines 27 and 28, insert the following:

9 "(b) "Social media company" does not include a person or entity that
10 does either of the following:

11
12 (i) Offers enterprise cloud storage services, enterprise cybersecurity
13 services, educational devices, or enterprise collaboration tools for K-12 schools.

14 (ii) Derives less than 50% of its revenue from operating a social media
15 platform."

16 AMENDMENT NO. 7

17 On page 5, between lines 3 and 4 insert the following:

18 "(13)(a) "Targeted advertising" means displaying an advertisement to
19 a consumer where the advertisement is selected based on personal data obtained
20 from that consumer's activities over time and across a nonaffiliated website or
21 online applications to predict a consumer's preferences or interests.

22 (b) "Targeted advertising" does not include any of the following:

23 (i) An advertisement based on activities within a controller's own website
24 or online application.

25 (ii) An advertisement based on the context of a consumer's current
26 search query, visit to a website, or online application.

27 (iii) An advertisement directed to a consumer in response to the
28 consumer's request for information or feedback.

29 (iv) Personal data processed solely for measuring or reporting
30 advertising performance, reach, or frequency."

31 AMENDMENT NO. 8

32 On page 5, line 4, change "(13)" to "(14)"

33 AMENDMENT NO. 9

34 On page 7, between lines 17 and 18, insert the following:

35 "B. Pursuant to this Chapter, a social media platform company shall
36 provide a parent or guardian who has given parental consent for a minor
37 account holder in this state who is under thirteen years of age with a means for
38 the minor account holder or the parent or guardian to initiate account
39 supervision. For minors aged thirteen and above, the minor alone shall have the

1 ability to choose account supervision. Such supervision shall include the ability
2 for the parent to view privacy settings of the minor's account, set daily time
3 limits for the service, schedule breaks, and offer the minor the option to set up
4 parental notifications when the minor reports a person or issue."