

S 1384

21st Century FREE Speech Act

Congress: 117 (2021–2023, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Apr 27, 2021

Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.

Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Apr 27, 2021)

Official Text: <https://www.congress.gov/bill/117th-congress/senate-bill/1384>

Sponsor

Name: Sen. Hagerty, Bill [R-TN]

Party: Republican • **State:** TN • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Apr 27, 2021

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

21st Century Foundation for the Right to Express and Engage in Speech Act or the 21st Century FREE Speech Act

This bill makes various changes to liability protections and requirements for providers and users of an interactive computer service (e.g., a social media company).

The bill replaces existing liability protections (sometimes referred to as Section 230 protection) related to content provided by third parties with more limited protections.

The bill provides some liability protection for third-party content, but the protection shall not apply to a provider or user who carries out certain affirmative acts, such as barring users from the service or restricting access to or availability of material. However, the protection shall apply if the action is taken in good faith to restrict access to or availability of obscene, unlawful, or other similarly objectionable material.

Additionally, the bill places specific requirements on common carrier technology companies, defined in the bill as providers that offer services to the public and have over 100 million active monthly users. These companies must

- furnish their services to all persons upon request and in a manner that does not discriminate against or unfairly advantage any particular persons, class of persons, political or religious groups, or localities; and
- publicly disclose their practices for moderating content, terminating accounts, and related matters.

Aggrieved individuals and state entities may sue to enforce these requirements, and the Federal Communications Commission must develop best practices for complying with the requirements.

The bill's provisions do not apply to designated areas of law, including criminal law and state law.

Actions Timeline

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