

SOCIAL MEDIA COMPANIES COULD SEE \$250,000/DAY FINE FOR BANNING ARIZONA CANDIDATES - THE CENTER SQUARE

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Social media platforms that choose to suspend or ban candidates for office would face tens of thousands – or hundreds of thousands – of dollars a day in fines under legislation working its way through the Legislature.

The House Commerce Committee on Tuesday approved [Senate Bill 1106](#) along party lines. The bill defines how a social media suspends, bans or reduces the exposure of an account. This is also referred to as “shadowbanning.”

Under the bill, the Arizona Secretary of State may fine a social media platform \$25,000 a day for hindering the speech of a candidate for office. The penalty increases to \$250,000 a day if the issue concerns a candidate for statewide office.

“This legislation seeks to reinforce the First Amendment, especially for political speech,” said Sen. Wendy Rogers, R-Flagstaff, of her bill. “Which I have personal experience in telling you it is a higher bar than regular speech.”

The legislation also provides similar protections for accounts identifying as journalists.

Amy Bos, director of state and federal affairs at the free-market nonprofit NetChoice, said Rogers’ legislation would stifle a private business from moderating its platform.

“It’s means violate the well-established First Amendment right to editorial discretion,” she told the committee. “The act compels online businesses to host content they’d otherwise remove or obstruct highly-inappropriate content that might not be appropriate for all viewers.”

Bos said a similar law was struck down in Florida last year.

The committee voted 6-4 to approve the bill. It had made its way out of the Senate in February.