

Amendment - 1st Reading-white - Requested by: Daniel Emrich - (S) Energy, Technology & Federal Relations

- 2025

69th Legislature 2025

Drafter: Jason Mohr,

SB0207.001.001

SENATE BILL NO. 207

INTRODUCED BY D. EMRICH, G. LAMMERS, S. VINTON, J. TREBAS, B. BEARD

A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE BANNING OF OR UNFAIR ACTS AGAINST  
USERS FROM DIGITAL PUBLIC SQUARES OF AN ONLINE PLATFORM; PROVIDING DEFINITIONS;  
PROVIDING EXCEPTIONS; AND PROVIDING PENALTIES; AND AMENDING SECTION 30-14-103, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

**Section 1.** Section 30-14-103, MCA, is amended to read:

**"30-14-103. Unlawful practices.** (1) Unfair methods of competition and unfair or deceptive acts or practices in the conduct of any trade or commerce or on an online platform are unlawful.

(2) Unfair or deceptive methods on an online platform include:

(a) demonetizing by removing advertisers or advertising opportunities;

(b) using algorithms or artificial intelligence to limit or diminish distribution without informing a content creator or user;

(c) removing subscribers without the consent of a content creator or the subscriber;

(d) inflating content not directed by user preferences, requests, or behaviors, including artificially restricting viral content or content widely consumed and shared unless prohibited by law;

(e) removing content creators without notification to and due process for the creator;

(f) artificially inflating or boosting content without notifying users of the artificially inflated content, unless users are notified that the content is paid to be artificially inflated or boosted; and

(g) tagging user-created content with possibly misleading or defamatory labels without notification to and due process for the creator.

**Amendment - 1st Reading-white - Requested by: Daniel Emrich - (S) Energy, Technology & Federal Relations**

- 2025

69th Legislature 2025

Drafter: Jason Mohr,

SB0207.001.001

1       (2) (a) For the purposes of this section, "online platform" means a public-facing website, online  
2       service, online application, or mobile application that predominantly provides a community-based forum free of  
3       charge to all or some users for user-generated content, including sharing videos, images, games, audio files, or  
4       other content.  
5       (b) The term does not include the services or equipment of an internet service provider, a wireless  
6       transmission service, or an internet search engine."

7  
8       - END -