

HB0981/134534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 981
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 22, after the first “platform” insert “except under certain circumstances”; in line 24, after “Internet” insert “in a certain location”; in the same line, after “time;” insert “authorizing an online platform to apply to the State Board for a certain compliance waiver; requiring the State Board to require an applicant for a compliance waiver to provide certain information; prohibiting the State Board from granting more than one compliance waiver to an online platform; prohibiting the State Board from granting a compliance waiver to an online platform within a certain period of time; requiring, under certain circumstances, an online platform to apply for a compliance waiver before receiving payment for a qualifying paid digital communication;”; and strike beginning with “requiring” in line 27 down through “manner;” in line 28.

AMENDMENT NO. 2

On page 21, in line 4, strike “**(B)(5)**” and substitute “**(B)(6)**”; in lines 7, 12, 13, and 24, in each instance, strike “**(5)**” and substitute “**(6)**”; in line 13, strike “**THE**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, THE**”; in line 14, after “**INTERNET**” insert “**IN A CLEARLY IDENTIFIABLE LOCATION ON THE ONLINE PLATFORM’S HOMEPAGE**”; after line 23, insert:

“(5) (I) AN ONLINE PLATFORM MAY APPLY TO THE STATE BOARD FOR A COMPLIANCE WAIVER TO ALLOW THE ONLINE PLATFORM TO MAKE THE RECORDS DESCRIBED IN PARAGRAPH (6) OF THIS SUBSECTION AVAILABLE FOR PUBLIC INSPECTION ON THE INTERNET WITHIN UP TO 7 DAYS AFTER A QUALIFYING PAID DIGITAL COMMUNICATION IS PURCHASED.

(Over)

(II) THE STATE BOARD SHALL REQUIRE AN APPLICANT FOR A COMPLIANCE WAIVER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO:

1. DESCRIBE WHY COMPLYING WITH THE REQUIREMENTS UNDER PARAGRAPH (3) OF THIS SUBSECTION PRESENTS AN UNREASONABLE BURDEN ON THE APPLICANT; AND

2. PRESENT MEASURES THE APPLICANT WILL TAKE TO MEET THE REQUIREMENTS UNDER PARAGRAPH (3) OF THIS SUBSECTION WITHIN 6 MONTHS AFTER THE DATE THE COMPLIANCE WAIVER IS GRANTED.

(III) THE STATE BOARD MAY NOT GRANT:

1. MORE THAN ONE COMPLIANCE WAIVER TO AN ONLINE PLATFORM; AND

2. A COMPLIANCE WAIVER TO AN ONLINE PLATFORM WITHIN 30 DAYS BEFORE AN ELECTION.

(IV) IF AN ONLINE PLATFORM WILL APPLY FOR A COMPLIANCE WAIVER UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE ONLINE PLATFORM SHALL APPLY FOR THE COMPLIANCE WAIVER BEFORE RECEIVING PAYMENT FOR A QUALIFYING PAID DIGITAL COMMUNICATION.”;

and in line 33, strike “AND”.

On page 22, in line 1, after “COMMITTEE;” insert “AND”

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3. THE TOTAL AMOUNT PAID BY THE PURCHASER TO THE ONLINE PLATFORM FOR THE PLACEMENT OF THE QUALIFYING PAID DIGITAL COMMUNICATION;;

in line 3, after "COMMITTEE" insert "OR AN AD NETWORK"; in line 6, strike "AND"; after line 9, insert:

"3. THE TOTAL AMOUNT PAID BY THE PURCHASER TO THE ONLINE PLATFORM FOR THE PLACEMENT OF THE QUALIFYING PAID DIGITAL COMMUNICATION; AND";

strike beginning with "THE" in line 10 down through "WEEKLY" in line 12 and substitute "FOR EACH QUALIFYING PAID DIGITAL COMMUNICATION PURCHASED BY AN AD NETWORK:

1. THE CONTACT INFORMATION FOR THE AD NETWORK; OR

2. A HYPERLINK TO THE AD NETWORK'S WEBSITE WHERE THE CONTACT INFORMATION IS LOCATED";

in lines 14, 22, and 29, in each instance, strike "(4)" and substitute "(3)"; strike in their entirety lines 19 through 21, inclusive; and in line 22, strike "(3)" and substitute "(2)".

On page 23, in lines 6 and 7, 12, 14, and 17, in each instance, strike ", UPDATED WEEKLY"; and in line 14, after "RECEIVED" insert "OR WAS TARGETED TO RECEIVE".

On page 25, in line 28, strike "June" and substitute "July".