

2019 SPECIAL SESSION I

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SENATE BILL NO. 4026

Offered July 9, 2019

A *BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 52, consisting of a section numbered 59.1-571, relating to social media providers; threats of violence.*

Patron—Stanley

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 59.1 a chapter numbered 52, consisting of a section numbered 59.1-571, as follows:

CHAPTER 52.

SOCIAL MEDIA VIOLENCE PREVENTION.

§ 59.1-571. Social media providers; threats of violence.

A. As used in this section, unless the context requires a different meaning:

"Offending user" means a user of a social media website who conveys a threat of violence via a user message posted or communicated on any social media website.

"Social media provider" means any corporation, the shares of stock of which are sold to the general public on any national stock exchange, that owns and operates a social media website.

"Social media website" means any electronic medium or service where users may create, share, or view user-generated content, including, without limitation, videos, photographs, blogs, podcasts, messages, or website profiles or locations.

"Threat of violence" means any threat to kill, injure, damage, or otherwise inflict physical harm on any person within the Commonwealth that is posted or communicated via a user message.

"User message" means any posting, comment, message, or image posted or communicated by a user of a social media website on the social media website. "User message" includes a message sent directly from one user to another user through or on a social media website.

B. Immediately after a social media provider becomes aware of a threat of violence, the social media provider shall report the threat of violence to the appropriate law-enforcement agency. The appropriate law-enforcement agency shall be determined by the social media provider based on the physical location of (i) the offending user and (ii) the person who is the subject of the threat of violence, if such location information is available.

C. A social media provider that fails to take any action required by subsection B shall be liable for any damages sustained by any person who was the subject of a threat of violence as the result of any incident of violence, occurring after the date of the social media provider's failure, that is perpetrated by the offending user or in which the offending user participates.

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