**A** **BILL**

TO AMEND ARTICLE 1, CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNFAIR TRADE PRACTICES, BY ADDING SECTION 39-5-30, TO PROVIDE THAT THE OWNER OR OPERATOR OF A SOCIAL MEDIA WEBSITE MUST MAKE AVAILABLE THE CRITERIA USED TO DETERMINE WHETHER TO DISABLE OR SUSPEND A USER’S ACCOUNT, TO PROVIDE THAT THE OWNER OR OPERATOR OF A SOCIAL MEDIA WEBSITE MUST PROVIDE NOTICE TO A USER WHEN THE USER’S ACCOUNT IS SUSPENDED OR DISABLED, TO PROVIDE THAT THE NOTICE MUST EXPLAIN WHY THE USER’S ACCOUNT WAS SUSPENDED OR DISABLED, TO PROVIDE FOR PENALTIES AND DAMAGES, AND TO DEFINE NECESSARY TERMS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 5, Title 39 of the 1976 Code is amended by adding:

“Section 39-5-30. (A) For the purposes of this section, ‘social media website’ means an Internet website or application through which a user creates, shares, and interacts with content, including, but not limited to, videos, still photographs, blogs, video blogs, podcasts, instant or text messages, e-mail, online services, online accounts, and Internet website profiles or locations.

(B) The owner or operator of a social media website must prominently post, or otherwise make available, any criteria that the owner or operator uses in determining whether to disable or suspend a user’s social media website account.

(C) If a user’s social media website account is disabled or suspended, then the owner or operator of the social media website must provide electronic, written notice to the user as soon as practicable, but not later than ten days after the account has been disabled or suspended, explaining why the account was disabled or suspended.

(D) An owner or operator of a social media website who violates the provisions contained in this section is subject to the provisions, penalties, and damages of the South Carolina Unfair Trade Practices Act.”

SECTION 2. This act takes effect upon approval by the Governor.

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