

By: Cain

H.B. No. 3752

A BILL TO BE ENTITLED

AN ACT

relating to statutory damages in actions brought by social media users against social media platforms for prohibited censorship.

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

SECTION 1. Section 143A.007, Civil Practice and Remedies Code, is amended by amending Subsection (b) and adding Subsection (f) to read as follows:

(b) If the user proves that the social media platform violated this chapter with respect to the user, the user is entitled to recover:

(1) declaratory relief under Chapter 37, including costs and reasonable and necessary attorney's fees under Section 37.009; ~~and~~

(2) injunctive relief; and

(3) statutory damages in an amount that is not less than \$750 and not more than \$30,000 for each violation.

(f) Sections 41.003 and 41.004 do not apply to an action brought under this section.

SECTION 2. Section 143A.007, Civil Practice and Remedies Code, as amended by this Act, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law as it existed immediately before the effective date of this Act, and that law is continued in effect for that

1 purpose.

2 SECTION 3. This Act takes effect September 1, 2023.