

Amend CSHB 18 (senate committee report) as follows:

(1) In SECTION 2.01 of the bill, in added Section 509.001(1), Business & Commerce Code (page 1, lines 38 and 39), strike "performs collection or processing functions" and substitute "collects or processes personal identifying information".

(2) In SECTION 2.01 of the bill, strike added Section 509.001(6), Business & Commerce Code (page 1, lines 55 through 59), and substitute the following:

(6) "Personal identifying information" means any information, including sensitive information, that is linked or reasonably linkable to an identified or identifiable individual. The term includes pseudonymous information when the information is used by a controller or processor in conjunction with additional information that reasonably links the information to an identified or identifiable individual. The term does not include deidentified information or publicly available information.

(3) In SECTION 2.01 of the bill, in added Section 509.002(a)(1), Business & Commerce Code (page 2, line 7), strike "has a primary function of connecting" and substitute "connects".

(4) In SECTION 2.01 of the bill, in added Section 509.002(a)(3)(C), Business & Commerce Code (page 2, line 18), between "page" and "or", insert ", video channel,".

(5) In SECTION 2.01 of the bill, in added Section 509.002(b)(9), Business & Commerce Code (page 2, line 49), strike "provider who provides" and substitute "provider's provision of".

(6) In SECTION 2.01 of the bill, in added Section 509.002(b)(10), Business & Commerce Code (page 2, line 52), strike "provider who provides" and substitute "provider's provision of".

(7) In SECTION 2.01 of the bill, in added Section 509.002(b)(10)(A), Business & Commerce Code (page 2, line 55), strike "entertainment,".

(8) In SECTION 2.01 of the bill, in added Section 509.002(b)(10)(A), Business & Commerce Code (page 2, lines 55 and 56), between "content" and "selected", insert "primarily generated or".

(9) In SECTION 2.01 of the bill, in added Section

509.002(c), Business & Commerce Code (page 2, lines 64 and 65), strike "a digital service provider" and substitute "to be a digital service provider or to offer a digital service".

(10) In SECTION 2.01 of the bill, in added Section 509.051(a), Business & Commerce Code (page 3, line 9), strike "for access to" and substitute "to create an account with".

(11) In SECTION 2.01 of the bill, in added Section 509.053, Business & Commerce Code (page 3, line 68, through page 4, line 31), strike Subsection (b) and substitute the following:

(b) A strategy developed under Subsection (a):

(1) must include:

(A) creating and maintaining a comprehensive list of harmful material or other content described by Subsection (a) to block from display to a known minor;

(B) using filtering technology and other protocols to enforce the blocking of material or content on the list under Paragraph (A);

(C) using hash-sharing technology and other protocols to identify recurring harmful material or other content described by Subsection (a);

(D) creating and maintaining a database of keywords used for filter evasion, such as identifiable misspellings, hash-tags, or identifiable homoglyphs;

(E) performing standard human-performed monitoring reviews to ensure efficacy of filtering technology;

(F) making available to users a comprehensive description of the categories of harmful material or other content described by Subsection (a) that will be filtered; and

(G) except as provided by Section 509.058, making available the digital service provider's algorithm code to independent security researchers; and

(2) may include:

(A) engaging a third party to rigorously review the digital service provider's content filtering technology;

(B) participating in industry-specific partnerships to share best practices in preventing access to harmful material or other content described by Subsection (a); or

(C) conducting periodic independent audits to ensure:

(i) continued compliance with the digital service provider's strategy; and

(ii) efficacy of filtering technology and protocols used by the digital service provider.

(12) In SECTION 2.01 of the bill, in added Section 509.054(b)(4), Business & Commerce Code (page 4, line 48), between "monitor" and "the", insert "and limit".

(13) In SECTION 2.01 of the bill, in added Section 509.057(b), Business & Commerce Code (page 5, line 13), strike "provider's digital service" and substitute "digital service of a provider for which age verification is required under this section".

(14) In SECTION 2.01 of the bill, in added Section 509.059, Business & Commerce Code (page 5, line 23), strike "comply with".

(15) In SECTION 2.01 of the bill, in added Section 509.059, Business & Commerce Code (page 5, lines 24 through 26), strike Subdivisions (1) and (2) and substitute the following:

(1) comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by a governmental entity;

(2) comply with a law enforcement investigation;

(3) detect, block, or prevent the distribution of unlawful, obscene, or other harmful material to a known minor;

(4) block or filter spam;

(5) prevent criminal activity; or

(6) protect the security of a digital service.

(16) In SECTION 2.01 of the bill, in added Section 509.152, Business & Commerce Code (page 6, between lines 12 and 13), insert the following:

(c) A court may not certify an action brought under this section as a class action.

(17) In SECTION 3.03 of the bill, in added Section 32.1021(2), Education Code (page 6, line 40), between "application" and "necessary", insert ", other than a software application".