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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Communications Act of 1934 to narrow the scope of the limitation on liability provided under section 230 of that Act, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. GOSAR introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend the Communications Act of 1934 to narrow the scope of the limitation on liability provided under section 230 of that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Don’t Push My But-  
5 tons Act”.

1 **SEC. 2. LIMITATION ON IMMUNITY.**

2 Section 230(c) of the Communications Act of 1934  
3 (47 U.S.C. 230(c)) is amended by adding at the end the  
4 following:

5 “(3) EXCEPTION.—

6 “(A) IN GENERAL.—Notwithstanding any  
7 other provision of this subsection, and subject  
8 to subparagraph (B) of this paragraph, the pro-  
9 tection provided under paragraph (1) or (2)  
10 shall not apply with respect to a provider of an  
11 interactive computer service that—

12 “(i) collects information regarding the  
13 habits, preferences, or beliefs of a user of  
14 the service; and

15 “(ii) uses an automated function to  
16 deliver content to the user described in  
17 clause (i) that corresponds with the habits,  
18 preferences, or beliefs identified as a result  
19 of the action taken under that clause with  
20 respect to that user.

21 “(B) APPLICABILITY.—Subparagraph (A)  
22 shall not apply to a situation in which—

23 “(i) a user of an interactive computer  
24 service uses an automated function to de-  
25 liver content to that user; or

1                   “(ii) subject to subparagraph (C), a  
2                   user of an interactive computer service  
3                   knowingly and intentionally elects to re-  
4                   ceive the content described in subpara-  
5                   graph (A)(ii).

6                   “(C) BURDEN OF PROOF.—A provider of  
7                   an interactive computer service shall have the  
8                   burden of proving by clear and convincing evi-  
9                   dence under subparagraph (B)(ii) that a user of  
10                  the interactive computer service knowingly and  
11                  intentionally elected to receive the content de-  
12                  scribed in subparagraph (A)(ii).”.