

CLE Materials

“Internet Law in Flux: The Future of Online Speech as Section 230
and State Social Media Laws Face Challenges”

35th Annual Media & the Law Seminar at the University of Kansas School of Law
April 21, 2023 at 2:15 p.m., Kansas City, Missouri

Gonzales v. Google, No. 21-1333

- [Brief for Petitioners](#)
- [Brief for Respondent](#)
- [Reply Brief for Petitioners](#)
- [Amicus Brief of the United States](#)
- [Amicus Brief of M. Chris Riley, an individual, Floor64, Inc., d/b/a the Copia Institute, and Engine Advocacy in Support of Respondent by panelist Cathy Gellis](#)
- [Amicus Brief of the Knight First Amendment Institute at Columbia University in Support of Respondent by panelist Scott Wilkins, et al.](#)
- [Amicus Brief of the Center for Democracy and Technology and 6 Technologists in Support of Respondent by panelist Caitlin Vogus, et al.](#)
- [Audio of oral argument and transcript \(2/21/23\)](#)

Twitter v. Taamneh, No. 21-1496

- [Brief for Petitioner](#)
- [Brief for Respondents](#)
- [Reply Brief for Petitioner](#)
- [Amicus Brief of the United States](#)
- [Amicus Brief of the Center for Democracy & Technology, the Knight First Amendment Institute, the Reporters Committee for Freedom of the Press, and other amici in Support of Petitioner by panelist Caitlin Vogus, et al.](#)
- [Audio of oral argument and transcript \(2/22/23\)](#)

NetChoice, LLC v. Attorney Gen., Florida, 34 F.4th 1196 (11th Cir. 2022), cert. filed, No. 22-277.

- [Amicus Brief of the Center for Democracy & Technology in Support of NetChoice by panelist Caitlin Vogus, et al.](#)
- [Eleventh Circuit opinion](#)
- [Petition for Writ of Certiorari](#)
- [Amicus Brief of Floor64, Inc., d/b/a the Copia Institute in Support of NetChoice, LLC’s Petition for Writ of Certiorari by panelist Cathy Gellis](#)
- [Brief for Respondents](#)
- [Reply Brief for Petitioner](#)

- [Amicus Brief of the Knight First Amendment Institute in Support of Plaintiffs-Appellees by panelist Scott Wilkens et al.](#)

NetChoice, L.L.C. v. Paxton, 49 F.4th 439 (5th Cir. 2022), cert. filed, No. 22-555.

- [Amicus Brief of Floor64, Inc., d/b/a the Copia Institute in Support of NetChoice’s Application to Vacate the Stay of the Preliminary Injunction Issued by the Fifth Circuit by panelist Cathy Gellis](#)
- [Amicus Brief of the Knight First Amendment Institute in Support of Plaintiffs-Appellees by panelist Scott Wilkens et al.](#)
- [Amicus Brief of the Center for Democracy & Technology, Electronic Frontier Foundation, and other amici in Support of NetChoice’s Application to Vacate the Stay of Preliminary Injunction Issued by the Fifth Circuit by panelist Caitlin Vogus, et al.](#)
- [Fifth Circuit opinion](#)
- [U.S. Supreme Court grants application to vacate stay](#)
- [Petition for Writ of Certiorari](#)
- [Response to Petition for Writ of Certiorari](#)
- [Reply Brief for Petitioners](#)

New York

- “Hateful Conduct Law,” [N.Y. Gen. Bus. Law § 394-ccc](#)
- *Volokh v. James*, No. 22-CV-10195, 2023 WL 1991435, at *1 (S.D.N.Y. Feb. 14, 2023) ([granting](#) motion for preliminary injunction enjoining the enforcement of § 394-ccc) ([appeal pending](#)).

California

- Cal. Bus. & Prof. Code §§ 22675-22681 ([AB 587](#)) (effective January 1, 2023): [Requires](#) social media companies to publicly post their content moderation policies and semiannually report data on their enforcement of the policies to the attorney general.
- The California Age Appropriate Design Code Act ([AB 2273](#)) (signed September 15, 2022) (not yet effective): Imposes obligations on businesses that provide online services, including age authentication and disclosure requirements,.
 - [Motion for Preliminary Injunction](#), No. 22-cv-08861 (February 17, 2023).
- California [SB 287](#) (introduced on 2/2/23): Permits civil liability against social media companies for using algorithms that encourage children to engage in harmful conduct.

TikTok

- Nearly half of the [states](#) and many [public Universities](#) have banned TikTok.
- On December 29, 2022, President Biden signed the No TikTok on Government Devices Act ([S. 3455](#)).

- The Senate [introduced](#) the Restricting the Emergence of Security Threats that Risk Information and Communications Technology Act ([RESTRICT Act](#)). President Joe Biden [endorsed](#) the legislation on March 7, 2023.
- The House ([HR 1153](#)) [introduced](#) the Deterring America’s Technological Adversaries Act (DATA ACT).
 - In a [letter](#) to Rep. Michael McCaul, the Chairman of the House Committee on Foreign Affairs, the ACLU wrote that the bill “would violate the First Amendment rights of millions of Americans who use TikTok to communicate, gather information, and express themselves daily.”