

Texas law against blocking online posts on hold for now

June 1 2022



A Supreme Court ruling leaves it to a federal district court in Texas is to figure out whether a freshly inked Texas law barring social media platforms from filtering content based on viewpoints, no matter how vile, is constitutionally flawed.

The US Supreme Court on Tuesday put back on hold a controversial

Texas law barring social media platforms from "censoring" posts based on viewpoints.

The law threatens to essentially make it a crime for [social media platforms](#) to curb [hate speech](#) or bigoted tirades, or even point out when posts are demonstrably false.

Political conservatives have accused Facebook, Twitter and other social media giants of stifling their voices, providing no evidence to support the claims.

Social media platforms have consistently defended themselves against such accusations, saying content moderation decisions are based on factors such as risk of real-world harm.

Former US president Donald Trump was booted from Facebook and Twitter after a group of his supporters attacked the Capitol on January 6, 2021 in an attempt to prevent his rightly elected successor Joe Biden from taking office.

People died during the attack, and there were concerns Trump would use social media to incite further violence.

The Texas law bars social media platforms with more than 50 million users from banning people based on their political viewpoints.

NetChoice trade association, whose members include Amazon, Facebook and Google, challenged the law and convinced a [federal court](#) in Texas to stop it from being enforced until it was resolved whether it runs afoul of the US Constitution's First Amendment.



Labels that social media platforms put on misinformation about vaccines or other important topics would be made illegal under a Texas law put on hold by federal courts.

An [appeals court](#) later sided with Texas, saying the state could go ahead with the law, prompting the matter being taken to the Supreme Court.

The top court in the United States on Tuesday backed the original decision to put Texas law HB 20 on hold while the question of whether it should be tossed out completely is resolved.

"Texas's HB 20 is a constitutional trainwreck—or, as the [district court](#) put it, an example of 'burning the house to roast the pig,'" NetChoice counsel Chris Marchese said in a release.

"Despite Texas's best efforts to run roughshod over the First Amendment, it came up short in the Supreme Court."

NetChoice welcomed the decision, which sends the case back to a district court in Texas to hear arguments regarding the law's constitutionality.

In its original decision about the stay, the district court said social media platforms have a right to moderate content disseminated on their platforms, and that a provision against putting warning labels on misinformation even risked violating the free speech rights of internet firms.

"Texas's law violates the First Amendment because it compels [social media](#) companies to publish speech they don't want to publish, and because it prevents them from responding to speech they disagree with," said attorney Scott Wilkens at Columbia University's Knight First Amendment Institute.

"In addition, the theory of the First Amendment that Texas is advancing in this case would give government broad power to censor and distort public discourse."

© 2022 AFP

Citation: Texas law against blocking online posts on hold for now (2022, June 1) retrieved 25 April 2024 from <https://techxplore.com/news/2022-06-texas-law-blocking-online.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--