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Florida Attorney General's Office News Release

Attorney General Moody in SCOTUS Today Fighting to Protect Floridians from Big Tech Censorship



TALLAHASSEE, Fla.—Attorney General Ashley Moody is at the Supreme Court of the United States defending Florida’s right to protect citizens from Big Tech censorship. The oral argument comes following a multi-year legal challenge to [SB 7072](#), which prohibits social media companies from censoring, shadow-banning and post prioritization in a way that is inconsistent and unfair, deplatforming U.S. political candidates or journalistic enterprises, and requires social media platforms to meet certain requirements when restricting the speech of users.

Attorney General Ashley Moody said, “Social media is the new town square, but the Big Tech CEOs who control these platforms argue they should have unfettered power to silence voices they don’t agree with, deplatform people who challenge corporate media narratives, and shadow ban candidates who don’t share their Silicon Valley values. We are fighting in the U.S. Supreme Court for Floridians to debate ideas, engage in political discourse and question government policies on social media platforms. This fight is vital to our democratic process and necessary to the prosperity of a free society, and government of the people, by the people, for the people.”

In addition to preventing the deplatforming of Florida political candidates, SB 7072 requires social media companies to be transparent about their content moderation practices, and give users notice of changes to their policies. The bill provides a pathway for citizens to sue platforms

when treated unfairly.

The bill also [provides an avenue](#) for the state to bring action against Big Tech if the platforms do not meet the statutory requirements under Florida's Deceptive and Unfair Trade Practices Act.

Read the full bill [here](#).

In a [reply brief](#) filed in December 2021, Attorney General Moody's office argues that, "In response to growing concern that large technology companies are arbitrarily censoring users' speech on their platforms, Florida passed a law meant to protect its citizens' speech...The law demands that technology companies publish the rules of their platforms in advance, apply those rules consistently, and notify users when they are broken. The law also requires platforms to host certain content by journalists and political candidates...the public interest is harmed by disabling a law where the State has tak[en] steps to ensure that private interests not restrict, through physical control of a critical pathway of communication, the free flow of information and ideas."

In May 2021, Governor Ron DeSantis signed the bill into law. Big Tech immediately challenged the new law through industry groups. After a preliminary injunction prevented the law from being enforced, Attorney General Moody appealed the decision to the United States Court of Appeals for the Eleventh Circuit. After the 2021 ruling was partially upheld, Attorney General Moody appealed to SCOTUS. In 2023, SCOTUS granted the petition for certiorari scheduling oral arguments to take place today, Feb. 26.

[Platforms](#) hold themselves to be neutral forums of speech. In 2014, Facebook stated, "We try to explicitly view ourselves as not editors...We don't want to have editorial judgement over the content [of users.]" In 2012, Twitter, now X, said of themselves, "the free speech wing of the free speech party." Now, in a bait-and-switch, the platforms argue the right to unfettered authority to censor certain speech and individuals.

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