

**[DISCUSSION DRAFT]**117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R.** \_\_\_\_\_

To amend the Communications Act of 1934 to preserve claims relating to product liability, for any instance in which an interactive computer service has physical possession or control of a product at issue, and for other purposes.

---

**IN THE HOUSE OF REPRESENTATIVES**

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

---

**A BILL**

To amend the Communications Act of 1934 to preserve claims relating to product liability, for any instance in which an interactive computer service has physical possession or control of a product at issue, 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 [“\_\_\_\_\_ Act  
5 of 2021”].

1 **SEC. 2. CLAIMS RELATING TO PRODUCT LIABILITY.**

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

5 “(6) NO EFFECT ON CLAIMS RELATING TO  
6 PRODUCT LIABILITY.—Nothing in this section shall  
7 be construed to impair or limit any action for civil  
8 penalties, damages, or equitable relief based on a  
9 claim relating to product liability, for any instance  
10 in which an interactive computer service has physical  
11 possession or control of a product at issue at any  
12 time, including during warehousing, handling, dis-  
13 tribution, shipment, and fulfillment of the product  
14 order.”.