

**[DISCUSSION DRAFT]**

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

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

To amend section 230 of the Communications Act of 1934 to provide that such section has no effect on certain laws relating to controlled substances and drugs, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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**A BILL**

To amend section 230 of the Communications Act of 1934 to provide that such section has no effect on certain laws relating to controlled substances and drugs, 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. NO EFFECT ON CERTAIN LAWS RELATING TO CON-**  
2 **TROLLED SUBSTANCES AND DRUGS.**

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

6 “(6) NO EFFECT ON CERTAIN LAWS RELATING  
7 TO CONTROLLED SUBSTANCES AND DRUGS.—In ad-  
8 dition to the exception provided by paragraph (1) for  
9 Federal criminal statutes, nothing in this section  
10 (other than subsection (c)(2)(A)) shall be construed  
11 to impair or limit any action for civil penalties, dam-  
12 ages, or equitable relief based on advertising or of-  
13 fering to sell, deliver, distribute, dispense, or intro-  
14 duce into interstate commerce a controlled substance  
15 (as defined in section 102 of the Controlled Sub-  
16 stances Act (21 U.S.C. 802)) or drug (as defined in  
17 section 201 of the Federal Food, Drug, and Cos-  
18 metic Act (21 U.S.C. 321)) in violation of—

19 “(A) section 401(h) or 403(c)(2) of the  
20 Controlled Substances Act (21 U.S.C. 841(h);  
21 843(c)(2)); or

22 “(B) section 301(a), 301(d), or 505(a) of  
23 the Federal Food, Drug, and Cosmetic Act (21  
24 U.S.C. 331(a); 331(d); 355(a)).”.