



SENATE BILL 325: Limit Online Marketplace Regulations.

2023-2024 General Assembly

Committee:	Senate Commerce and Insurance. If favorable, re-refer to Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 25, 2023
Introduced by:	Sens. Perry, Lazzara, Moffitt	Prepared by:	Karyl Smith
Analysis of:	First Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 325 would prohibit counties and cities from regulating certain online marketplaces.*

CURRENT LAW: There are currently no North Carolina statutes that expressly authorize or prohibit the local government regulation of the operation of online marketplaces.

BILL ANALYSIS: Senate Bill 325 would prohibit counties or cities from doing the following:

- Regulating the operation of an online marketplace.
- Requiring an online marketplace to provide personally identifiable information of users, unless pursuant to a subpoena or court order.

This bill would also define "online marketplace" as a person or entity that does both of the following:

- Provides for consideration, regardless of whether the consideration is deducted as a fee from the transaction, an online application, software, website, system, or other medium through which a service is advertised in this State or is offered to the public as available in this State.
- Provides, directly or indirectly, or maintains a platform for services by performing any of the following:
 - Providing a payment system that facilitates a transaction between two platform users.
 - Transmitting or otherwise communicating the offer or acceptance of a transaction between the two platform users.
 - Owning or operating the infrastructure or technology that brings two or more users together.

EFFECTIVE DATE: Senate Bill 325 would become effective when it becomes law.

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919-301-1976