



March 2, 2021

The Honorable Joseph Solomon, Chair
House Corporations Committee
Rhode Island General Assembly
82 Smith Street, Providence, RI 02903

RE: Opposition to House Bill 5505 – AN ACT RELATING TO STATE AFFAIRS AND GOVERNMENT

Dear Chairman Solomon:

Internet Association (IA) is the unified voice of the internet economy, representing the interests of leading Internet companies and their global community of users. It is dedicated to advancing public policy solutions that foster innovation, promote economic growth, and empower people through the free and open Internet.

IA respectfully, but strongly **OPPOSES HB 5505**, which creates liability for short-term rental platforms in the state of Rhode Island. The bill would require a third-party hosting platform to confirm that each user has registered each short-term rental unit before it is listed for rent in the state and would subject internet-based platforms, not the individuals offering the properties for rent, to penalties for unregistered properties.

Section 230 of the Federal Communications Decency Act states, “no provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.”¹ As applied to internet-based short-term rental companies, third-party hosting platforms cannot be held liable for the conduct of their hosts.

Federal law prohibits states from imposing liability against platforms for the actions of their users. This would include a requirement to verify whether a listing is properly registered with the Department of Business Regulation before allowing a host to operate on the platform, as well as imposing fines for failure to comply. Should this bill become law, it would be swiftly struck down in a court of law for being clearly inconsistent with CDA 230 in its attempt to impose liability on platforms in situations where CDA 230 immunity applies.

¹ 47 U.S. Code § 230 - Protection for private blocking and screening of offensive material



For these reasons, IA strongly urges you to hold **HB 5505**. Thank you for your consideration on this important matter. If you have any questions, please feel free to contact me at olsen@internetassociation.org or 518-242-7828.

Sincerely,

A handwritten signature in black ink, appearing to read 'JOHN OLSEN'.

John Olsen
Director, State Government Affairs Northeast Region

Cc: House Corporations Committee members
The Honorable Lauren Carson, Sponsor