



Alabama SB 10 violates the First Amendment – just like the Florida & Texas laws now **blocked** by federal courts.

In 2021, both Florida and Texas created laws to regulate online speech that violated the First Amendment, per a preliminary injunction issued by a Federal Court. Alabama Senate bill SB 10 would suffer a similar fate if it were to become law.

The findings below from the courts on the constitutionality of Florida and Texas’s laws should be taken as a warning:

Courts will not allow states to trample the First Amendment.

Does this bill...	Alabama SB 10
...Target or otherwise regulate only one type of business based on their alleged views?	Yes
...Regulate or otherwise affect how businesses moderate content?	Yes
...Infringe or limit the First Amendment right to exercise private editorial discretion?	Yes
...Regulate based on content or viewpoint, a First Amendment protected right?	Yes— Strict Scrutiny Applies
...Achieve a compelling government interest as recognized by the federal courts?	No—Infringes free speech
...Trigger equal protection analysis under the First Amendment?	Yes– arbitrary size distinctions
...Clearly define terms and provisions?	No– void for vagueness
...Saved by language appealing to existing statutes or severability?	No– still legal issues

Alabama should not enact SB 10, since it would be blocked by the courts as unconstitutional, just like the Florida and Texas laws.

Oppose SB 10.