



# Ohio HB 441 violates the First Amendment – just like the Florida & Texas laws now **blocked** by federal courts.

In 2021, both Florida and Texas enacted laws to regulate online speech.

Those laws violated the First Amendment, per preliminary injunctions issued by Federal Courts. Ohio HB 441 would suffer a similar fate.

The Florida and Texas preliminary injunctions should be taken as a warning:

*Courts will not allow states to trample the First Amendment.*

Does this bill...	Ohio HB 441
...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
...Clearly define terms and provisions?	No— void for vagueness
...Save itself from constitutional problems by language appealing to existing statutes or severability?	No— still legal issues

Ohio should not enact HB 441, since it would be found by the courts to be unconstitutional, just like the Florida and Texas laws.

## Oppose HB 441