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Repeal New York Senate Bill 895B: Protect Free Speech



Governor Kathy Hochul signed New York Senate Bill 895 (S895B) on December 21, 2024. This legislation went

into effect on June 19, 2025, and applies to social-media platforms with users in New York.

S896B, known as the "Stop Hiding Hate Act," was passed in response to controversial activity on social media. During a press conference, Governor Kathy Hochul declared:

> Also we're very focused on the data we're collecting from surveillance efforts, what's being said on social media platforms, and we have launched an effort to be able to counter some of the negativity and reach out to people when we see hate speech being spoken about on online platforms. Our media analysis, our social media analysis unit has ramped up its monitoring of sites to catch incitement to violence, direct threats to others, and all this is in response to our desire, our strong commitment to ensure that not only do New Yorkers be safe, but they also feel safe, because personal security is about everything for them.

With the bill now in effect, social-media companies operating in New York are required to take actions against flagged content, such as removal, demonetization, deprioritization, or banning users. Additionally, they are required to submit semiannual terms-of-service reports covering content-moderation policies, and actions taken on flagged content (such as "hate speech" or "misinformation") to the New York attorney general. The attorney general will make these reports publicly available on a searchable website, expanding government overreach under the guise of increasing accountability. The bill text states:

> On a semiannual basis in accordance with subdivision two of this section, a social media company shall submit to the attorney general a terms of service report. The terms of service report shall include.... A statement of whether the current version of the terms of service defines each of the following categories of content, and, if so, the definitions of those categories, including any subcategories: (i) hate speech or racism; (ii) extremism or radicalization; (iii) disinformation or misinformation; (iv) harassment; and/or (v) foreign political interference.

New York state Senator Brad Hoylman-Sigal (D-Manhattan) stated in a press release:

> With white supremacy, antisemitism, islamophobia, anti-LGBTQ hatred and anti-AAPI violence all on the rise, social media companies must ensure that their platforms don't advance disinformation and hate-fueled violence. The current social media landscape makes it too easy for bad actors to promote false claims, hate and dangerous conspiracies, too often leading to violence like January 6 and the rise in antisemitism and islamophobia we have seen in the aftermath of the October 7th terrorist attacks in Israel.

The bill mandates increased government overreach in moderating online platforms and content, infringing on the constitutionally protected right to free speech. It silences free speech by pressuring online platforms into over-censoring content to avoid penalties.

Vague definitions of "hate speech" and "disinformation" will lead to subjective enforcement and suppression of diverse viewpoints. Additionally, the reporting requirements will not only burden private businesses, but indirectly compromise user privacy through detailed data collection and dissemination.

Contact your state legislators today. Urge them to repeal S895B, which violates the First Amendment, and stand for the constitutionally protected right to free speech.