

116TH CONGRESS
1ST SESSION

H. R. 4232

To amend the Communications Act of 1934 to ensure the ability to enforce State and local law relating to leasing and renting of real property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 6, 2019

Mr. CASE (for himself and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to ensure the ability to enforce State and local law relating to leasing and renting of real property, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Local Au-
5 thority and Neighborhoods Act” or the “PLAN Act”.

1 **SEC. 2. ENSURING ABILITY TO ENFORCE STATE AND LOCAL**
2 **LAW RELATING TO LEASING AND RENTING**
3 **OF REAL PROPERTY.**

4 (a) NO EFFECT OF COMMUNICATIONS LAW ON
5 CLAIMS REGARDING LEASE OR RENTAL OF REAL PROP-
6 erty.—Section 230(c) of the Communications Act of
7 1934 (47 U.S.C. 230(c)) is amended by adding at the end
8 the following:

9 “(3) NO EFFECT ON CLAIMS REGARDING LEASE
10 OR RENTAL OF REAL PROPERTY.—Paragraph (1)
11 shall not apply to any claim in a civil action under
12 State law asserted after the date of the enactment
13 of this paragraph against a provider of an inter-
14 active computer service if—

15 “(A) the claimant alleges such provider fa-
16 cilitated the lease or rental of real property in
17 a circumstance in which a law or contractual
18 agreement restricts such lease or rental;

19 “(B) the claimant provides written notice
20 of the alleged violation to such provider; and

21 “(C) such provider fails to cure the alleged
22 violation within 30 days after the date on which
23 such provider receives such notice.”.

24 (b) NO EFFECT OF COMMUNICATIONS LAW ON REAL
25 PROPERTY LEASING OR RENTAL REQUIREMENTS AND
26 PROTECTION OF PROPERTY RIGHTS.—Section 230(e) of

1 the Communications Act of 1934 (47 U.S.C. 230(e)) is
2 amended by adding at the end the following:

3 “(6) NO EFFECT ON REAL PROPERTY LEASING
4 OR RENTAL REQUIREMENTS AND PROTECTION OF
5 PROPERTY RIGHTS.—Nothing in this section (other
6 than subsection (c)(2)(A)) shall be construed to pre-
7 vent any State or unit of local government from en-
8 forcing a law that restricts any provider of an inter-
9 active computer service from facilitating the lease or
10 rental of real property.”.

○