



## Press Release

# Moody v. NetChoice: Implications for Speech Regulation

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The Supreme Court recently ruled on *Moody v. NetChoice*, a case reviewing two conflicting appellate court decisions dealing with state laws designed to force social media companies to host content. In a new insight, Director of Technology and Innovation Policy Jeffrey Westling walks through the majority opinion for the case and discusses the implications for social media content moderation going forward.

### Key points:

- The Supreme Court remanded two major content moderation cases dealing with state laws designed to force social media platforms to remain politically neutral for further review, citing the need for a more rigorous factual analysis of the full extent of the laws.
- Despite the remand, the majority opinion casts doubt on the constitutionality of the state laws, specifically criticizing the Fifth Circuit for upholding a Texas law based on a faulty understanding of the First Amendment.
- As the Court makes clear, as Congress continues to consider legislation that could impact social media content moderation decisions, it cannot simply force private speakers to present views the speakers don't wish to host or limit the spread of content Congress doesn't like.

[Read the analysis](#)