

Section 230

What it is and why it matters to digital entrepreneurs

Digital
Entrepreneur
Project



Section 230 of the Communications Decency Act, passed in 1996, allows online platforms to host user content—including comments, photos, videos, reviews, messages, etc.—without being held liable, or legally responsible, for the speech of their users. It also gives websites and platforms breathing room to remove content which breaks the site’s rules without risking that shield from liability.



The creator economy

is made possible by intermediary liability frameworks like the one created by Section 230. Before the Internet, if you wanted to share your content or find your audience, you had to go through a traditional gatekeeper, like a radio station, television channel, magazine, book publisher, etc. Thanks to the Internet, anyone can get their creative work—whether that’s podcasts, videos, blog posts, photos, reviews, and more—out in the world and build an audience.

According to a 2022 [report](#) from Adobe:

there are **86 M creators** in the U.S.

77% of U.S. creators make half or more of their monthly income from creating content

U.S. creators earn **\$55/hour** on average



Without 230 websites and online services could face expensive, time consuming lawsuits over user content.

In the overwhelming majority of cases, the online platform would win in court; most user speech is protected by the First Amendment, offline intermediaries like bookstores aren’t expected to check everything they carry for legality, and companies have their own First Amendment rights to choose which speech to host. But lawsuits would drain precious time and resources, especially for new and small platforms. Absent Section 230’s liability shield, one lawsuit could cost hundreds of thousands of dollars.

To avoid those kinds of costly lawsuits, Internet companies would have to use expensive and imperfect content moderation filters and monitor content before users can share it, which would inevitably remove more user content than necessary and severely restrict the way people use the Internet to share content and build communities.



Speak up! Most policy conversations about Section 230 are framed around concerns with large platforms, but policy changes will impact creators and digital entrepreneurs.

The Digital Entrepreneur Project is an initiative of Engine Advocacy
For more information, visit digitalentrepreneur.engine.is or email info@engine.is

