

**§ 160A-499.7. Online marketplace.**

- (a) A city shall not do either of the following:
  - (1) Regulate the operation of an online marketplace, as defined in subsection (b) of this section.
  - (2) Require an online marketplace to provide personally identifiable information of users, unless pursuant to a subpoena or court order.
- (b) For purposes of this section, the term "online marketplace" means a person or entity that does both of the following:
  - (1) Provides for consideration, regardless of whether the consideration is deducted as a fee from the transaction, an online application, software, website, system, or other medium through which a service is advertised in this State or is offered to the public as available in this State.
  - (2) Provides, directly or indirectly, or maintains a platform for services by performing any of the following:
    - a. Providing a payment system that facilitates a transaction between two platform users.
    - b. Transmitting or otherwise communicating the offer or acceptance of a transaction between two platform users.
    - c. Owning or operating the electronic infrastructure or technology that brings two or more users together.
- (c) For purposes of this section, the term "online marketplace" shall not include any local or State entity or vendor. (2023-137, s. 27(b).)