

By: Patterson

H.B. No. 896

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting use of social media platforms by children.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 120, Business & Commerce Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. USER AGE LIMITATION

Sec. 120.111. USE BY CHILDREN PROHIBITED. (a) An individual between 13 and 18 years of age may not use a social media platform.

(b) Upon amendment to the definition of "child" under the Children's Online Privacy Protection Act, 15 U.S.C. §§ 6501 - 6506, this Subchapter shall apply to any person younger than 18 years of age.

Sec. 120.112. ACCOUNT AND VERIFICATION REQUIREMENTS. (a) A social media platform shall:

(1) require the social media platform 's users to use an account to access the social media platform; and

(2) verify that each account is held by an individual who is at least 18 years of age.

(b) A social media platform shall verify the age of the account holder by requiring the account holder to provide a copy of the account holder's driver's license along with a second photo showing both the account holder and the driver's license in a manner that allows the social media company to verify the identity of the

1 account holder.

2 (c) Any personal information provided under subsection (b)  
3 may only be used for age verification purposes, and the social media  
4 company must delete personal information immediately upon  
5 completion of the age verification process.

6 Sec. 120.113. REQUIRED REMOVAL OF ACCOUNT. (a) Not later  
7 than 10 days after receiving a request from a parent, a social media  
8 company shall delete the account of the parent's child and cease the  
9 further use or maintenance in retrievable form, or future online  
10 collection, of personal information collected from the child's  
11 account, on all of its platforms.

12 (b) A social media company must provide a reasonable,  
13 accessible, and verifiable means by which a parent can make a  
14 request under subsection (a).

15 Sec. 120.114. ENFORCEMENT. (a) A social media company  
16 commits a violation of this Subchapter if it knowingly:

17 (1) allows a child to use its platform;

18 (2) uses or retains personal information provided in  
19 violation of Section 120.112(c); or

20 (3) Fails to remove an account as required by Section  
21 120.113.

22 (b) A violation of this Subchapter shall be considered a  
23 deceptive trade practice under Chapter 17, Business and Commerce  
24 Code, and subject to action by the consumer protection division  
25 under Sections 17.47, 17.58, 17.60, and 17.61, Business and  
26 Commerce Code.

27 SECTION 2. Subchapter C-1, Chapter 120, Business & Commerce

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1 Code, as added by this Act, applies only to access to a social media  
2 platform on or after January 1, 2024.

3 SECTION 3. This Act takes effect September 1, 2023.