

AMENDMENTS TO LB383

Introduced by Judiciary.

1 1. Strike the original sections and insert the following new
2 sections:

3 **Sec. 26.** Sections 26 to 30 of this act shall be known and may be
4 cited as the Parental Rights in Social Media Act.

5 **Sec. 27.** For purposes of the Parental Rights in Social Media Act:

6 (1) Account holder means a person who, on or after the operative
7 date of this section, creates an account or profile on a social media
8 platform;

9 (2)(a) Content includes a text, an image, or a video.

10 (b) Content does not include an interactive game or any form of
11 educational entertainment;

12 (3) Digitized identification card means a data file that contains
13 all of the data elements visible on the face and back of a government-
14 issued operator's license or government-issued identification document
15 and displays the current status of the license or document;

16 (4)(a) Interactive computer service means an information service as
17 defined in 47 U.S.C. 153, an information system, or an information access
18 software that:

19 (i) Provides or enables access by multiple users to a computer
20 server; and

21 (ii) Provides access to the Internet.

22 (b) An interactive computer service includes an Internet service, an
23 Internet system, an Internet application, an Internet portal, and a
24 website;

25 (5) Minor means an individual who is:

26 (a) Known or reasonably believed by a social media platform to be
27 under eighteen years of age;

1 (b) Not emancipated; and

2 (c) A resident of this state;

3 (6) Parent means the parent or legal guardian of a minor;

4 (7) Person means an individual or entity;

5 (8) Post means content that an account holder makes available on a
6 social media platform for other account holders and users to view;

7 (9) Reasonable age verification method includes requiring
8 presentation of a digitized identification card or any commercially
9 reasonable age verification method to confirm an individual's age;

10 (10) Social media company means a person that is an interactive
11 computer service and that provides a social media platform;

12 (11)(a) Social media platform means a website or Internet
13 application that:

14 (i) Allows a person to create an account; and

15 (ii) Enables an account holder to communicate with other account
16 holders and users through posts.

17 (b) Social media platform does not include:

18 (i) A broadband Internet access service, as defined in 47 C.F.R.
19 8.1(b);

20 (ii) An email service;

21 (iii) An Internet service, Internet application, or website:

22 (A) That consists primarily of content that is not generated by
23 account holders, but rather is preselected by the service, application,
24 or website provider; and

25 (B) For which interactive functionality is incidental to, directly
26 related to, or dependent upon, such preselected content;

27 (iv) Online shopping, if the interaction with other account holders
28 or users is predominantly limited to the ability to (A) send, receive,
29 request, or settle funds, (B) comment on transactions, (C) display goods
30 for sale, (D) engage as consumers about products and reviews, or (E) post
31 a wish list;

1 (v) An Internet service, Internet application, or website that
2 primarily provides career development opportunities;

3 (vi) A cloud storage or cloud computing service;

4 (vii) An online service, application, or website in which
5 interaction between users is predominately (A) used for technical support
6 or (B) limited to reviewing products offered for sale by means of
7 electronic commerce or commenting on such reviews posted by other users;
8 or

9 (viii) Peer-to-peer payment platforms, if the interaction with other
10 users or account holders is generally limited to the ability to send,
11 receive, or request funds and to like or comment on such transactions, or
12 other functions that are focused on sending, receiving, requesting, or
13 settling payments between users or account holders; and

14 (12) User means a person who consumes posts on a social media
15 platform but who is not an account holder.

16 **Sec. 28.** (1)(a) Except as provided in subsection (2) of this
17 section, a social media company shall not permit a minor to become an
18 account holder. A social media platform shall use a reasonable age
19 verification method to verify the age of an individual seeking to become
20 an account holder on the company's social media platform. A social media
21 company may use a third-party vendor to perform such verification.

22 (b) A social media company or third-party vendor conducting such
23 verification shall not retain any identifying information of an
24 individual after verification is complete.

25 (2) A social media company may allow a minor to become an account
26 holder if the parent of such minor provides express parental consent
27 authorizing such minor to become an account holder. A social media
28 company or third-party vendor shall verify the express parental consent
29 which shall include:

30 (a) Age verification of the parent through a reasonable age
31 verification method; and

1 (b) An oath, affirmation, or form signed by the parent and returned
2 to the social media company or third-party vendor by common carrier,
3 facsimile, or electronic scan stating that the consenting adult is the
4 minor user's parent and authorizes such minor to become an account
5 holder.

6 (3)(a) Once age and parental consent, if applicable, are verified,
7 the social media company may permit the minor to become an account
8 holder. Reverification of an account holder is not required unless
9 parental consent is revoked by a parent.

10 (b) A social media company shall develop a method for a parent to
11 revoke consent for a minor to be an account holder. If consent is
12 revoked, a social media company shall remove the account of such parent's
13 minor and prohibit such minor from becoming an account holder until
14 additional express parental consent is provided.

15 (4) A social media company shall provide a parent of a minor account
16 holder with methods for the parent to supervise the minor's account. Such
17 methods shall include options for the parent to:

18 (a) View all posts the minor account holder makes under the social
19 media platform account;

20 (b) View all responses and messages sent to or by the minor account
21 holder in the social media platform account;

22 (c) Control the minor's privacy and account settings; and

23 (d) Monitor and limit the amount of time the minor account holder
24 spends using the social media platform.

25 **Sec. 29.** (1) A person aggrieved by a violation of section 28 of
26 this act may bring a civil action against the social media company or
27 third-party vendor which engaged in the violation to recover such relief
28 as may be appropriate.

29 (2) In an action under this section, appropriate relief includes:

30 (a) Such preliminary and other equitable or declaratory relief as
31 may be appropriate;

1 (b) Damages under subsection (3) of this section; and
2 (c) At the discretion of the court, reasonable attorney's fees and
3 other litigation costs reasonably incurred.

4 (3)(a) An individual whose information was retained in violation of
5 subdivision (1)(b) of section 28 of this act may recover actual damages
6 caused by such violation.

7 (b) A minor or a parent of such minor aggrieved by any other
8 violation of section 28 of this act may recover actual damages caused by
9 such violation.

10 **Sec. 30.** The Attorney General shall enforce the Parental Rights in
11 Social Media Act and may impose a penalty of up to two thousand five
12 hundred dollars per violation.

13 **Sec. 31.** Sections 26, 27, 28, 29, and 30 of this act become
14 operative on January 1, 2026. The other sections of this act become
15 operative on their effective date.

16 **Sec. 32.** If any section in this act or any part of any section is
17 declared invalid or unconstitutional, the declaration shall not affect
18 the validity or constitutionality of the remaining portions.