

HOUSE BILL NO. 3185

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEINMETZ.

4627H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to social media platforms, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be
2 known as section 407.3500, to read as follows:

**407.3500. 1. This section shall be known and may be cited as the "Social Media
2 User Rights and Deletion Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Clear and conspicuous", a statement, button, or notice that is readily visible
5 and easily understood by a reasonable user;**

6 **(2) "Dark pattern", any user interface design that has the substantial effect of
7 subverting or impairing user autonomy, decision-making, or choice;**

8 **(3) "Personal information", data that identifies, relates to, describes, or could
9 reasonably be linked, directly or indirectly, with a particular user;**

10 **(4) "Social media platform", any online service or application through which a
11 user creates, shares, and views user-generated content and that generates more than one
12 hundred million dollars in annual gross revenue.**

13 **3. (1) Every social media platform operating in this state shall provide a clear
14 and conspicuous button labeled "Delete Account" that enables a user to permanently
15 delete the user's account and all personal information associated with such account.**

16 **(2) The button shall be clearly displayed and immediately accessible within the
17 application, website, or any other format used to access the social media platform.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 **(3) When a user selects the button, the social media platform shall provide the**
19 **user with a direct, simple, and clearly explained process for completing the deletion of**
20 **the account and associated personal information.**

21 **4. (1) If a social media platform seeks verification of a request to delete the**
22 **account, that verification shall be done in a cost-effective and easy-to-use manner when**
23 **the request is submitted through preestablished two-factor authentication, email, text**
24 **message, telephone call, or message.**

25 **(2) A user login to an account after a deletion request has been submitted shall**
26 **not, by itself, revoke or cancel the request for deletion.**

27 **5. A social media platform shall not obstruct, delay, or interfere with a user's**
28 **ability to delete their account including, but not limited to, using dark patterns or**
29 **misleading design practices.**

30 **6. A violation of this section shall be deemed an unlawful merchandising practice**
31 **under section 407.020 and shall be subject to all penalties, remedies, and enforcement**
32 **provisions under sections 407.010 to 407.130.**

33 **7. The attorney general shall have all powers, rights, and duties relating to the**
34 **violation of this section as are provided in sections 407.010 to 407.130, in addition to**
35 **rulemaking authority under section 407.145.**

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