

SECOND REGULAR SESSION

HOUSE BILL NO. 2392

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURRAY.

5643H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to social media use by minors, 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 known as section 407.3475, to read as follows:

407.3475. 1. The provisions of this section shall be known and may be referred to as the "Missouri Social Media Safety for Minors Act".

2. For purposes of this section, the following terms mean:

(1) "Account holder", a natural person who creates, maintains, or accesses an account on a social media platform;

(2) "Age verification", a commercially reasonable method of confirming the age of an account applicant consistent with industry standards and privacy protections;

(3) "Minor", a person under eighteen years of age;

(4) "Social media platform", an online service that allows users to create accounts, create or view user-generated content, interact socially, and use algorithmically curated feeds. The term "social media platform" does not include:

(a) Services primarily used for email, direct messaging, or business collaboration;

(b) Educational platforms used by schools; and

(c) Online video gaming services with integrated chat where social interaction is incidental;

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.

17 (5) "Verified parent or guardian", a person with legal custody of a minor,
18 verified through the procedures required under this section.

19 3. No social media platform shall permit a person under fourteen years of age to
20 create or maintain an account.

21 4. A minor fourteen years of age and under sixteen years of age may hold an
22 account only with the verified consent of a parent or legal guardian.

23 5. Social media platforms may allow account creation but shall provide parents
24 or guardians the option to:

25 (1) Access and review account activity;

26 (2) Request deletion of the minor's account; and

27 (3) Limit messaging features between the minor and unverified adult accounts.

28 6. A social media platform shall implement a secure age-verification process for
29 all Missouri users prior to account creation.

30 7. Age-verification data shall not be retained by the social media platform
31 beyond what is strictly necessary for compliance with the provisions of this section.

32 8. Social media platforms shall use age verification techniques that:

33 (1) Do not require minors to provide government-issued identification directly to
34 the social media platform;

35 (2) Protect user privacy; and

36 (3) Are independently certifiable as compliant with standards for data
37 minimization and security.

38 9. A social media platform shall immediately terminate any account determined
39 to belong to a person under fourteen years of age.

40 10. A verified parent or guardian may request deletion of a minor's account and
41 the social media platform shall comply within ten business days of such request. Social
42 media platforms shall provide a simple, accessible process for parents or guardians to
43 make such requests.

44 11. A social media platform shall not:

45 (1) Use addictive or manipulative design features specifically targeting minors,
46 including infinite-scroll mechanisms or auto-playing content without time-limit
47 controls;

48 (2) Permit direct messaging from adults to minors unless the adult is a verified
49 contact; or

50 (3) Serve targeted advertising to minors based on personal data or behavioral
51 profiling.

52 12. A violation of this section constitutes an unlawful merchandising practice
53 under chapter 407. The attorney general may enforce the provisions of this section and

54 seek civil penalties of up to fifty thousand dollars per violation, plus injunctive relief and
55 attorney fees. A parent or legal guardian of a minor harmed by a violation may bring a
56 civil action for damages.

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