

HOUSE BILL NO. 3393

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

7313H.011

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
2 known as section 407.3475, to read as follows:

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

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

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

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

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

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

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

14 (b) Educational platforms used by schools; and

**15 (c) Online video gaming services with integrated chat where social interaction is
16 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 sixteen years of age to**
20 **create or maintain an account separate from a parent or guardian.**

21 **4. A minor sixteen years of age or older may hold an account only with the**
22 **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 ability 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) Protect user privacy; and**

34 **(2) Are independently certifiable as compliant with standards for data**
35 **minimization and security.**

36 **9. A social media platform shall immediately terminate any account determined**
37 **to belong to a person under sixteen years of age.**

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

42 **11. A social media platform shall not:**

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

46 **(2) Permit direct messaging from adults to minors unless the adult is a verified**
47 **contact who is verified by a parent or guardian; or**

48 **(3) Serve any paid advertising, sponsored content, or commercial promotion to**
49 **any minor under sixteen years of age who holds an account under this section.**

50 **12. A violation of this section constitutes an unlawful merchandising practice**
51 **under chapter 407. The attorney general may enforce the provisions of this section and**
52 **seek civil penalties of up to fifty thousand dollars per violation, plus injunctive relief and**

53 attorney's fees. A parent or legal guardian of a minor harmed by a violation of this
54 section may bring a civil action for damages.

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