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H.B. No. 186

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. Section 120.001(1), Business & Commerce Code, is amended to read as follows:

(1) "Social media platform" means an Internet website or application that is open to the public, allows a user to create an account, and enables users to communicate with other users for the primary purpose of posting information, comments, messages, or images. The term does not include:

(A) an Internet service provider as defined by Section 324.055;

(B) electronic mail; ~~or~~

(C) an online service, application, or website:

(i) that consists primarily of news, sports, entertainment, or other information or content that is not user generated but is preselected by the provider; and

(ii) for which any chat, comments, or interactive functionality is incidental to, directly related to, or dependent on the provision of the content described by Subparagraph

(i); or

(D) an online service, application, or website used primarily for the purpose of interactive gaming.

SECTION 2. 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. DEFINITIONS. In this subchapter:

(1) "Account holder" means a resident of this state who opens an account or creates a profile or is identified by the social media platform by a unique identifier while using or accessing a social media platform.

(2) "Child" means an individual who is younger than 18 years of age.

Sec. 120.112. USE BY CHILDREN PROHIBITED. To the extent permitted by federal law, including the Children's Online Privacy Protection Act (15 U.S.C. Section 6501 et seq.), a child may not use a social media platform.

Sec. 120.113. ACCOUNT AND VERIFICATION REQUIREMENTS. (a) A social media platform shall:

(1) prohibit a child from entering into a contract with the social media platform to become an account holder; and

(2) verify that a person seeking to become an account holder is 18 years of age or older before accepting the person as an account holder.

(b) A social media platform must use a commercially reasonable method that relies on public or private transactional data to verify the age of an individual as required under Subsection (a).

(c) Personal information obtained under Subsection (b) may only be used for age verification purposes and may not be retained, used, transmitted, or otherwise conveyed, regardless of whether

1 consideration is given for the information. The social media
2 company must delete personal information immediately upon
3 completion of the age verification process.

4 Sec. 120.114. REQUIRED REMOVAL OF ACCOUNT. (a) Not later
5 than the 10th day after receiving a request from a parent or
6 guardian verified by a social media company under Section 509.101,
7 the company shall delete the account of the parent's or guardian's
8 child and cease the further use or maintenance in retrievable form,
9 or future online collection, of personal information collected from
10 the child's account, on all of its platforms.

11 (b) A social media company must provide a reasonable,
12 accessible, and verifiable means by which a parent or guardian may
13 make a request under Subsection (a).

14 Sec. 120.115. ENFORCEMENT. (a) A social media company
15 violates this subchapter if the company knowingly:

16 (1) fails to verify a person's age before accepting the
17 person as an account holder;

18 (2) allows a child to use its platform;

19 (3) misuses personal information in violation of
20 Section 120.113(c); or

21 (4) fails to remove an account as required by Section
22 120.114.

23 (b) A violation of this subchapter by a social media
24 platform is considered a deceptive trade practice under Chapter 17
25 and subject to action by the consumer protection division of the
26 attorney general's office under Sections 17.47, 17.58, 17.60, and
27 17.61.

1 SECTION 3. Subchapter C-1, Chapter 120, Business & Commerce
2 Code, as added by this Act, applies only to access to a social media
3 platform on or after January 1, 2026.

4 SECTION 4. This Act takes effect September 1, 2025.