

By: Patterson

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. 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.

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

5 (c) Personal information obtained under Subsection (b) may
6 only be used for age verification purposes and may not be retained,
7 used, transmitted, or otherwise conveyed, regardless of whether
8 consideration is given for the information. The social media
9 company must delete personal information immediately upon
10 completion of the age verification process.

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

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

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

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

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

26 (3) misuses personal information in violation of
27 Section 120.113(c); or

1 (4) fails to remove an account as required by Section
2 120.114.

3 (b) A violation of this subchapter by a social media
4 platform is considered a deceptive trade practice under Chapter 17
5 and subject to action by the consumer protection division of the
6 attorney general's office under Sections 17.47, 17.58, 17.60, and
7 17.61.

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

11 SECTION 3. This Act takes effect September 1, 2025.