

BILL ANALYSIS

Senate Research Center
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H.B. 186
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 186 amends current law relating to prohibiting use of social media platforms by children.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 120.001(1), Business & Commerce Code, to redefine "social media platform."

SECTION 2. Amends Chapter 120, Business & Commerce Code, by adding Subchapter C-1, as follows:

SUBCHAPTER C-1. USER AGE LIMITATION

Sec. 120.111. DEFINITIONS. Defines "account holder" and "child."

Sec. 120.112. USE BY CHILDREN PROHIBITED. Prohibits a child, to the extent permitted by federal law, including the Children's Online Privacy Protection Act (15 U.S.C. Section 6501 et seq.), from using a social media platform.

Sec. 120.113. ACCOUNT AND VERIFICATION REQUIREMENTS. (a) Requires a social media platform to prohibit a child from entering into a contract with the social media platform to become an account holder and to 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) Requires a social media platform to 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) Provides that personal information obtained under Subsection (b) is authorized only to be used for age verification purposes and is prohibited from being retained, used, transmitted, or otherwise conveyed, regardless of whether consideration is given for the information. Requires the social media company to delete personal information immediately upon completion of the age verification process.

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

(b) Requires a social media company to provide a reasonable, accessible, and verifiable means by which a parent or guardian may make a request under Subsection (a).

Sec. 120.115. ENFORCEMENT. (a) Provides that a social media company violates this subchapter if the company knowingly fails to verify a person's age before accepting the person as an account holder, allows a child to use its platform, misuses personal information in violation of Section 120.113(c), or fails to remove an account as required by Section 120.114.

(b) Provides that a violation of this subchapter by a social media platform is considered a deceptive trade practice under Chapter 17 (Deceptive Trade Practices) and subject to action by the consumer protection division of the attorney general's office under Sections 17.47 (Restraining Orders), 17.58 (Voluntary Compliance), 17.60 (Reports and Examinations), and 17.61 (Civil Investigative Demand).

SECTION 3. Makes application of Subchapter C-1, Chapter 120, Business & Commerce Code, as added by this Act, prospective to January 1, 2026.

SECTION 4. Effective date: September 1, 2025.