

By: Lalani, Longoria, Ordaz, et al.

H.B. No. 2874

Substitute the following for H.B. No. 2874:

By: Button

C.S.H.B. No. 2874

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the inclusion of provenance data on content shared on
3 social media platforms.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. This Act may be cited as the Social Media Content
6 Transparency Act.

7 SECTION 2. Chapter 120, Business & Commerce Code, is
8 amended by adding Subchapter B-1 to read as follows:

SUBCHAPTER B-1. PROVENANCE DATA

10 Sec. 120.081. DEFINITIONS. In this subchapter:

(A) the date and place of the file's origin;

Sec. 120.082. CONTENT CREATED ON SOCIAL MEDIA PLATFORM.

7 (a) A social media platform shall attach provenance data to each
8 photo, video, or audio file created on the social media platform or
9 using tools provided by the social media platform, including tools
10 that use generative artificial intelligence.

11 (b) A social media platform shall retain all provenance data
12 attached to a photo, video, or audio file under this section.

13 (c) Provenance data attached to a photo, video, or audio
14 file or retained under this section must:

1 (d) A social media platform shall provide or contract with a
2 third party to provide a method by which a user may easily access
3 the provenance data attached to a photo, video, or audio file under
4 this section.

5 (e) A social media platform is not required to comply with
6 the provisions of this section if the social media platform
7 provides to the attorney general clear and convincing documentation
8 showing that the social media platform:

9 (1) does not have the technological capacity to comply
10 with the requirements of this section; and
11 (2) is actively taking steps toward obtaining the
12 technological capacity to comply with the requirements of this
13 section.

14 Sec. 120.083. CONTENT POSTED TO SOCIAL MEDIA PLATFORM. (a)
15 A social media platform shall attach provenance data to each photo,
16 video, or audio file posted on the social media platform for which
17 the social media platform can discern the file's provenance data.

18 (b) A social media platform shall retain all provenance data
19 attached to a photo, video, or audio file under this section.

20 (c) Provenance data attached to a photo, video, or audio
21 file or retained under this section must:

22 (1) be attached and retained in a manner and format
23 that complies with guidelines or specifications that are:

24 (A) created by an established standard-setting
25 entity in the industry; and

26 (B) widely adopted by other entities in the
27 industry;

1 (2) state whether the photo, video, or audio file has
2 been created or modified using generative artificial intelligence;
3 and

4 (3) if the photo, video, or audio file was created or
5 modified using generative artificial intelligence, state the name
6 of the generative artificial intelligence tool and the name of the
7 person who provides the tool.

8 (d) A social media platform shall provide or contract with a
9 third party to provide a method by which a user may easily access
10 the provenance data attached to a photo, video, or audio file under
11 this section.

12 (e) A social media platform is not required to comply with
13 the provisions of this section if the social media platform
14 provides to the attorney general clear and convincing documentation
15 showing that the social media platform:

16 (1) does not have the technological capacity to comply
17 with the requirements of this section; and

18 (2) is actively taking steps toward obtaining the
19 technological capacity to comply with the requirements of this
20 section.

21 (f) This section may not be construed to require a social
22 media platform to independently verify the accuracy or authenticity
23 of provenance data provided to the social media platform by a third
24 party or user.

25 (g) A social media platform may not be held liable for
26 inaccurate provenance data attached to a photo, video, or audio
27 file or retained under this section if:

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1 (1) the provenance data was provided to the social
2 media platform by a third party or user;
3 (2) the social media platform did not knowingly modify
4 the provenance data;

5 (3) the social media platform relied in good faith on
6 the provenance data provided; and

7 (4) the social media platform has implemented
8 reasonable and appropriate measures to comply with the requirements
9 of this section.

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