

AN ACT

relating to user reports of explicit deep fake material on social media platforms.

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

SECTION 1. Subchapter C, Chapter 120, Business & Commerce Code, is amended by adding Section 120.1001 to read as follows:

Sec. 120.1001. DEFINITIONS. In this subchapter:

(1) "Deep fake material" means visual material, created with the intent to deceive, that appears to depict a real person performing an action that did not occur in reality.

(2) "Explicit deep fake material" means deep fake material that appears to depict a real person engaging in sexual conduct or other conduct resulting in the exposure of the person's intimate parts.

(3) "Intimate parts," "sexual conduct," and "visual material" have the meanings assigned by Section 21.16, Penal Code.

SECTION 2. Section 120.101, Business & Commerce Code, is amended to read as follows:

Sec. 120.101. COMPLAINT SYSTEM. A social media platform shall provide an easily accessible complaint system to enable a user to submit a complaint in good faith and track the status of the complaint, including a complaint regarding:

(1) illegal content or activity; ~~or~~

(2) explicit deep fake material; or

1 (3) a decision made by the social media platform to
2 remove content posted by the user.

3 SECTION 3. Subchapter C, Chapter 120, Business & Commerce
4 Code, is amended by adding Section 120.1015 to read as follows:

5 Sec. 120.1015. NOTICE OF COMPLAINT SYSTEM AND PROCEDURES.

6 (a) A social media platform shall provide notice on the platform of
7 the complaint system and procedures described by this subchapter.

8 (b) Notice under this section:

9 (1) must be clear and conspicuous to a user;

10 (2) must be written using plain language;

11 (3) must describe the duties of a social media
12 platform under Section 120.102;

13 (4) must describe the process by which a user may
14 submit a complaint; and

15 (5) may be provided on another Internet web page to
16 which a user may navigate through the use of a clear and conspicuous
17 hyperlink.

18 SECTION 4. Section 120.102, Business & Commerce Code, is
19 amended to read as follows:

20 Sec. 120.102. PROCESSING OF COMPLAINTS. (a) A social media
21 platform that receives notice of illegal content or illegal
22 activity on the social media platform shall make a good faith effort
23 to evaluate the legality of the content or activity within 48 hours
24 of receiving the notice, excluding hours during a Saturday or
25 Sunday and subject to reasonable exceptions based on concerns about
26 the legitimacy of the notice.

27 (b) A social media platform that receives notice of explicit

deep fake material on the social media platform shall:

(1) immediately confirm to the user that the social media platform is aware of the material;

(2) remove the content reported by the user and any known content that is a copy of or identical to the reported content as explicit deep fake material; and

(3) not later than the seventh day after the date the user submitted the report to the social media platform, provide a written notice to the user updating the user on the status of the reported content.

SECTION 5. Subchapter C, Chapter 120, Business & Commerce Code, is amended by adding Section 120.1025 to read as follows:

Sec. 120.1025. TREATMENT OF REPORTED CONTENT. (a) If a social media platform determines that content reported by a user is not explicit deep fake material, the social media platform may restore the material.

(b) If a social media platform determines that content reported by a user is explicit deep fake material, the social media platform shall implement measures to ensure the same material is not posted on the social media platform again.

SECTION 6. Section 120.103(b), Business & Commerce Code, is amended to read as follows:

(b) A social media platform is not required to provide a user with notice or an opportunity to appeal under Subsection (a) if the social media platform:

(1) is unable to contact the user after taking reasonable steps to make contact; ~~[or]~~

1 (2) knows that the potentially policy-violating
2 content relates to an ongoing law enforcement investigation;or

3 (3) removed the content under Section 120.102(b) due
4 to a complaint that the content was explicit deep fake material.

5 SECTION 7. The heading to Section 120.151, Business &
6 Commerce Code, is amended to read as follows:

7 Sec. 120.151. INJUNCTIVE RELIEF [~~ACTION BY ATTORNEY~~
8 ~~GENERAL~~].

9 SECTION 8. Subchapter D, Chapter 120, Business & Commerce
10 Code, is amended by adding Section 120.152 to read as follows:

11 Sec. 120.152. DECEPTIVE TRADE PRACTICE. A violation of
12 this chapter is a deceptive trade practice under Subchapter E,
13 Chapter 17, and is actionable under that subchapter.

14 SECTION 9. This Act takes effect September 1, 2025.

H.B. No. 3133

President of the Senate

Speaker of the House

I certify that H.B. No. 3133 was passed by the House on May 2, 2025, by the following vote: Yeas 122, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3133 on May 29, 2025, by the following vote: Yeas 119, Nays 19, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3133 was passed by the Senate, with amendments, on May 26, 2025, by the following vote: Yeas 29, Nays 2.

Secretary of the Senate

APPROVED: _____

Date

Governor