

By: Hughes, et al.
(Harris Davila)

S.B. No. 2881

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the access and communications settings for accounts of
3 minor users of digital services.

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

5 SECTION 1. Subchapter B, Chapter 509, Business & Commerce
6 Code, as added by Chapter 795 (H.B. 18), Acts of the 88th
7 Legislature, Regular Session, 2023, is amended by adding Section
8 509.0525 to read as follows:

9 Sec. 509.0525. ACCESS AND COMMUNICATIONS SETTINGS FOR
10 ACCOUNTS OF KNOWN MINORS. (a) A digital service provider shall
11 create access and communications controls for user accounts of
12 known minor users of the digital service in accordance with this
13 section.

14 (b) The initial default settings for the account of a known
15 minor user of a digital service must be set to:

24 (5) prohibit the use of algorithms to automate the

1 suggestion, promotion, or ranking of information or content on the
2 digital service.

3 (c) A verified parent of a known minor may use parental
4 tools created under Section 509.054 to change the access and
5 communications settings on the minor's user account at any time.

6 SECTION 2. Section 509.054(b), Business & Commerce Code, as
7 added by Chapter 795 (H.B. 18), Acts of the 88th Legislature,
8 Regular Session, 2023, is amended to read as follows:

9 (b) Parental tools under this section must allow a verified
10 parent to:

11 (1) control the known minor's privacy and account
12 settings, including changing the default access and communications
13 settings on the account under Section 509.0525;

14 (2) alter the duties of a digital service provider
15 under Section 509.052 with regard to the verified parent's known
16 minor;

17 (3) if the verified parent alters the duty of a digital
18 service provider under Section 509.052(2)(A), restrict the ability
19 of the verified parent's known minor to make purchases or engage in
20 financial transactions; and

21 (4) monitor and limit the amount of time the verified
22 parent's known minor spends using the digital service.

23 SECTION 3. Section 509.056, Business & Commerce Code, as
24 added by Chapter 795 (H.B. 18), Acts of the 88th Legislature,
25 Regular Session, 2023, is amended to read as follows:

26 Sec. 509.056. USE OF ALGORITHMS. Except where the use of
27 algorithms is prohibited under Section 509.0525, a [A] digital

1 service provider that uses algorithms to automate the suggestion,
2 promotion, or ranking of information to known minors on the digital
3 service shall:

4 (1) make a commercially reasonable effort to ensure
5 that the algorithm does not interfere with the digital service
6 provider's duties under Section [509.053](#); and

7 (2) disclose in the digital service provider's terms
8 of service, privacy policy, or similar document, in a clear and
9 accessible manner, an overview of:

10 (A) the manner in which the digital service uses
11 algorithms to provide information or content;

12 (B) the manner in which algorithms promote, rank,
13 or filter information or content; and

14 (C) the personal identifying information used as
15 inputs to provide information or content.

16 SECTION 4. (a) Except as provided by Subsection (b) of this
17 section, Section 509.0525, Business & Commerce Code, as added by
18 this Act, applies to accounts created on digital services on or
19 after the effective date of this Act.

20 (b) Digital service providers shall ensure accounts created
21 on digital services before the effective date of this Act comply
22 with Section 509.0525, Business & Commerce Code, as added by this
23 Act, not later than January 1, 2026.

24 SECTION 5. This Act takes effect September 1, 2025.