

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 932

By: Jech

AS INTRODUCED

An Act relating to social media; defining terms; authorizing certain cause of action against a social media platform; establishing criteria to recover damages; authorizing certain rebuttable presumption; authorizing certain relief; prohibiting certain liability; authorizing other remedies; stating exception to certain rebuttable presumption; authorizing utilization of certain settings; disallowing certain waiver or limitation; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 205 of Title 75A, unless there is created a duplication in numbering, reads as follows:

A. As used in this act:

1. "Algorithmically curated" means social media platform user engagement is primarily driven by a curation algorithm and engagement driven design elements;

2. "Curation algorithm" means a computational process or set of rules used by a social media platform that determines, influences,

1 or personalizes output that is designed to encourage prolonged or
2 frequent engagement;

3 3. "Engagement driven design elements" means autoplay features
4 that continuously play content without requiring user interaction,
5 scroll or pagination that loads additional content as long as the
6 user continues to scroll, or push notifications;

7 4. "Excessive use" means the use of a social media platform by
8 a minor to an extent that the use substantially interferes with the
9 minor's normal functioning in academic performance, sleep, in-person
10 relationships, mental health, or physical health;

11 5. "Minor" means an individual under eighteen (18) years of
12 age;

13 6. "Push notification" means an automatic electronic message
14 displayed on a user's device, when the user interface for the social
15 media platform is not actively open or visible on the device, that
16 prompts the user to check or engage with the social media platform;

17 7. "Social media platform" means a website or internet medium
18 that:

- 19 a. permits a person to become a registered user,
20 establish an account, or create a profile for the
21 purpose of allowing users to create, share, and view
22 user-generated content through such an account or
23 profile,
24

- b. enables one or more users to generate content that can be viewed by other users of the medium, and
- c. primarily serves as a medium for users to interact with content generated by other users of the medium; and

8. "User" means a person who accesses or uses a social media platform.

B. 1. A minor user who is a resident of this state or his or her parent or legal guardian may bring a cause of action against a social media platform in court for an adverse mental health outcome arising, in whole or in part, from the minor's excessive use of the social media platform's algorithmically curated service.

2. To recover damages in a cause of action brought pursuant to this subsection, a person that brings the cause of action must demonstrate:

- a. that the minor user has been diagnosed by a licensed mental health care provider with an adverse mental health outcome, and
- b. that the adverse mental health outcome was caused by the minor user's excessive use of an algorithmically curated social media platform.

3. Except as provided in paragraph 4 of this subsection, a person who brings an action pursuant to this subsection is entitled to a rebuttable presumption that:

- a. the minor user's adverse mental health outcome was caused, in whole or in part, by the minor user's excessive use of the algorithmically curated social media service, and
- b. the minor user's excessive use of the algorithmically curated social media platform was caused, in whole or in part, by the algorithmically curated social media platform's curation algorithm and engagement driven design elements.

4. A social media company that complies with the provisions of subsection C of this section is entitled to a rebuttable presumption that:

- a. the minor user's adverse mental health outcome was not caused, in whole or in part, by the minor user's excessive use of the algorithmically curated social media platform, and
- b. the minor user's excessive use of the algorithmically curated social media platform was not caused, in whole or in part, by the algorithmically curated social media platform's curation algorithm and engagement driven design elements.

5. If a court or fact finder finds that minor user of this state suffered any adverse mental health outcome as a result of the

1 minor's use of a social media platform's algorithmically curated
2 service, the person seeking relief is entitled to:

3 a. an award of reasonable attorney fees and court costs,
4 and

5 b. an amount equal to the greater of:

- 6 (1) Ten Thousand Dollars (\$10,000.00) for each
7 adverse mental health outcome incidence, or
8 (2) the amount of actual damages.

9 6. A social media platform shall not be held liable based on
10 the content of material posted by users of the algorithmically
11 curated social media platform or for declining to restrict access to
12 or modify user posts based solely on the content of such posts.

13 7. Nothing in this subsection shall displace any other
14 available remedies or rights authorized by state or federal law.

15 C. 1. A person is not entitled to the rebuttable presumption
16 described in paragraph 3 of subsection B of this section and a
17 social media platform is entitled to the rebuttable presumption
18 described in paragraph 4 of subsection B of this section, if the
19 social media platform demonstrates to the court that the social
20 media platform:

21 a. limits a minor user who is a resident of this state's
22 use of the algorithmically curated social media
23 platform to no more than three hours in a twenty-four-
24 hour period across all devices,

- b. restricts a minor user who is a resident of this state from accessing the algorithmically curated social media platform between the hours of 10:30 p.m. and 6:30 a.m.,
- c. requires the parent or legal guardian of the minor who is a resident of this state to consent to a minor user's use of the algorithmically curated social media platform, and
- d. disables engagement driven design elements for a minor user's account.

2. A social media platform may utilize settings that are enabled at the device level to impose the requirements described in this subsection; provided, however, a social media platform remains liable to ensure that the minor user's account is subject to the restrictions pursuant to this subsection.

D. A waiver or limitation, or a purported waiver or limitation, of any of the following is void and unlawful, is against public policy, and a court or arbitrator may not enforce or give effect to the waiver, notwithstanding any contract or choice-of-law provision in a contract:

1. A protection or requirement provided pursuant to this section;

2. The right to cooperate with or file a complaint with a government agency;

1 3. The right to a private right of action as provided pursuant
2 to subsection B of this section; or

3 4. The right to recover actual damages, statutory damages,
4 civil penalties, costs, or fees as authorized pursuant to this
5 section.

6 SECTION 2. This act shall become effective November 1, 2025.

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