

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 932

By: Jech

6 AS INTRODUCED

7 An Act relating to social media; defining terms;
8 authorizing certain cause of action against a social
9 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.

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

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

18 A. As used in this act:

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

22 2. "Curation algorithm" means a computational process or set of
23 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,

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

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

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

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

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

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

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

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

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

22 5. If a court or fact finder finds that minor user of this
23 state suffered any adverse mental health outcome as a result of the
24

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,

- 1 b. restricts a minor user who is a resident of this state
2 from accessing the algorithmically curated social
3 media platform between the hours of 10:30 p.m. and
4 6:30 a.m.,
5 c. requires the parent or legal guardian of the minor who
6 is a resident of this state to consent to a minor
7 user's use of the algorithmically curated social media
8 platform, and
9 d. disables engagement driven design elements for a minor
10 user's account.

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

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

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

23 2. The right to cooperate with or file a complaint with a
24 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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