

Senate Bill 351

By: Senators Anavitarte of the 31st, Robertson of the 29th, Brass of the 28th, Kennedy of the 18th, Gooch of the 51st and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Titles 20 and 39 of the Official Code of Georgia Annotated, relating to education  
2 and minors, respectively, so as to provide for social media platform access by minors; to  
3 provide for social media policies in public schools; to include promotion of safe and  
4 appropriate use of technology and responsible digital citizenship in the state's comprehensive  
5 character education program; to require the Department of Education to develop and  
6 periodically update model programs for educating students regarding online safety; to  
7 provide for required and optional instruction regarding social media for such programs; to  
8 require local boards of education to adopt, implement, and enforce social media policies; to  
9 authorize the Attorney General and the Department of Education to consult with and assist  
10 local boards of education in the development and implementation of such policies; to require  
11 local boards of education to submit such policies to the State Board of Education for review;  
12 to authorize the State Board of Education to withhold state funds from a local board of  
13 education for failure to comply with certain social media policy requirements; to provide for  
14 appeals; to provide for venue; to revise provisions relating to the prohibition of bullying and  
15 cyberbullying in public schools; to require social media platforms to verify the age of  
16 account holders and to refuse account services to minors without parental consent; to require  
17 social medial platforms to provide certain information to parents upon request; to provide for  
18 enforcement authority of the Attorney General; to prohibit certain waivers; to provide for

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19 definitions; to provide for effective dates; to provide for a short title; to provide for related  
20 matters; to repeal conflicting laws; and for other purposes.

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

22 **PART I**  
23 **SECTION 1-1.**

24 This Act shall be known and may be cited as the "Protecting Georgia's Children on Social  
25 Media Act of 2024."

26 **PART II**  
27 **SECTION 2-1.**

28 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
29 secondary education, is amended in Part 2 of Article 6, relating to competencies and core  
30 curriculum under the "Quality Basic Education Act," by revising Code Section 20-2-145,  
31 relating to the comprehensive character education program, as follows:

32 "20-2-145.

33 (a) The State Board of Education shall develop by the start of the 1997-1998 school year  
34 a comprehensive character education program for levels K-12. This comprehensive  
35 character education program shall be known as the 'character curriculum' and shall focus  
36 on the students' development of the following character traits: courage, patriotism,  
37 citizenship, honesty, fairness, respect for others, kindness, cooperation, self-respect,  
38 self-control, courtesy, compassion, tolerance, diligence, generosity, punctuality,  
39 cleanliness, cheerfulness, school pride, respect for the environment, respect for the creator,  
40 patience, creativity, sportsmanship, loyalty, perseverance, and virtue. Such program shall

41 also address, by the start of the ~~1999-2000~~ 2024-2025 school year, methods of discouraging  
 42 bullying and violent acts against fellow students and methods of promoting responsible  
 43 digital citizenship and the safe and appropriate use of technology, the internet, and social  
 44 media. Local boards shall implement such a program in all grade levels at the beginning  
 45 of the ~~2000-2001~~ 2025-2026 school year and shall provide opportunities for parental  
 46 involvement in establishing expected outcomes of the character education program.

47 (b) The Department of Education shall develop character education program workshops  
 48 designed for employees of local school systems."

49 **SECTION 2-2.**

50 Said chapter is further amended in said part by revising Code Section 20-2-149, relating to  
 51 program for educating students regarding online internet safety, as follows:

52 "20-2-149.

53 (a)(1) The Department of Education shall develop ~~a model program~~ model programs for  
 54 educating students regarding online safety while using the ~~Internet~~ internet, taking into  
 55 consideration educational materials on this topic developed by other states as well as any  
 56 other materials suggested by education experts, child psychologists, and technology  
 57 companies that promote child online safety issues.

58 (2) The model programs provided for in this subsection shall include one or more model  
 59 programs for students in grades six through 12 which:

60 (A) Shall include instruction regarding:

61 (i) The social, emotional, and physical effects of social media on users;

62 (ii) The negative effects of social media on the mental health of users, including, but  
 63 not limited to, addiction;

64 (iii) The distribution of disinformation and misinformation on social media;

65 (iv) How social media manipulates or influences thoughts and behaviors;

66 (v) The permanency and risks of sharing materials online;

- 67 (vi) How to maintain personal security and identify cyberbullying, predatory  
 68 behavior, and human trafficking on the internet and social media; and  
 69 (vii) How to report suspicious behavior encountered on the internet and social media  
 70 to appropriate persons and authorities; and  
 71 (B) May include information regarding the benefits of social media use, such as  
 72 supporting career readiness for future academic or employment opportunities, sharing  
 73 information with familiar family and friends, and safely connecting with other users  
 74 with similar interests.  
 75 (3) The Department of Education shall periodically update the model programs provided  
 76 for in this subsection to reflect changes in internet and social media use, emergent  
 77 technologies, social and psychological research, and information concerning new threats  
 78 to teenagers and young adults using social media platforms and other online  
 79 communication technologies.  
 80 (4) The Department of Education shall publish on its website information relating to the  
 81 model programs provided for in this Code section, including recommended curricula and  
 82 instructional materials.  
 83 (b) Each local board of education may incorporate into its instructional program a  
 84 component on online ~~Internet~~ internet safety, including social media safety, to be taught  
 85 on a schedule as determined by the local board of education."

86 **SECTION 2-3.**

87 Said chapter is further amended in Part 15 of Article 6, relating to miscellaneous provisions  
 88 under the "Quality Basic Education Act," by adding a new Code section to read as follows:  
 89 "20-2-324.7.

90 (a) As used in this Code section, the term:

91 (1) 'Internet' means the global information system that is logically linked together by a  
 92 globally unique address space based on the internet protocol or its subsequent extensions;

93 that is able to support communications using the transmission control protocol/internet  
94 protocol (TCP/IP) suite, its subsequent extensions, or other compatible protocols; and that  
95 provides, uses, or makes accessible, either publicly or privately, high-level services  
96 layered on such communications and related infrastructure.

97 (2) 'Local board of education' means the board of education of a local school system or  
98 any other governing body recognized by the laws of this state as being responsible for the  
99 management and control of a public school.

100 (3) 'Social media platform' has the same meaning as defined in Code Section 39-6-1.

101 (b) No later than August 1, 2024, each local board of education shall adopt a social media  
102 policy which shall:

103 (1) Prohibit and prevent students from accessing social media platforms through the use  
104 of computer equipment, communications services, or internet access that is operated,  
105 owned, leased, or otherwise provided by the local board of education, local school  
106 system, or public school, except when expressly authorized by a school administrator or  
107 teacher solely for appropriate educational purposes;

108 (2) Establish appropriate measures to be taken when a student or school personnel  
109 violates such policy; and

110 (3) Provide for expedited review and resolution of a claim that such policy is denying a  
111 student or school personnel access to information, materials, or platforms that are  
112 currently inaccessible due to prohibitions included in the social media policy.

113 (c) A local board of education shall take such steps as it deems appropriate to implement  
114 and enforce its social media policy, which shall include, but shall not be limited to:

115 (1) Use of software programs and other technologies reasonably designed and intended  
116 to block access to social media platforms; and

117 (2) Selection of online servers that block access to social media platforms.

118 (d) Each local school system or public school shall publish on its website a copy of the  
119 social media policy adopted pursuant to subsection (b) of this Code section and shall

120 provide a paper copy of such upon written request of a parent or guardian of an enrolled  
121 student.

122 (e) The Attorney General and the Department of Education shall be authorized to consult  
123 with and assist any local board of education in developing and implementing a social media  
124 policy pursuant to this Code section.

125 (f)(1) No later than October 1, 2024, each local board of education shall submit a copy  
126 of the social media policy adopted pursuant to subsection (b) of this Code section to the  
127 State Board of Education for compliance review. Such submission shall identify any  
128 software program or other technology that is being or will be utilized to block access to  
129 social media platforms in accordance with subsection (c) of this Code section.

130 (2) The State Board of Education shall review each social media policy and any  
131 subsequent revisions submitted pursuant to paragraph (3) of this subsection. If the State  
132 Board of Education determines after compliance review that a policy or revision thereof  
133 is not reasonably designed to achieve the requirements of this Code section, it shall  
134 provide written notice of noncompliance to the local board of education as provided for  
135 in paragraph (4) of this subsection.

136 (3) No revision of a social media policy which has been deemed compliant pursuant to  
137 paragraph (2) of this subsection shall be implemented until such revision is reviewed by  
138 the State Board of Education. If the State Board of Education fails to provide a notice of  
139 noncompliance for the revision within 60 days of its receipt, the local board of education  
140 may proceed with the implementation of the revision.

141 (4)(A) The State Board of Education shall be responsible for conducting any necessary  
142 investigations and making written determinations as to whether a local board of  
143 education has failed to comply with the requirements of this Code section.

144 (B) If the State Board of Education determines that a local board of education has  
145 failed to comply with the requirements of this Code section, it shall provide a written  
146 notice of noncompliance to such local board of education and the local board of

147 education shall have 30 days from the receipt of such notice to correct such  
148 noncompliance and to develop a corrective action plan for preventing future  
149 recurrences. The State Board of Education may extend such 30 day period upon a  
150 showing of good cause by the local board of education.

151 (5)(A) The State Board of Education shall be authorized to take corrective action,  
152 including, but not limited to, withholding a portion of state funding to a local school  
153 system or public school, as provided for in Code Section 20-2-243, if such local board  
154 of education fails to comply with the provisions of this Code section or fails to enforce  
155 or substantially disregards its social media policy.

156 (B) If the State Board of Education provides a notice of noncompliance to a local board  
157 of education regarding its social media policy or any revision thereof or notifies the  
158 local board of education that it is subject to the withholding of state funding pursuant  
159 to subparagraph (A) of this paragraph, such local board of education may bring an  
160 action against the State Board of Education seeking appropriate relief from the superior  
161 court of the county where the local board of education is headquartered.

162 (g)(1) Notwithstanding any other provision of this Code section to the contrary, a public  
163 school administrator or his or her designee may disable the software program or online  
164 technology being utilized to block access to social media platforms for any adult or for  
165 a minor student who provides written consent from his or her parent or guardian to enable  
166 access to one or more social media platforms for bona fide research or other lawful  
167 purpose.

168 (2) Nothing in paragraph (1) of this subsection shall be construed to permit any person  
169 to have access to any information, material, or platform the content of which is illegal  
170 under federal or state law."

## SECTION 2-4.

171

172 Said chapter is further amended in Subpart 2 of Part 2 of Article 16, relating to public school  
 173 disciplinary tribunals for students, by revising Code Section 20-2-751.4, relating to policies  
 174 prohibiting bullying, assignment to alternative school, and notice, as follows:

175 "20-2-751.4.

176 (a) As used in this Code section, the term:

177 (1)(A) Bullying 'bullying' means an act that is:

178 ~~(1)~~(i) Any willful attempt or threat to inflict injury on another person, when  
 179 accompanied by an apparent present ability to do so;

180 ~~(2)~~(ii) Any intentional display of force such as would give the victim reason to fear  
 181 or expect immediate bodily harm; or

182 ~~(3)~~(iii) Any intentional written, verbal, or physical act which a reasonable person  
 183 would perceive as being intended to threaten, harass, or intimidate, that:

184 ~~(A)~~(I) Causes another person substantial physical harm within the meaning of Code  
 185 Section 16-5-23.1 or visible bodily harm as such term is defined in Code Section  
 186 16-5-23.1;

187 ~~(B)~~(II) Has the effect of substantially interfering with a student's education or  
 188 otherwise substantially infringing upon the rights of a student;

189 ~~(C)~~(III) Is so severe, persistent, or pervasive that it creates an intimidating or  
 190 threatening educational environment; or

191 ~~(D)~~(IV) Has the effect of substantially disrupting the orderly operation of the  
 192 school.

193 (B) Except as provided in subparagraph (C) of this paragraph, such ~~The~~ term applies  
 194 to acts which occur on school property, on school vehicles, at designated school bus  
 195 stops, or at school related functions or activities, including, but not limited to,  
 196 extracurricular activities. ~~or by use of data or software that is accessed through a~~



197 ~~computer, computer system, computer network, or other electronic technology of a~~  
198 ~~local school system. The term also applies to acts~~

199 ~~(C) Such term includes acts of cyberbullying which occur through the use of electronic~~  
200 ~~communication, whether or not such electronic act that:~~

201 ~~(i) Originate originated on school property, involve the use of ~~or with~~ school~~  
202 ~~equipment, or occur within a school sponsored online activity; or~~

203 ~~(ii) Do not meet the requirements of division (i) of this subparagraph but do involve~~  
204 ~~serious or severe bullying or harassment targeting one or more particular students or~~  
205 ~~school personnel or threats aimed at students or school personnel. ~~if the electronic~~~~  
206 ~~communication (1) is directed specifically at students or school personnel, (2) is~~  
207 ~~maliciously intended for the purpose of threatening the safety of those specified or~~  
208 ~~substantially disrupting the orderly operation of the school, and (3) creates a~~  
209 ~~reasonable fear of harm to the students' or school personnel's person or property or~~  
210 ~~has a high likelihood of succeeding in that purpose. For purposes of this Code~~  
211 ~~section, electronic communication includes but is not limited to any transfer of signs,~~  
212 ~~signals, writings, images, sounds, data or intelligence of any nature transmitted in~~  
213 ~~whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical~~  
214 ~~system.~~

215 ~~(2) 'Cyberbullying' means bullying that involves the use of electronic communication,~~  
216 ~~including, but not limited to, communication devices and services, including, but not~~  
217 ~~limited to, cellular telephones, cameras, computers, social media platforms, text~~  
218 ~~messages, chat platforms, and internet sites.~~

219 ~~(3) 'Electronic communication' means, but is not limited to, any transfer of signs, signals,~~  
220 ~~writings, images, sounds, data, or intelligence of any nature transmitted in whole or in~~  
221 ~~part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. Such~~  
222 ~~term shall include photographs and video and audio recordings.~~

223 (4) 'Extracurricular activities' has the same meaning as defined in Code Section  
224 20-2-319.6.

225 (5) 'Parent' means a person who has legal authority to act on behalf of a minor child as  
226 a natural or adoptive parent or a legal guardian.

227 (6) 'School equipment' means any computer or computer networking equipment,  
228 technology or technology related device or service, or communication system or service  
229 that is operated, owned, leased, or otherwise provided by a local board of education, local  
230 school system, or public school and that is used for transmitting, receiving, accessing,  
231 viewing, hearing, downloading, recording, or storing electronic communication.

232 (7) 'Transmit' means to send or broadcast an electronic communication.

233 (b) No later than ~~August 1, 2011~~ July 1, 2025:

234 (1) Each local board of education shall adopt a policy that prohibits bullying, including,  
235 without limitation, cyberbullying, of a student by another by a student and shall require  
236 such prohibition to be included in the student code of conduct for schools in that school  
237 system;

238 (2) Each local board policy shall require that, upon a finding by the disciplinary hearing  
239 officer, panel, or tribunal of school officials provided for in this subpart that a student in  
240 grades six through 12 has committed the offense of bullying for the third time in a school  
241 year, such student shall be assigned to an alternative school;

242 (3) Each local board of education shall establish and publish in its local board policy a  
243 method to notify the parent, guardian, or other person who has control or charge of a  
244 student upon a finding by a school administrator that such student has committed an  
245 offense of bullying or is a target or suspected victim of bullying. Such notice shall, as  
246 appropriate under the circumstances, include references to resources for counseling and  
247 other appropriate services for students who have been found to have committed an  
248 offense of bullying or are targets or suspected victims of bullying; and

249 (4) Each local board of education shall ensure that students and parents and guardians  
250 of students are notified of the prohibition against bullying, and the penalties for violating  
251 the prohibition, by posting such information at each school and by including such  
252 information in student and parent handbooks; and

253 (5) Each local board of education shall establish a process to regularly evaluate and  
254 update the use of technology solutions to aid in the prevention of cyberbullying on school  
255 equipment, including, but not limited to, monitoring software intended to provide  
256 electronic notification when the occurrence of cyberbullying is detected on such  
257 equipment. Any such notification shall be treated as a report of alleged bullying.

258 (c) No later than January 1, ~~2011~~ 2025, the Department of Education shall develop a  
259 model policy regarding bullying, that may be revised from time to time, and shall post such  
260 policy on its website in order to assist local school systems. Such model policy shall  
261 include:

262 (1) A statement prohibiting bullying;

263 (2) A requirement that any teacher or other school employee who has reliable  
264 information that would lead a reasonable person to suspect that someone is a target of  
265 bullying shall immediately report it to the school principal;

266 (3) A requirement that each school have a procedure for the school administration to  
267 promptly investigate in a timely manner and determine whether bullying has occurred;

268 (4) An age-appropriate range of consequences for bullying which shall include, at  
269 minimum and without limitation, disciplinary action or counseling as appropriate under  
270 the circumstances;

271 (5) Age-appropriate interventions and services, including, but not limited to, counseling  
272 services, to be made available, as appropriate under the circumstances, to students who  
273 are targets or suspected victims of bullying;

274 (6) A procedure for a teacher or other school employee, student, parent, guardian, or  
275 other person who has control or charge of a student, either anonymously or in such

276 person's name, at such person's option, to report or otherwise provide information on  
277 bullying activity;

278 ~~(6)~~(7) A statement prohibiting retaliation following a report of bullying; and  
279 ~~(7)~~(8) Provisions consistent with the requirements of subsection (b) of this Code section.

280 (d) No later than January 1, 2025, the ~~The~~ Department of Education shall develop and post  
281 on its website:

282 (1) A a list of entities and their contact information which produce antibullying training  
283 programs and materials deemed appropriate by the department for use in local school  
284 systems. Such list shall include at least one entity that provides awareness and training  
285 programs relating to cyberbullying; and

286 (2) A list of online and in-person providers of counseling and other appropriate services  
287 for students who have been found by school officials to have committed an offense of  
288 bullying or are targets or suspected victims of bullying. Such list shall include in-person  
289 providers available to families in areas throughout the state.

290 (e) Any person who reports an incident of bullying in good faith shall be immune from  
291 civil liability for any damages caused by such reporting.

292 (f) Nothing in this Code section or in the model policy promulgated by the Department of  
293 Education shall be construed to require a local board of education to provide transportation  
294 to a student transferred to another school as a result of a bullying incident.

295 (g) Any school system which is not in compliance with the requirements of subsection (b)  
296 of this Code section shall be ineligible to receive state funding pursuant to Code Sections  
297 20-2-161 and 20-2-260."

298

**PART III**

299

**SECTION 3-1.**

300 Title 39 of the Official Code of Georgia Annotated, relating to minors, is amended by adding  
301 a new chapter to read as follows:

302

"CHAPTER 6303 39-6-1.304 As used in this chapter, the term:

305 (1) 'Account holder' means a person who is a resident of this state and has an account or  
306 profile to use a social media platform, including a minor account holder.

307 (2) 'Educational entity' means:

308 (A) A public elementary or secondary school, including without exception public  
309 schools provided for under Articles 31, 31A, and 31C of Chapter 2 of Title 20;

310 (B) A private elementary or secondary school;311 (C) A unit of the University System of Georgia;312 (D) A unit of the Technical College System of Georgia;

313 (E) An independent or private college or university located in Georgia and eligible to  
314 be deemed an 'approved school' pursuant to paragraph (2) of Code Section 20-3-411;

315 or

316 (F) A nonpublic postsecondary educational institution provided for in Part 1A of  
317 Article 7 of Chapter 3 of Title 20.

318 (3) 'Minor' means an individual who resides in this state and is actually known or  
319 reasonably believed by a social media platform to be under the age of 16 years.

320 (4) 'Minor account holder' means an account holder who is a minor.

321 (5) 'Post' means content that an account holder makes available on a social media  
322 platform for other account holders or users to view or listen to, including text, images,  
323 audio, and video.

324 (6) 'Social media platform' means an online forum that allows an account holder to create  
325 a profile, upload posts, view and listen to posts, and interact with other account holders  
326 and users. Such term shall not include an online service, website, or application where  
327 the predominant or exclusive function is any of the following:

328 (A) Email;

329 (B) A service that, pursuant to its terms of use, does not permit minors to use the  
330 platform and utilizes commercially reasonable age assurance mechanisms to deter  
331 minors from becoming account holders;

332 (C) A streaming service that provides only licensed media that is not user generated  
333 in a continuous flow from the service, website, or application to the end user and does  
334 not obtain a license to the media from a user or account holder by agreement to its  
335 terms of service;

336 (D) News, sports, entertainment, or other content that is preselected by the provider  
337 and not user generated, and any chat, comment, or interactive functionality that is  
338 provided incidental to or directly or indirectly related to such content;

339 (E) Online shopping or electronic commerce, if the interaction with other users or  
340 account holders is generally limited to the ability to upload a post and comment on  
341 reviews, the ability to display lists or collections of goods for sale or wish lists, and any  
342 other functions that are focused on online shopping or electronic commerce rather than  
343 interaction between users or account holders;

344 (F) Interactive gaming, virtual gaming, or an online service, website, or application that  
345 allows the creation and uploading of content for the purpose of interactive gaming,  
346 educational entertainment, or associated entertainment, and communications related to  
347 that content;

- 348 (G) Photograph editing that has an associated photograph hosting service if the  
349 interaction with other users or account holders is generally limited to liking or  
350 commenting;
- 351 (H) Single-purpose community groups for public safety if the interaction with other  
352 users or account holders is limited to that single purpose and the community group has  
353 guidelines or policies against illegal content;
- 354 (I) Business-to-business software;
- 355 (J) Teleconferencing or videoconferencing services that allow reception and  
356 transmission of audio and video signals for real-time communication;
- 357 (K) Cloud storage;
- 358 (L) Shared document collaboration;
- 359 (M) Cloud computing services, which may include cloud storage and shared document  
360 collaboration;
- 361 (N) Providing access to or interacting with data visualization platforms, libraries, or  
362 hubs;
- 363 (O) Permitting comments on a digital news website if the news content is posted only  
364 by the provider of the digital news website;
- 365 (P) Providing or obtaining technical support for a platform, product, or service;
- 366 (Q) Academic, scholarly, or genealogical research where the majority of the content  
367 is created or posted by the provider of the online service, website, or application and  
368 the ability to chat, comment, or interact with other users is directly related to the  
369 provider's content;
- 370 (R) Internet access and broadband service;
- 371 (S) A classified advertising service in which the provider of the online service, website,  
372 or application is limited to all of the following:
- 373 (i) Permitting only the sale of goods;
- 374 (ii) Prohibiting the solicitation of personal services;

- 375 (iii) Posting or creating a substantial amount of the content; and  
376 (iv) Providing the ability to chat, comment, or interact with other users only if it is  
377 directly related to the provider's content; or  
378 (T) An online service, website, or application that is used by or under the direction of  
379 an educational entity, including a learning management system, student engagement  
380 program, or subject- or skill-specific program, where the majority of the content is  
381 created or posted by the provider of the online service, website, or application and the  
382 ability to chat, comment, or interact with other users is directly related to the provider's  
383 content.  
384 (7) 'User' means a person who has access to view all or some of the posts on a social  
385 media platform, but who is not an account holder.

386 39-6-2.

- 387 (a) The provider of a social media platform shall make commercially reasonable efforts  
388 to verify the age of account holders with a level of certainty appropriate to the risks that  
389 arise from the social media platform's information management practices or shall apply the  
390 special conditions applied to minors under this chapter to all account holders.  
391 (b) The provider of a social media platform shall treat as a minor any individual such  
392 provider verifies to be under the age of 16 years.  
393 (c) No provider of a social media platform shall permit a minor to be an account holder  
394 unless such provider obtains the express consent of such minor's parent or guardian.  
395 Acceptable methods of obtaining express consent from a parent or guardian include:  
396 (1) Providing a form for the minor's parent or guardian to sign and return to the social  
397 media platform by common carrier, facsimile, email, or scanning;  
398 (2) Providing a toll-free telephone number for the minor's parent or guardian to call to  
399 consent;



400 (3) Coordinating a call with the minor's parent or guardian using videoconferencing  
401 technology;

402 (4) Collecting information related to the minor's parent's or guardian's government issued  
403 identification and deleting such information after confirming the identity of the parent or  
404 guardian;

405 (5) Allowing the minor's parent or guardian to provide consent by responding to an email  
406 and taking additional steps to verify the parent's or guardian's identity; and

407 (6) Any other commercially reasonable method of obtaining consent using available  
408 technology.

409 (d) Notwithstanding any other provision of this chapter, no provider of a social media  
410 platform shall permit a minor to hold or open an account on the social media platform if  
411 the minor is ineligible to hold or open an account under any other provision of state or  
412 federal law.

413 (e) The provider of a social media platform shall make available, upon the request of a  
414 parent or guardian of a minor, a list and description of the features offered by the social  
415 media platform related to censoring or moderating content available on the social media  
416 platform, including any features that can be disabled or modified by an account holder.

417 39-6-3.

418 For a minor account holder, the provider of a social media platform shall prohibit all of the  
419 following:

420 (1) The display of any advertising in the minor account holder's account based on such  
421 minor account holder's personal information, except age and location; and

422 (2) The collection or use of personal information from the posts, content, messages, text,  
423 or usage activities of the minor account holder's account other than what is adequate,  
424 relevant, and reasonably necessary for the purposes for which such information is  
425 collected, as disclosed to the minor.

426 39-6-4.

427 (a) The Attorney General shall have exclusive authority to enforce the provisions of this  
428 chapter.

429 (b) Nothing in this chapter shall be interpreted to serve as the basis for a private right of  
430 action under this chapter or any other law.

431 (c) Subject to the ability to cure an alleged violation under subsection (d) of this Code  
432 section, the Attorney General may initiate an action and seek damages for up to \$2,500.00  
433 for each violation under this chapter.

434 (d) At least 90 days before the day on which the Attorney General initiates an enforcement  
435 action against a person or entity that is subject to the requirements of this chapter, the  
436 Attorney General shall provide the person or entity with a written notice that identifies each  
437 alleged violation and an explanation of the basis for each allegation. The Attorney General  
438 shall not initiate an action if the person or entity cures the noticed violation within 90 days  
439 of receiving notice from the Attorney General and provides the Attorney General with a  
440 written statement indicating that the alleged violation is cured.

441 39-6-5.

442 No provision in a contract, statement of terms or conditions, or any other purported  
443 agreement, including, but not limited to, a choice of law provision, a waiver or limitation,  
444 or a purported waiver or limitation, may be utilized to prevent the application of this  
445 chapter or prevent, limit, or otherwise interfere with any person's or entity's right to  
446 cooperate with the Attorney General or to file a complaint with the Attorney General. Any  
447 such provision shall be null and void and unenforceable as contrary to public policy, and  
448 a court or arbitrator shall not enforce or give effect to any such provision."

449

**PART IV**

450

**SECTION 4-1.**

451 This part and Parts I and II of this Act shall become effective on July 1, 2024. Part III of this

452 Act shall become effective on July 1, 2025.

453

**SECTION 4-2.**

454 All laws and parts of laws in conflict with this Act are repealed.