
SENATE BILL NO. 63—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF THE ATTORNEY GENERAL)

PREFILED NOVEMBER 20, 2024

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to social media platforms. (BDR 52-505)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
Effect on the State: Yes.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to social media platforms; requiring each social media platform to establish a system to verify the age of prospective users of the platform in this State; prohibiting a social media platform from allowing certain minors in this State to use the social media platform; requiring a social media platform to obtain the affirmative consent of a parent or legal guardian before authorizing certain minors in this State to use the social media platform; requiring a social media platform to disable certain features on the account of a minor user in this State; restricting the times during which a social media platform may deliver notifications to a minor user in this State; prohibiting the use of the personal information of a minor user in this State in an algorithmic recommendation system; authorizing certain civil enforcement; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Sections 2-21** of this bill enact the Nevada Youth Online Safety Act, which
2 establishes specific provisions relating to the use of social media platforms by
3 minors who reside in this State. **Sections 4-11** define certain terms, and **section 3**
4 establishes the applicability of those definitions to the Act. **Section 12** clarifies that
5 the provisions of this bill do not apply to: (1) users of social media who reside



6 outside of this State; or (2) social media platforms that do not offer services to users
7 who are located in this State.

8 **Section 13** requires a social media platform to establish an age verification
9 system to determine whether a prospective user of the platform is a minor before
10 allowing the prospective user to create an account. If the social media platform
11 determines that a prospective user is a minor, **section 13** requires the social media
12 platform to use the age verification system to further determine whether the minor
13 is less than 13 years of age. **Section 14** prohibits a social media platform from
14 allowing a minor whom the age verification system determines to be less than 13
15 years of age from using the platform.

16 **Section 15** requires a social media platform to obtain affirmative consent from
17 the verified parent or legal guardian of a minor who is at least 13 years of age
18 before allowing the minor user to create an account or otherwise use the platform in
19 most circumstances. However, **section 16** authorizes a social media platform to
20 authorize a minor who is at least 13 years of age to create an account if the social
21 media platform verifies that the minor has been judicially emancipated. **Section 15**
22 requires a social media platform to allow a parent or legal guardian to revoke his or
23 her consent at any time. Upon such a revocation, **section 15** requires a social media
24 platform to: (1) disable the account for which consent has been revoked; and (2)
25 delete all personal information related to or created in connection with the account.
26 **Section 13** requires a social media platform to establish a process by which a
27 prospective user may appeal a determination of age made using the age verification
28 system.

29 **Section 17** requires the Department of Health and Human Services to adopt
30 regulations establishing recommended practices relating to: (1) age verification
31 systems; and (2) obtaining the consent of a parent or legal guardian for a minor to
32 use a social media platform. **Section 17** provides that a social media platform that
33 adheres to those recommendations is deemed to be in compliance with **section 13**
34 **or 15**, as applicable. **Section 22** of this bill: (1) requires a social media platform to
35 verify the age of each person who is a user of the platform on October 1, 2025; and
36 (2) establishes a process for the social media platform to come into compliance
37 with the requirements of **sections 13-16** with respect to such users.

38 **Section 18** prohibits a social media platform from using the personal
39 information of a minor user in an algorithmic recommendation system. **Section 19**
40 requires a social media platform to disable the following features on the account of
41 a minor user: (1) infinite scrolling; (2) the display of metrics, icons or emoticons
42 which indicate certain interaction with the minor's content; (3) auto-play video; and
43 (4) livestreaming. **Section 20** prohibits, with certain exceptions, a social media
44 platform from sending notifications to a minor user during certain times of the day,
45 which are typically reserved for sleep or for school. **Section 20** also requires a
46 social media platform to provide a mechanism by which a verified parent or legal
47 guardian may prevent a minor user from accessing or receiving such notifications
48 between specific hours chosen by the parent or legal guardian.

49 Existing law provides that a variety of actions constitute deceptive trade
50 practices. (NRS 100.180, 111.2397, 118A.275, 202.24935, 205.377, 226.600,
51 228.620, 370.695, 597.7642, 597.818, 597.997, 603.170, 603A.260, 603A.550,
52 604B.910, 676A.770; chapter 598 of NRS) Existing law authorizes a court or the
53 Director of the Department of Business and Industry to impose a civil penalty of
54 not more than \$25,000 for each violation upon a person who has engaged in a
55 deceptive trade practice directed toward a minor. (NRS 598.09735) In addition,
56 existing law provides that when the Commissioner of Consumer Affairs or the
57 Director has cause to believe that a person has engaged or is engaging in any
58 deceptive trade practice, the Commissioner or Director may request that the
59 Attorney General represent him or her in instituting an appropriate legal
60 proceeding, including an application for an injunction or temporary restraining



61 order. (NRS 598.0979) Existing law requires a person who violates a court order or
62 injunction resulting from a complaint brought by the Commissioner, the Director,
63 the district attorney of any county of this State or the Attorney General to pay a
64 civil penalty of not more than \$10,000 for each violation. Furthermore, if a court
65 finds that a person has willfully engaged in a deceptive trade practice, the person
66 who committed the violation: (1) may be required to pay an additional civil penalty
67 not more than \$15,000 for each violation; and (2) is guilty of a felony or
68 misdemeanor, depending on the value of the property or services lost as a result of
69 the deceptive trade practice. (NRS 598.0999) **Section 21** makes a violation of the
70 provisions of this bill a deceptive trade practice.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 603 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 21, inclusive, of this
3 act.

4 **Sec. 2.** *Sections 2 to 21, inclusive, of this act may be cited as*
5 *the Nevada Youth Online Safety Act.*

6 **Sec. 3.** *As used in sections 2 to 21, inclusive, of this act,*
7 *unless the context otherwise requires, the words and terms defined*
8 *in sections 4 to 11, inclusive, of this act have the meanings*
9 *ascribed to them in those sections.*

10 **Sec. 4.** *“Consumer device” means an electronic device that is*
11 *used primarily for personal, family or household purposes and*
12 *which connects to the Internet. The term may include, without*
13 *limitation, a computer, smartphone, electronic tablet, smartwatch,*
14 *router, Internet gateway, smart television or video game console.*

15 **Sec. 5.** *“Minor” means a natural person who is less than 18*
16 *years of age.*

17 **Sec. 6.** *“Minor user” means a current or prospective user of*
18 *a social media platform whom a social media platform determines,*
19 *using the age verification system established pursuant to section*
20 *13 of this act, to be a minor.*

21 **Sec. 7.** *“Online contact information” means a unique user*
22 *identifier or username that can be used to facilitate direct contact*
23 *with a specific person online, including, without limitation:*

24 1. *An electronic mail address; or*

25 2. *A user identifier or handle associated with a social media*
26 *platform, an instant messaging platform, a voice over Internet*
27 *protocol platform or a video chatting platform.*

28 **Sec. 8.** *“Persistent identifier” means any data point that can*
29 *be used to recognize a specific user or a specific consumer device*
30 *belonging to a specific user over time and across different Internet*
31 *websites, applications and other online services. The term*
32 *includes, without limitation:*



- 1 1. *An Internet cookie which contains a customer number;*
- 2 2. *An Internet protocol address; or*
- 3 3. *The serial number or unique identifier of a consumer*
- 4 *device.*

5 **Sec. 9.** *“Personal information” means information that is*
6 *linked or can reasonably be linked to a specific user, household or*
7 *consumer device, including, without limitation:*

- 8 1. *A last name when accompanied by either a first name, set*
- 9 *of initials or a nickname;*
- 10 2. *A date of birth;*
- 11 3. *A physical address, including, without limitation, a home,*
- 12 *work or school address;*
- 13 4. *Online contact information;*
- 14 5. *A telephone number;*
- 15 6. *A government issued identification number, including,*
- 16 *without limitation, a Social Security number, passport number or*
- 17 *driver’s license number;*
- 18 7. *An image or voice contained within a photo, video or audio*
- 19 *file or in any other data;*
- 20 8. *Information concerning a geographic location that is*
- 21 *sufficient to identify both the name of a street and the locality in*
- 22 *which the street is located; or*
- 23 9. *A persistent identifier.*

24 **Sec. 10.** *“Social media platform” means an online*
25 *application, Internet website or other online service that:*

- 26 1. *Allows a person to:*
- 27 (a) *Become a registered user; and*
- 28 (b) *Establish an account, create a profile or otherwise create,*
- 29 *share and view user-generated content; and*
- 30 2. *Serves as a medium for users to:*
- 31 (a) *Interact with other users through accounts, profiles or*
- 32 *other means; or*
- 33 (b) *Interact with or otherwise view the content generated by*
- 34 *other users of the platform.*

35 **Sec. 11.** *“User” means a person who uses a social media*
36 *platform.*

37 **Sec. 12.** *The provisions of sections 2 to 21, inclusive, of this*
38 *act do not:*

- 39 1. *Require a social media platform to take any action with*
- 40 *regard to a user who does not reside in this State.*
- 41 2. *Apply to any social media platform which does not offer*
- 42 *services to users who are located within this State.*

43 **Sec. 13.** 1. *A social media platform shall establish an age*
44 *verification system to determine whether a prospective user of the*
45 *platform is a minor before allowing the prospective user to create*



1 *an account. The age verification system established pursuant to*
2 *this section must be reasonably calculated to enable the social*
3 *media platform to determine whether a user is a minor with an*
4 *accuracy rate of at least 95 percent.*

5 *2. If a social media platform determines that a prospective*
6 *user is a minor, the social media platform shall further determine,*
7 *using the age verification system established pursuant to*
8 *subsection 1, whether the prospective user is less than 13 years of*
9 *age.*

10 *3. A social media platform shall establish a process which*
11 *allows a prospective user to appeal a determination of the*
12 *prospective user's age that is made using the age verification*
13 *system established pursuant to subsection 1 by submitting*
14 *documentation to establish the actual age of the prospective user.*
15 *The social media platform shall review the documentation and*
16 *make a determination on the appeal not less than 30 days after the*
17 *prospective user submits the documentation.*

18 *4. A social media platform shall segregate from all other*
19 *information gathered by the platform any personal information*
20 *gathered specifically within the age verification system or obtained*
21 *through the appeals process established pursuant to subsection 3.*
22 *A social media platform shall not use or retain such personal*
23 *information for any purpose except those described in this section.*

24 **Sec. 14.** *A social media platform shall not authorize a*
25 *prospective user to create an account or otherwise use the social*
26 *media platform if the social media platform knows or reasonably*
27 *believes the prospective user to be less than 13 years of age based*
28 *on a determination made by the age verification system established*
29 *pursuant to section 13 of this act. The provisions of this section*
30 *apply regardless of whether the social media platform obtains the*
31 *verifiable consent of the parent or legal guardian of the*
32 *prospective user in accordance with section 15 of this act.*

33 **Sec. 15.** *1. Except as otherwise provided in section 16 of*
34 *this act, a social media platform shall require the affirmative*
35 *consent of the parent or legal guardian of a prospective minor*
36 *user who is at least 13 years of age before authorizing the*
37 *prospective minor user to create an account or otherwise use the*
38 *social media platform. In carrying out the requirements of this*
39 *subsection, a social media platform shall take reasonable steps,*
40 *beyond merely requiring attestation, to verify the parental or*
41 *guardianship relationship. Such reasonable steps may include,*
42 *without limitation, using current technologies or documentary*
43 *evidence to verify a parental or guardianship relationship.*

44 *2. Except as otherwise provided in this subsection, a social*
45 *media platform that relies in good faith on information furnished*



1 *by a putative parent or legal guardian to prove a parental or*
2 *guardianship relationship and otherwise complies with the*
3 *requirements of this section must not be determined to be out of*
4 *compliance with this section if the putative parent or legal*
5 *guardian is not actually the parent or legal guardian of the minor*
6 *user. The provisions of this subsection do not apply if the social*
7 *media platform allows a minor user to maintain an account after*
8 *obtaining actual knowledge that the putative parent or legal*
9 *guardian who provided consent pursuant to subsection 1 is not*
10 *actually the parent or legal guardian of the minor user.*

11 *3. A social media platform shall provide a parent or legal*
12 *guardian who provides consent pursuant to subsection 1 with the*
13 *ability to revoke that consent at any time.*

14 *4. As soon as practicable after receiving a revocation of*
15 *consent pursuant to subsection 3, a social media platform shall:*

16 *(a) Suspend, delete or otherwise disable the account of the*
17 *minor user for whom consent was revoked; and*

18 *(b) Delete all personal information related to or collected in*
19 *connection with the account for which consent has been revoked.*

20 *5. Nothing in this section shall be construed to require a*
21 *social media platform to require a prospective user or his or her*
22 *parent or legal guardian to provide government-issued*
23 *identification to verify the parental or guardianship relationship*
24 *or to verify the provision of affirmative consent under this*
25 *subsection.*

26 *6. A social media platform shall not use or retain any*
27 *personal information collected under this section for any purpose*
28 *except to:*

29 *(a) Verify the provision of affirmative consent by a parent or*
30 *legal guardian;*

31 *(b) Verify a parental or guardianship relationship;*

32 *(c) Provide confirmation of the affirmative consent to the*
33 *parent or legal guardian of a minor user;*

34 *(d) Preserve the ability of a parent or legal guardian to revoke*
35 *such consent; or*

36 *(e) Prove that the platform has complied with the requirements*
37 *of this section.*

38 **Sec. 16. 1.** *A social media platform may authorize a*
39 *prospective minor user who is at least 13 years of age and who has*
40 *been judicially emancipated to create an account without the*
41 *consent of the parent or legal guardian of the minor. Before*
42 *authorizing the creation of such an account, a social media*
43 *platform shall take reasonable steps to verify that the prospective*
44 *minor user has been judicially emancipated, including, without*



1 *limitation, requiring the prospective minor user to furnish*
2 *documentary evidence to establish his or her emancipation.*

3 2. *A social media platform shall not use or retain any*
4 *personal information collected pursuant to this section for any*
5 *purpose other than to:*

6 (a) *Verify the emancipation status of a minor user; or*

7 (b) *Prove that the platform has complied with the requirements*
8 *of this section.*

9 **Sec. 17. 1.** *The Department of Health and Human Services*
10 *shall adopt regulations to establish recommended:*

11 (a) *Practices that a social media platform may use to:*

12 (1) *Determine whether a user is a minor in accordance with*
13 *section 13 of this act; and*

14 (2) *Obtain the affirmative consent of a verified parent or*
15 *legal guardian in accordance with section 15 of this act.*

16 (b) *Criteria which a social media platform may use to*
17 *determine whether the age verification system established by the*
18 *social media platform is able to determine whether a prospective*
19 *user is a minor with an accuracy rate of at least 95 percent as*
20 *required by section 13 of this act.*

21 2. *A social media platform shall be deemed to be in*
22 *compliance with the requirements of section 13 of this act if the*
23 *social media platform:*

24 (a) *Establishes an age verification system for determining*
25 *whether a prospective user is a minor that complies with the*
26 *recommended practices adopted by the Department of Health and*
27 *Human Services pursuant to subparagraph (1) of paragraph (a) of*
28 *subsection 1; and*

29 (b) *Uses the criteria adopted by the Department of Health and*
30 *Human Services pursuant to paragraph (b) of subsection 1 to*
31 *ensure that the age verification system is able to identify whether a*
32 *prospective user is a minor with an accuracy rate of at least 95*
33 *percent.*

34 3. *A social media platform shall be deemed to be in*
35 *compliance with the requirements of section 15 of this act if the*
36 *social media platform complies with the recommended practices*
37 *adopted by the Department of Health and Human Services*
38 *pursuant to subparagraph (2) of paragraph (a) of subsection 1 for*
39 *obtaining the affirmative consent of a verified parent or legal*
40 *guardian in accordance with section 15 of this act.*

41 **Sec. 18. 1.** *A social media platform shall not use the*
42 *personal information of a minor user in an algorithmic*
43 *recommendation system.*

44 2. *The provisions of subsection 1 shall not be construed to*
45 *prohibit contextual information delivery.*



3. As used in this section:

(a) "Algorithmic recommendation system" means a fully or partially automated system that suggests, promotes or ranks information for, or presents advertising to, a user.

(b) "Contextual information delivery" means the delivery of information or advertising to a user based on inferences drawn exclusively from the specific content of the specific page, forum or other Internet website that a user is currently viewing at the time during which the information or advertisement is being provided on that page, forum or other Internet website. The term does not include the recommendation of information or advertising in whole or in part based on other pages, forums or other Internet websites that have been viewed by a user.

Sec. 19. A social media platform shall disable the following features on the account of a minor user and shall not cause any content viewed by a minor user to be delivered through or accompanied by any of the following features:

1. Infinite scrolling, including, without limitation:

(a) Content that continuously loads as the user scrolls down the page without the need for the user to open a separate page and which has no apparent end; or

(b) The use of pages with no visible or apparent end as the user continues to scroll.

2. The display of interactive metrics, icons or emoticons which indicate:

(a) That another user has clicked a button to indicate their reaction to a user's content; or

(b) The number of times that other users have shared, liked or reposted the user's content.

3. Video that begins to play without the user first clicking on the video or on a play button for that video.

4. Functions that allow a user or advertiser to broadcast live video content in real-time to other users of the platform.

Sec. 20. 1. Except as otherwise provided in this section, a social media platform shall not send notifications to a minor user:

(a) Between the hours of 12 a.m. and 6 a.m., based on the time zone in which the minor user is located; or

(b) Between the hours of 8 a.m. and 3 p.m., Monday through Friday, during the months of September through May, based on the time zone in which the minor user is located.

2. A social media platform may send notification to a minor user during the hours set forth in subsection 1 if the social media platform obtains the affirmative consent of the verified parent or legal guardian of the minor user in a manner consistent with section 15 of this act to send notifications during those hours.



1 *Such consent must be specific to sending notifications during*
2 *those hours and is in addition to the consent required by section*
3 *15 of this act.*

4 *3. A social media platform shall provide a mechanism by*
5 *which a verified parent or legal guardian of a minor user may*
6 *prevent the minor user from accessing or receiving notifications*
7 *from the social media platform between specific hours of the day,*
8 *as chosen by the parent or legal guardian. The default setting of*
9 *that mechanism must prevent the minor user from accessing or*
10 *receiving such notifications during the hours set forth in*
11 *subsection 1.*

12 *4. This section does not apply to an account created for a*
13 *judicially emancipated minor user pursuant to section 16 of this*
14 *act.*

15 **Sec. 21.** *A violation of the provisions of this act constitutes a*
16 *deceptive trade practice for the purposes of NRS 598.0953 to*
17 *598.0999, inclusive.*

18 **Sec. 22.** 1. On October 1, 2025, a social media platform shall
19 determine the age of each user who resides in this State using the
20 age verification system established pursuant to section 13 of this act.

21 2. If a social media platform determines pursuant to subsection
22 1 that a user is less than 13 years of age, the social media platform
23 shall immediately suspend the account of the user. If the social
24 media platform determines, after the resolution of any appeal
25 submitted pursuant to section 13 of this act, that the user is:

26 (a) Less than 13 years of age, or if no appeal is submitted
27 pursuant to section 13 of this act before November 1, 2025, the
28 social media platform shall delete the account of the user and all
29 personal information related to or collected in connection with the
30 account.

31 (b) At least 13 years of age but less than 18 years of age,
32 the social media platform shall proceed in accordance with
33 subsection 3.

34 (c) At least 18 years of age, the social media platform may
35 restore the account of the user.

36 3. If a social media platform determines pursuant to subsection
37 1 that a user is at least 13 years of age but less than 18 years of age,
38 the social media platform shall immediately suspend the account of
39 the user until the social media platform:

40 (a) Obtains the affirmative consent of the parent or legal
41 guardian of the user pursuant to section 15 of this act for the user to
42 maintain the account;

43 (b) Determines that the user has been judicially emancipated in
44 accordance with section 16 of this act; or



1 (c) Determines that the user is at least 18 years of age after an
2 appeal is submitted pursuant to section 13 of this act.

3 4. If the social media platform determines, after the resolution
4 of any appeal submitted pursuant to paragraph (c) of subsection 3,
5 that the user of an account that has been suspended pursuant to
6 subsection 3 is less than 18 years of age or if no appeal is submitted
7 by the user of such an account before November 1, 2025, and the
8 account remains suspended on that date, the social media platform
9 shall delete the account and all personal information related to or
10 collected in connection with the account.

11 5. As used in this section:

12 (a) "Personal information" has the meaning ascribed to it in
13 section 9 of this act.

14 (b) "Social media platform" has the meaning ascribed to it in
15 section 10 of this act.

16 (c) "User" has the meaning ascribed to it in section 11 of this
17 act.

18 **Sec. 23.** 1. This section becomes effective upon passage and
19 approval.

20 2. Sections 1 to 22, inclusive, of this act become effective:

21 (a) Upon passage and approval for the purpose of adopting any
22 regulations and performing any other preparatory administrative
23 tasks that are necessary to carry out the provisions of this act; and

24 (b) On October 1, 2025, for all other purposes.



