

1 **SENATE FLOOR VERSION**

February 27, 2025

2 **AS AMENDED**

3 SENATE BILL NO. 932

By: Jech of the Senate

4 and

5 Caldwell (Chad) of the
6 House

7
8 **[social media - cause of action - criteria -
9 rebuttable presumption - relief - liability -
remedies - settings - waiver or limitation -
10 codification - effective date]**

11
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

16 A. As used in this act:

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

20 2. "Curation algorithm" means a computational process or set of
21 rules used by a social media platform that determines, influences,
22 or personalizes output that is designed to encourage prolonged or
23 frequent engagement;

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

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

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

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

15 7. "Social media platform" means a website or internet medium
16 that:

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

22 b. enables one or more users to generate content that can
23 be viewed by other users of the medium, and
24

1 c. primarily serves as a medium for users to interact
2 with content generated by other users of the medium;
3 and

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

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

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

14 a. that the minor user has been diagnosed by a licensed
15 mental health care provider with an adverse mental
16 health outcome, and

17 b. that the adverse mental health outcome was caused by
18 the minor user's excessive use of an algorithmically
19 curated social media platform.

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

23 a. the minor user's adverse mental health outcome was
24 caused, in whole or in part, by the minor user's

1 excessive use of the algorithmically curated social
2 media service, and

- 3 b. the minor user's excessive use of the algorithmically
4 curated social media platform was caused, in whole or
5 in part, by the algorithmically curated social media
6 platform's curation algorithm and engagement driven
7 design elements.

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

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

20 5. If a court or fact finder finds that minor user of this
21 state suffered any adverse mental health outcome as a result of the
22 minor's use of a social media platform's algorithmically curated
23 service, the person seeking relief is entitled to:

1 a. an award of reasonable attorney fees and court costs,
2 and

3 b. an amount equal to the greater of:

4 (1) Ten Thousand Dollars (\$10,000.00) for each
5 adverse mental health outcome incidence, or

6 (2) the amount of actual damages.

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

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

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

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

23 b. restricts a minor user who is a resident of this state
24 from accessing the algorithmically curated social

1 media platform between the hours of 10:30 p.m. and
2 6:30 a.m.,

3 c. requires the parent or legal guardian of the minor who
4 is a resident of this state to consent to a minor
5 user's use of the algorithmically curated social media
6 platform, and

7 d. disables engagement driven design elements for a minor
8 user's account.

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

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

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

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

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

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON TECHNOLOGY AND TELECOMMUNICATIONS
6 February 27, 2025 - DO PASS AS AMENDED
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