

SENATE BILL NO. 190

March 20, 2025, Introduced by Senator ALBERT and referred to Committee on Regulatory Affairs.

A bill to establish age verification and consent requirements related to the opening and use of social media accounts by residents of this state; to provide for parental supervision for certain social media accounts; to prohibit certain acts related to social media accounts of minors; to prescribe civil sanctions; to provide for the powers and duties of certain state governmental officers and entities; and to declare certain contractual provisions void and unenforceable.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "social media children

1 protection act".

2 Sec. 3. As used in this act:

3 (a) "Account holder" means an individual who has an account or
4 profile on a social media platform.

5 (b) "Interactive computer service" means an information
6 service, information system, or information access software
7 provider that provides or enables computer access by multiple users
8 to a computer server and provides access to the internet.
9 Interactive computer service includes, but is not limited to, any
10 of the following:

11 (i) An internet service.

12 (ii) An internet system.

13 (iii) A website.

14 (iv) An internet application.

15 (v) An internet portal.

16 (c) "Minor" means an individual who is less than 16 years of
17 age and who is not emancipated by court order under section 4(3) of
18 1968 PA 293, MCL 722.4.

19 (d) "Parent" means the parent, guardian, or individual who has
20 custody of, or parent, guardian, or individual who has caregiving
21 authority over, a minor.

22 (e) "Person" means an individual or a partnership,
23 corporation, limited liability company, association, governmental
24 entity, or other legal entity.

25 (f) "Personal identifying information" means that term as
26 defined in section 3 of the identity theft protection act, 2004 PA
27 452, MCL 445.63.

28 (g) "Post" means content that an account holder makes
29 available on a social media platform that can be viewed by other

1 account holders or users.

2 (h) "Social media company" means a person that is an
3 interactive computer service and that provides a social media
4 platform.

5 (i) "Social media platform" means a website or internet
6 application that a social media company makes available for an
7 individual to create an account to communicate with other account
8 holders and users through posts. Social media platform does not
9 include any of the following:

10 (i) Broadband internet access service as that term is defined
11 in 47 CFR 8.1.

12 (ii) Email.

13 (iii) An online service, application, or website if both of the
14 following apply:

15 (A) Content is preselected by the provider and is not
16 generated by account holders.

17 (B) Interactive functionality is incidental to, directly
18 related to, or dependent on, the preselected content described in
19 sub-subparagraph (A).

20 (j) "Third party" means a person that a social media company
21 has entered into a contract with.

22 (k) "User" means an individual who has access to posts on a
23 social media platform but is not an account holder.

24 Sec. 5. (1) Beginning on June 30, 2026, a social media company
25 shall do both of the following at the time a resident of this state
26 applies to be an account holder:

27 (a) Verify the age of the applicant.

28 (b) If the verification under subdivision (a) determines that
29 the applicant is a minor, confirm that a parent of the applicant

1 has expressly consented to the minor being an account holder.

2 (2) If an applicant for an account does not satisfy the
3 criteria of subsection (1), the social media company shall deny the
4 application.

5 (3) Beginning on June 30, 2026, if a resident of this state is
6 an existing account holder, the social media company responsible
7 for the existing account shall do both of the following not later
8 than 14 days after the account holder's first attempt to access the
9 existing account:

10 (a) Verify the age of the account holder.

11 (b) If the verification under subdivision (a) determines that
12 the account holder is a minor, confirm that a parent of the account
13 holder has expressly consented to the minor being an account
14 holder.

15 (4) If an account holder does not, within the 14-day period
16 described in subsection (3), satisfy the criteria of subsection
17 (3), the social media company must deny access to the existing
18 account until the time that the account holder meets the criteria,
19 except to allow the account holder to delete the existing account.

20 (5) After a social media company has verified an applicant or
21 account holder's age under subsection (1) or (3), or confirmed a
22 parent of an applicant or account holder has provided consent under
23 subsection (1) or (3), the social media company is not required to
24 reverify the individual's age or existence of parental consent
25 unless a parent revokes consent.

26 (6) A parent may revoke consent at any time under this
27 section. If a parent revokes consent, a social media company shall
28 withhold access to the existing account until the account holder is
29 no longer a minor or parental consent is reobtained.

1 (7) A social media company or third party shall not retain
2 personal identifying information that was used to verify the age of
3 an applicant or account holder or to verify parental consent.

4 Sec. 7. (1) Beginning on June 30, 2026, a social media company
5 shall provide a parent of an account holder with the means for the
6 parent to supervise the account of the minor.

7 (2) The means for the parent to supervise an account described
8 in subsection (1) must include all of the following:

9 (a) A way for the parent to view the privacy settings on the
10 account.

11 (b) The ability for the parent to set daily time restrictions
12 on the account.

13 (c) The ability for the parent to implement times during which
14 the minor cannot access the account.

15 Sec. 9. (1) An individual may report an alleged violation of
16 this act to the attorney general.

17 (2) If the attorney general receives a report under subsection
18 (1), or the attorney general believes a violation of this act by a
19 social media company has occurred, is occurring, or is imminent,
20 the attorney general may investigate the alleged violation.

21 Sec. 11. If a person violates this act, the attorney general
22 may bring a civil action seeking 1 or more of the following:

23 (a) A civil fine of not more than \$1,000.00 for each
24 violation.

25 (b) If the violation is persistent and knowing, a civil fine
26 of not more than \$25,000.00 for each violation.

27 (c) Reasonable attorney fees and costs.

28 Sec. 13. For a contract entered into, modified, or renewed on
29 or after the effective date of this act, any provision of a

1 contract that waives or limits, or purports to waive or limit,
2 either of the following is void and unenforceable:

3 (a) A protection or requirement described in this act.

4 (b) The right to cooperate with the attorney general or
5 another law enforcement agency for a reported violation under this
6 act.