



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 773: Let Parents Choose/Sammy's Law of 2023.

2023-2024 General Assembly

Committee:	House Commerce. If favorable, re-refer to Families, Children, and Aging Policy. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 25, 2023
Introduced by:	Reps. McNeely, Cotham, Johnson	Prepared by:	Greg Roney Staff Attorney
Analysis of:	First Edition		

OVERVIEW: House Bill 773 would require a large social media platform provider to interface with a safety software provider to allow the safety software provider to manage the account of a child and receive user data from the child's account. House Bill 773 would also regulate the safety software provider's use of the child's user data.

BILL ANALYSIS: House Bill 773 would enact the "Let Parents Choose Protection Act of 2023" or "Sammy's Law of 2023" as part of Chapter 75 and make violations an unfair and deceptive trade practice.

Regulations of Social Media Providers: House Bill 773 would require large social media platform providers to interface with safety software providers to allow the safety software to monitor a child's account as follows:

- Manage the child's online interactions, content, and account settings.
- Initiate secure transfers of user data from the large social media platform (frequency cannot be limited to less than once per hour).

Large social media platform is defined as a service provided through an internet website or a mobile application, or both, to which all of the following apply:

- The terms of service do not prohibit use of the service by a child.
- The service includes any feature that enables a child to share images, text, or video through the internet with other users of the service whom the child has met, identified, or become aware of solely through the use of the service.
- The service has more than 1,000,000 monthly active users in the United States or generates more than \$500,000,000 in annual gross revenue.

The following are excluded from the definition of large social media platform:

- Service primarily for the sale or provision of professional services.
- Service primarily for the sale of commercial products.
- Service primarily for the provision of news or information if the service does not include the ability for content to be sent by a user directly to a child.

Regulation of Safety Software Providers: A safety software provider eligible to interface with a social media provider must act for the sole purpose of protecting a child from harm, including physical,

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emotional, or financial harm. A safety software provider may not disclose any user data to any other person, except as follows:

- Pursuant to a lawful request from a government body.
- To comply with other laws.
- To the child or legal guardian.
- In the case of a reasonably foreseeable serious and imminent threat to the health or safety of any individual, to a person reasonably able to prevent or lessen the threat.
- To a public health authority or other appropriate government authority authorized by law to receive reports of child abuse or neglect.

EFFECTIVE DATE: House Bill 773 would be effective when law and apply to large social media platform providers beginning 30 days after that date.