



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

2023-2024 General Assembly

<b>Committee:</b>	House Commerce. If favorable, re-refer to Families, Children, and Aging Policy. If favorable, re-refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	May 2, 2023
<b>Introduced by:</b>	Reps. McNeely, Cotham, Johnson	<b>Prepared by:</b>	Greg Roney Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H773-CSTMf-9		

**OVERVIEW:** *The Proposed Committee Substitute (PCS) for House Bill 773 would:*

- *Require a large social media platform 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.*
- *Regulate the use of a child's information by a safety software provider.*

**BILL ANALYSIS:** The PCS for 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.

Regulation of Social Media Platforms: The PCS for 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 30,000 monthly active users in the State or generates more than \$15,000,000 in annual gross revenue in the State.

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.

Jeffrey Hudson  
Director



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# House 773 PCS

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- 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.
- An internet service provider, electronic mail, or online service application.
- A website consisting primarily of news, sports, entertainment, or other information or content that is not user generated but is preselected or curated by the provider and for which chat, comment, or interactive functionality is incidental to, directly related to, or dependent on the provision of that information or content.
- Interactive video game service.
- E-commerce or on-line shopping.

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, 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.