



HOUSE BILL 860: Social Media Control in IT Act.

2025-2026 General Assembly

Committee:	House Commerce and Economic Development. If favorable, re-refer to Appropriations. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	June 16, 2025
Introduced by:	Reps. McNeely, Humphrey, Johnson, Gable	Prepared by:	Bill Patterson
Analysis of:	First Edition, as amended by H860-ATG-56 v.4		Committee Co-Counsel

OVERVIEW: *As amended in committee, House Bill 860 would:*

- *Regulate the collection and use by a social media platform of users' personal information.*
- *Prohibit a social media platform from using a minor's personal information in its algorithmic recommendation system.*
- *Make noncompliance with these requirements an unfair and deceptive trade practice.*
- *Require each social media company to provide a certification of its compliance with these requirements and a copy of its privacy policy with the Consumer Protection Division of the Department of Justice.*
- *Require the Department of Justice to develop a registry of the privacy policies and certifications provided by social media platforms to be published on the website of the Department's Consumer Protection Division, and appropriate funds to the Department of Justice for this purpose.*
- *Establish the North Carolina Data Privacy Task Force and require it to submit an annual report to the General Assembly on its work, focusing on mental health issues related to social media, with its findings, recommendations, and legislative proposals, if any.*

BILL ANALYSIS: Section 1 of House Bill 860 would enact the Social Media Control in Information Technology Act as a new Article 2B of Chapter 75 of the General Statutes.

New Article 2B would protect the privacy of personal information of users of social media platforms having more than one million active users in the United States, by requiring the platforms to:

- Disclose to users, upon their first use of the platform or their resumption of use after six months of inactivity, what personal information of the user is collected, how it is collected, and for what purposes it is used.
- Establish a mechanism for users to consent, by opt-in, to the use of their personal information in algorithmic recommendations.
- Establish a procedure by which users can request correction or deletion of their personal information.
- Enable users to change and delete categories of their personal information used in the platform's algorithmic recommendation system.

In addition, Section 1 would:

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- Prohibit social media platforms from generating algorithmic recommendations for a user based on that user's personal information if the user is a minor, or did not opt in to consent to such use.
- Make noncompliance with these requirements an unfair and deceptive trade practice beginning January 1, 2027.
- Require the Attorney General to monitor social platforms for compliance and receive complaints of noncompliance from users.
- Authorize the Attorney General to bring a civil action in any case in which there is reason to believe the interests of State residents are threatened by noncompliance.
- Entitle minors affected by a social media platform's noncompliance to bring a civil action seeking compensatory and punitive damage, injunctive and declaratory relief, and reasonable attorneys' fees and costs.
- Require social media platforms annually to send a certification of their compliance with these requirements and a digital copy of their privacy policy to the Consumer Protection Division of the Department of Justice.
- Require the Consumer Protection Division to maintain on its website a registry of all privacy policies and certifications submitted to it by social media platforms.

Section 1 would also create the North Carolina Data Privacy Task Force, comprising the following 21 members appointed for two-year terms:

- Attorney General or designee.
- State Chief Information Officer or designee.
- Secretary of the Department of Health and Human Services or designee.
- Director of the State Bureau of Investigation or designee.
- Director of the Maternal and Child Health Section of the Department of Health and Human Services or designee.
- Director of the Division of Mental Health, Developmental Disabilities, and Substance Abuse Services or designee.
- A representative from NC Child, appointed by the Governor upon recommendation of the NC Child President.
- A representative from a private group, other than NC Child, that advocates for children, appointed by the Governor upon recommendation of private child advocacy organizations.
- A NC licensed pediatrician appointed by the President Pro Tempore of the Senate.
- A NC licensed psychiatrist appointed by the Speaker of the House of Representatives.
- Two public members, one of whom is an educator, appointed by the Speaker of the House of Representatives.
- Two public members, one of whom is a social worker, appointed by the President Pro Tempore of the Senate.
- Two members of the Senate, appointed by the President Pro Tempore of the Senate, and two members of the House of Representatives, appointed by the Speaker of the House of Representatives.
- A representative from the North Carolina Young People's Alliance, appointed by the Governor upon recommendation of the head of that organization.
- Two youth representatives under the age of 21 appointed by the Secretary of the Department of Health and Human Services after conducting an application-based selection process.

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Beginning March 15, 2027, the Task Force would be required to report annually to the General Assembly on its work, focusing on mental health issues related to social media, with its findings, recommendations, and legislative proposals, if any.

Section 2 would appropriate \$100,000 for fiscal year 2025/26 and \$100,000 for fiscal year 2026/27 to the Department of Justice to develop the registry to be maintained on the website of the Consumer Protection Division.

EFFECTIVE DATE: Section 1 of this act would become effective October 1, 2026. The remainder of the act would be effective when it becomes law.