

REFERENCE TITLE: **social media; online content; minors**

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2991

Introduced by
Representative Carbone

AN ACT

**AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 42;
RELATING TO MINORS ACCESS TO TECHNOLOGY CONTENT.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 42, to read:

4 CHAPTER 42

5 TECHNOLOGY CONTENT PROTECTION FOR MINORS

6 ARTICLE 1. SOCIAL MEDIA

7 44-8041. Definitions

8 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "ACCOUNT HOLDER" MEANS A RESIDENT WHO OPENS AN ACCOUNT OR
10 CREATES A PROFILE OR WHO IS IDENTIFIED BY A SOCIAL MEDIA PLATFORM BY A
11 UNIQUE IDENTIFIER WHILE USING OR ACCESSING THE SOCIAL MEDIA PLATFORM WHEN
12 THE SOCIAL MEDIA PLATFORM KNOWS OR HAS REASON TO BELIEVE THE RESIDENT IS
13 LOCATED IN THIS STATE.

14 2. "DAILY ACTIVE USERS" MEANS THE NUMBER OF UNIQUE USERS IN THE
15 UNITED STATES WHO USED THE SOCIAL MEDIA PLATFORM AT LEAST EIGHTY PERCENT
16 OF THE DAYS DURING EITHER:

17 (a) THE PREVIOUS TWELVE-MONTH PERIOD.

18 (b) THE PREVIOUS ONE MONTH PERIOD IF THE SOCIAL MEDIA PLATFORM DID
19 NOT EXIST DURING THE PREVIOUS TWELVE-MONTH PERIOD.

20 3. "INFINITE SCROLLING" MEANS CONTENT THAT IS CONTINUOUSLY LOADING
21 OR CONTENT THAT LOADS AS THE USER SCROLLS DOWN THE WEBPAGE WITHOUT THE
22 NEED TO OPEN A SEPARATE WEBPAGE.

23 4. "RESIDENT" MEANS A PERSON WHO LIVES IN THIS STATE FOR MORE THAN
24 SIX MONTHS OF THE YEAR.

25 5. "SOCIAL MEDIA PLATFORM":

26 (a) MEANS AN ONLINE FORUM, WEBSITE OR APPLICATION THAT SATISFIES
27 EACH OF THE FOLLOWING CRITERIA:

28 (i) ALLOWS A USER TO UPLOAD CONTENT OR VIEW THE CONTENT OR ACTIVITY
29 OF OTHER USERS.

30 (ii) TEN PERCENT OR MORE OF THE DAILY ACTIVE USERS WHO ARE LESS
31 THAN SIXTEEN YEARS OF AGE SPENT ON AVERAGE AT LEAST TWO HOURS PER DAY ON
32 THE ONLINE FORUM, WEBSITE OR APPLICATION ON THE DAYS WHEN USING THE ONLINE
33 FORUM, WEBSITE OR APPLICATION DURING THE PREVIOUS TWELVE MONTHS OR, IF THE
34 ONLINE FORUM, WEBSITE OR APPLICATION DID NOT EXIST DURING THE PREVIOUS
35 TWELVE MONTHS, DURING THE PREVIOUS ONE-MONTH PERIOD.

36 (iii) EMPLOYS ALGORITHMS THAT ANALYZE USER DATA OR INFORMATION ON
37 USERS TO SELECT CONTENT FOR USERS.

38 (iv) HAS INFINITE SCROLLING OR SEAMLESS CONTENT OR THE USE OF
39 WEBPAGES WITH NO VISIBLE OR APPARENT END OR PAGE BREAKS, HAS PUSH
40 NOTIFICATIONS OR ALERTS SENT BY AN ONLINE FORUM, WEBSITE OR APPLICATION TO
41 INFORM A USER ABOUT SPECIFIC ACTIVITIES OR EVENTS RELATED TO THE USER'S
42 ACCOUNT, DISPLAYS PERSONAL INTERACTIVE METRICS THAT INDICATE THE NUMBER OF
43 TIMES OTHER USERS HAVE CLICKED A BUTTON TO INDICATE THE USERS' REACTIONS
44 TO CONTENT OR HAVE SHARED OR REPOSTED THE CONTENT, HAS AUTO-PLAY VIDEO OR
45 VIDEO THAT BEGINS TO PLAY WITHOUT THE USER FIRST CLICKING ON THE VIDEO OR

1 ON A PLAY BUTTON FOR THAT VIDEO OR HAS LIVE-STREAMING OR HAS A FUNCTION
2 THAT ALLOWS A USER OR ADVERTISER TO BROADCAST LIVE VIDEO CONTENT IN
3 REAL-TIME.

4 (b) DOES NOT INCLUDE AN ONLINE SERVICE, WEBSITE OR APPLICATION
5 WHERE THE EXCLUSIVE FUNCTION IS EMAIL OR DIRECT MESSAGING CONSISTING OF
6 TEXT, PHOTOGRAPHS, PICTURES, IMAGES OR VIDEOS THAT ARE SHARED ONLY BETWEEN
7 THE SENDER AND THE RECIPIENTS AND THAT ARE NOT DISPLAYED OR POSTED
8 PUBLICLY OR TO OTHER USERS THAT ARE NOT SPECIFICALLY IDENTIFIED BY THE
9 SENDER AS THE RECIPIENTS.

10 44-8042. Account holder contracts; duties; unfair practice;
11 statute of limitations

12 A. A SOCIAL MEDIA PLATFORM MAY NOT ENTER INTO AN ACCOUNT HOLDER
13 CONTRACT WITH A MINOR WHO IS LESS THAN FOURTEEN YEARS OF AGE UNLESS THE
14 MINOR'S PARENT OR GUARDIAN PROVIDES CONSENT FOR THE MINOR TO BECOME AN
15 ACCOUNT HOLDER. FOR THE PURPOSES OF THIS SUBSECTION, IF A SOCIAL MEDIA
16 PLATFORM ALLOWS AN ACCOUNT HOLDER TO USE THE SOCIAL MEDIA PLATFORM, THE
17 SOCIAL MEDIA PLATFORM AND THE ACCOUNT HOLDER HAVE ENTERED INTO AN ACCOUNT
18 HOLDER CONTRACT.

19 B. A SOCIAL MEDIA PLATFORM SHALL:

20 1. TERMINATE ANY ACCOUNT HELD BY AN ACCOUNT HOLDER WHO IS LESS THAN
21 FOURTEEN YEARS OF AGE, INCLUDING ACCOUNTS THAT THE SOCIAL MEDIA PLATFORM
22 TREATS OR CATEGORIZES AS BELONGING TO AN ACCOUNT HOLDER WHO IS PROBABLY
23 LESS THAN FOURTEEN YEARS OF AGE FOR THE PURPOSE OF TARGETING CONTENT OR
24 ADVERTISING, AND PROVIDE NINETY DAYS FOR AN ACCOUNT HOLDER TO DISPUTE THE
25 TERMINATION. TERMINATION IS EFFECTIVE ON THE EXPIRATION OF THE NINETY
26 DAYS IF THE ACCOUNT HOLDER FAILS TO EFFECTIVELY DISPUTE THE TERMINATION.

27 2. ALLOW AN ACCOUNT HOLDER WHO IS LESS THAN FOURTEEN YEARS OF AGE
28 TO REQUEST TO TERMINATE THE ACCOUNT. TERMINATION IS EFFECTIVE WITHIN FIVE
29 BUSINESS DAYS AFTER THE REQUEST.

30 3. ALLOW THE CONFIRMED PARENT OR GUARDIAN OF AN ACCOUNT HOLDER WHO
31 IS LESS THAN FOURTEEN YEARS OF AGE TO REQUEST THAT THE ACCOUNT BE
32 TERMINATED. TERMINATION IS EFFECTIVE WITHIN TEN BUSINESS DAYS AFTER THE
33 REQUEST.

34 4. PERMANENTLY DELETE ALL PERSONAL INFORMATION HELD BY THE SOCIAL
35 MEDIA PLATFORM RELATING TO THE TERMINATED ACCOUNT, UNLESS THERE ARE LEGAL
36 REQUIREMENTS TO MAINTAIN THE INFORMATION.

37 5. TERMINATE AN ACCOUNT HELD BY AN ACCOUNT HOLDER WHO IS FOURTEEN
38 OR FIFTEEN YEARS OF AGE, INCLUDING AN ACCOUNT THAT THE SOCIAL MEDIA
39 PLATFORM TREATS OR CATEGORIZES AS BELONGING TO AN ACCOUNT HOLDER WHO IS
40 PROBABLY FOURTEEN OR FIFTEEN YEARS OF AGE FOR THE PURPOSE OF TARGETING
41 CONTENT OR ADVERTISING, IF THE ACCOUNT HOLDER'S PARENT OR GUARDIAN HAS NOT
42 PROVIDED CONSENT FOR THE MINOR TO CREATE OR MAINTAIN THE ACCOUNT. AN
43 ACCOUNT HOLDER HAS NINETY DAYS AFTER THE TERMINATION TO DISPUTE THE
44 TERMINATION. THE TERMINATION IS EFFECTIVE ON THE EXPIRATION OF THE NINETY
45 DAYS IF THE ACCOUNT HOLDER FAILS TO EFFECTIVELY DISPUTE THE TERMINATION.

1 6. ALLOW AN ACCOUNT HOLDER WHO IS FOURTEEN OR FIFTEEN YEARS OF AGE
2 TO REQUEST TO TERMINATE THE ACCOUNT. TERMINATION IS EFFECTIVE WITHIN FIVE
3 BUSINESS DAYS AFTER THE REQUEST.

4 7. ALLOW THE CONFIRMED PARENT OR GUARDIAN OF AN ACCOUNT HOLDER WHO
5 IS FOURTEEN OR FIFTEEN YEARS OF AGE TO REQUEST THAT THE MINOR'S ACCOUNT BE
6 TERMINATED. TERMINATION MUST BE EFFECTIVE WITHIN TEN BUSINESS DAYS AFTER
7 THE REQUEST.

8 8. PERMANENTLY DELETE ALL PERSONAL INFORMATION HELD BY THE SOCIAL
9 MEDIA PLATFORM RELATING TO A TERMINATED ACCOUNT, UNLESS THERE ARE LEGAL
10 REQUIREMENTS TO MAINTAIN THE INFORMATION.

11 C. A KNOWING OR RECKLESS VIOLATION OF SUBSECTION B, PARAGRAPH 2, 3
12 OR 4 OF THIS SECTION IS AN UNLAWFUL PRACTICE PURSUANT TO SECTION 44-1522.

13 D. NOTWITHSTANDING ANY OTHER LAW, A CIVIL ACTION FOR A CLAIM UNDER
14 THIS SECTION MUST BE BROUGHT WITHIN ONE YEAR AFTER THE DATE THAT THE
15 COMPLAINANT KNEW OR REASONABLY SHOULD HAVE KNOWN OF THE VIOLATION.

16 ARTICLE 2. ONLINE AGE VERIFICATION

17 44-8051. Definitions

18 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

19 1. "ANONYMOUS AGE VERIFICATION" MEANS A COMMERCIALY REASONABLE
20 METHOD THAT IS USED BY A GOVERNMENT AGENCY OR A BUSINESS FOR THE PURPOSE
21 OF AGE VERIFICATION THAT IS CONDUCTED BY A NONGOVERNMENTAL, INDEPENDENT
22 THIRD PARTY THAT IS ORGANIZED UNDER THE LAWS OF A STATE OF THE UNITED
23 STATES THAT BOTH:

24 (a) HAS ITS PRINCIPAL PLACE OF BUSINESS IN A STATE OF THE UNITED
25 STATES.

26 (b) IS NOT OWNED OR CONTROLLED BY A COMPANY FORMED IN A FOREIGN
27 COUNTRY, A GOVERNMENT OF A FOREIGN COUNTRY OR ANY OTHER ENTITY FORMED IN A
28 FOREIGN COUNTRY.

29 2. "COMMERCIAL ENTITY" INCLUDES A CORPORATION, A LIMITED LIABILITY
30 COMPANY, A PARTNERSHIP, A LIMITED PARTNERSHIP, A SOLE PROPRIETORSHIP AND
31 ANY OTHER LEGALLY RECOGNIZED ENTITY.

32 3. "DISTRIBUTE" MEANS TO ISSUE, SELL, GIVE, PROVIDE, DELIVER,
33 TRANSFER, TRANSMIT, CIRCULATE OR DISSEMINATE BY ANY MEANS.

34 4. "HARMFUL TO MINORS" HAS THE SAME MEANING PRESCRIBED IN SECTION
35 13-3501.

36 5. "PUBLISH" MEANS TO COMMUNICATE OR MAKE INFORMATION AVAILABLE TO
37 ANOTHER PERSON ON A PUBLICLY AVAILABLE WEBSITE OR APPLICATION.

38 6. "STANDARD AGE VERIFICATION" MEANS ANY COMMERCIALY REASONABLE
39 METHOD OF AGE VERIFICATION THAT IS APPROVED BY THE COMMERCIAL ENTITY.

40 7. "SUBSTANTIAL PORTION" MEANS MORE THAN 33.3 PERCENT OF TOTAL
41 MATERIAL ON A WEBSITE OR APPLICATION.

