

34-LS1286I
Walsh
4/15/26

CS FOR SENATE BILL NO. 262(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE SENATE LABOR AND COMMERCE COMMITTEE

Offered:
Referred:

Sponsor(s): SENATOR BJORKMAN

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to social media and minors; and providing for an effective date."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 45.50.471(b) is amended by adding a new paragraph to read:

4 (58) violating AS 45.50.650 (social media accounts for minors).

5 * **Sec. 2.** AS 45.50 is amended by adding new sections to read:

6 **Article 5A. Social Media Platforms and Minors.**

7 **Sec. 45.50.650. Social media accounts for minors.** (a) A social media
8 platform shall prohibit an individual who is under 16 years of age and a resident of the
9 state from becoming an account holder on the social media platform.

10 (b) A social media platform shall terminate any account held by an account
11 holder who is under 16 years of age and a resident of the state, including accounts that
12 the social media platform treats or categorizes as belonging to an account holder who
13 is likely under 16 years of age for the purpose of targeted content or advertising. The
14 social media platform shall provide 90 days for the account holder to dispute the
15 termination. If the account holder fails to effectively dispute the termination, the social

1 media platform shall terminate the account upon expiration of the 90-day period.

2 (c) A social media platform shall allow an account holder who is under 16
3 years of age and a resident of the state to request to terminate the account. The social
4 media platform shall terminate the account within five business days after the request.

5 (d) A social media platform shall permanently delete all information held by
6 the social media platform relating to an account terminated under this section, unless
7 the social media platform is required by law to retain the information.

8 (e) A social media platform may not use the personal data of an account
9 holder who is under 18 years of age and a resident of the state in a personalized
10 recommendation system to display content on the platform. This subsection does not
11 prohibit a social media platform from displaying user-generated content that has been
12 selected, followed, or subscribed to by an account holder who is under 18 years of age
13 as long as the display of the content is based on a chronological format.

14 **Sec. 45.50.660. Attorney general remedies; regulations.** (a) In addition to
15 the remedies available to the attorney general under AS 45.50.471 - 45.50.561, a court
16 may award punitive damages if a social media platform has engaged in a pattern of
17 knowingly or recklessly violating AS 45.50.650.

18 (b) Notwithstanding AS 45.50.531 and 45.50.535, a private person may not
19 bring an action under AS 45.50.471 - 45.50.561 for a violation of AS 45.50.650.

20 (c) The attorney general may adopt regulations under AS 44.62
21 (Administrative Procedure Act) to implement AS 45.50.650 - 45.50.690.

22 **Sec. 45.50.670. Private cause of action.** (a) If a social media platform
23 knowingly or recklessly violates AS 45.50.650, an account holder of the social media
24 platform who is under 18 years of age, a resident of the state, and harmed by the
25 violation may bring an action against the social media platform in superior court and
26 recover damages.

27 (b) An action under this section must be brought on behalf of the account
28 holder by the account holder's parent or guardian.

29 (c) An action under this section must be brought within one year after the
30 account holder's parent or guardian discovered or reasonably should have discovered
31 the alleged violation.

1 (d) Nothing in this section prevents an account holder who brings an action
2 under this section from pursuing other remedies available to the account holder.

3 **Sec. 45.50.680. Applicability.** AS 45.50.650 - 45.50.690 apply to a social
4 media platform when

5 (1) at least 10 percent of the daily active users of the social media
6 platform who are under 18 years of age spend on average two or more hours a day on
7 the social media platform on the days when using the social media platform during the
8 previous 12 months or, if the social media platform did not exist during the previous
9 12 months, during the previous month; and

10 (2) the social media platform has any of the following addictive
11 features:

12 (A) content that loads continuously or as the user scrolls down
13 the page, without the need to open a separate page;

14 (B) pages with no visible or apparent end or page breaks;

15 (C) push notifications or alerts sent by the social media
16 platform about specific activities or events;

17 (D) personal interactive metrics that display the number of
18 times other users have clicked a button to indicate a reaction to content or have
19 shared or reposted the content;

20 (E) video that begins to play automatically or without the user
21 first clicking on the video or on a play button for that video;

22 (F) live streaming or another function that broadcasts live video
23 content in real time.

24 **Sec. 45.50.690. Definitions.** In AS 45.50.650 - 45.50.690,

25 (1) "account holder" means an individual who

26 (A) opens an account or creates a profile with a social media
27 platform; or

28 (B) is identified by a social media platform by a unique
29 identifier while using or accessing the social media platform;

30 (2) "daily active users" means the number of unique users in the
31 United States who used the social media platform at least 80 percent of the days

during the previous 12 months or, if the social media platform did not exist during the previous 12 months, the number of unique users in the United States who used the social media platform at least 80 percent of the days during the previous month;

(3) "personal data"

(A) means

(i) a first and last name;

(ii) a home or other physical address, including street name and name of a city or town;

(iii) an electronic mail address;

(iv) a telephone number;

(v) a social security number;

(vi) other information relating to an account holder that a social media platform collects online from the account holder and combines with an identifier described in this subparagraph;

(B) does not include

(i) the type of device used by the account holder;

(ii) the languages used by the account holder to communicate;

(iii) the city or town in which the account holder is located;

(iv) the fact that the account holder is under 18 years of age; or

(v) the age of the account holder;

(4) "personalized recommendation system" means a fully or partially automated system used to suggest, promote, or rank content, including other account holders or posts, based on information about an account holder;

(5) "social media platform"

(A) means an online forum, website, or application that allows users to upload content or view the content or activity of other users and employs algorithms that analyze user data or information about users to select content for users;

1 (B) does not include an online service, website, or application
2 in which the exclusive function is electronic mail or direct messaging
3 consisting of text, images, or videos shared only between the sender and the
4 recipient, without displaying or posting publicly or to other users not
5 specifically identified as recipients by the sender.

6 * **Sec. 3.** This Act takes effect January 1, 2027.