

2026 Regular Session

HOUSE BILL NO. 1229

BY REPRESENTATIVE WILFORD CARTER

COMMERCIAL REGULATIONS: Provides relative to social media use for minors

1 AN ACT

2 To enact Chapter 20-B of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:1780.1, relative to social media use for minors; to provide
4 relative to definitions; to provide for requirements for social media platforms; to
5 provide for violations; to provide for civil penalties; to provide for the
6 responsibilities of the attorney general; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 20-B of Title 51 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 51:1780.1, is hereby enacted to read as follows:

10 CHAPTER 20-B: SOCIAL MEDIA USE FOR MINORS

11 §1780.1 Social media use for minors

12 A. As used in this Chapter, the following terms have the following
13 meanings:

14 (1) "Account holder" means a resident who opens an account or creates a
15 profile or is identified by the social media platform by a unique identifier while using
16 or accessing a social media platform when the social media platform knows or has
17 reason to believe the resident is located in this state.

18 (2) "Daily active users" means the number of unique users in the United
19 States who used the online forum, website, or application at least eighty percent of
20 the days during the previous twelve months, or, if the online forum, website, or

1 application did not exist during the previous twelve months, the number of unique
2 users in the United States who used the online forum, website, or application at least
3 eighty percent of the days during the previous month.

4 (3) "Resident" means a person who lives in this state for more than six
5 months of the year.

6 (4)(a) "Social media platform" means an online forum, website, or
7 application that satisfies each of the following criteria:

8 (i) Allows users to upload content or view the content or activity of other
9 users.

10 (ii) Ten percent or more of the daily active users who are younger than
11 sixteen years of age spend on average two hours per day or longer on the online
12 forum, website, or application on the days when using the online forum, website, or
13 application during the previous twelve months or, if the online forum, website, or
14 application did not exist during the previous twelve months, during the previous
15 month.

16 (iii) Employs algorithms that analyze user data or information on users to
17 select content for users.

18 (iv) Has any of the following addictive features:

19 (aa) Infinite scrolling, which means either continuously loading content, or
20 content that loads as the user scrolls down the page without the need to open a
21 separate page or seamless content, or the use of pages with no visible or apparent end
22 or page breaks.

23 (bb) Push notifications or alerts sent by the online forum, website, or
24 application to inform a user about specific activities or events related to the user's
25 account.

26 (cc) Displays personal interactive metrics that indicate the number of times
27 other users have clicked a button to indicate their reaction to content or have shared
28 or reposted the content.

1 (dd) Auto-play video or video that begins to play without the user first
2 clicking on the video or on a play button for that video.

3 (ee) Live-streaming or a function that allows a user or advertiser to broadcast
4 live video content in real-time.

5 (b) The term does not include an online service, website, or application
6 where the exclusive function is e-mail or direct messaging consisting of text,
7 photographs, pictures, images, or videos shared only between the sender and the
8 recipients, without displaying or posting publicly or to other users not specifically
9 identified as the recipients by the sender.

10 B.(1) A social media platform shall prohibit a minor who is younger than
11 fourteen years of age from entering into a contract with a social media platform to
12 become an account holder.

13 (2) A social media platform shall do all of the following:

14 (a) Terminate any account held by an account holder younger than fourteen
15 years of age, including accounts that the social media platform treats or categorizes
16 as belonging to an account holder who is likely younger than fourteen years of age
17 for purposes of targeting content or advertising, and provide ninety days for an
18 account holder to dispute such termination. Termination shall be effective upon the
19 expiration of the ninety days if the account holder fails to effectively dispute the
20 termination.

21 (b) Allow an account holder younger than fourteen years of age to request
22 to terminate the account. Termination shall be effective within five business days
23 after such request.

24 (c) Allow the confirmed parent or guardian of an account holder younger
25 than fourteen years of age to request that the minor's account be terminated.
26 Termination shall be effective within ten business days after such request.

27 (d) Permanently delete all personal information held by the social media
28 platform relating to the terminated account, unless there are legal requirements to
29 maintain such information.

1 C.(1) A social media platform shall prohibit a minor who is fourteen or
2 fifteen years of age from entering into a contract with a social media platform to
3 become an account holder, unless the minor's parent or guardian provides consent
4 for the minor to become an account holder.

5 (2) A social media platform shall do all of the following:

6 (a) Terminate any account held by an account holder who is fourteen or
7 fifteen years of age, including accounts that the social media platform treats or
8 categorizes as belonging to an account holder who is likely fourteen or fifteen years
9 of age for purposes of targeting content or advertising, if the account holder's parent
10 or guardian has not provided consent for the minor to create or maintain the account.
11 The social media platform shall provide ninety days for an account holder to dispute
12 such termination. Termination shall be effective upon the expiration of the ninety
13 days if the account holder fails to effectively dispute the termination.

14 (b) Allow an account holder who is fourteen or fifteen years of age to request
15 to terminate the account. Termination shall be effective within five business days
16 after such request.

17 (c) Allow the confirmed parent or guardian of an account holder who is
18 fourteen or fifteen years of age to request that the minor's account be terminated.
19 Termination shall be effective within ten business days after such request.

20 (d) Permanently delete all personal information held by the social media
21 platform relating to the terminated account, unless there are legal requirements to
22 maintain such information.

23 D. If a court enjoins the enforcement of Subsection C of this Section or
24 would otherwise enjoin enforcement of any other provision of this Section due to
25 Subsection C of this Section, then Subsection C of this Section shall be severed, and
26 the following shall come into effect:

27 (1) A social media platform shall prohibit a minor who is fourteen or fifteen
28 years of age from entering into a contract with a social media platform to become an
29 account holder.

1 (2) A social media platform shall do all of the following:

2 (a) Terminate any account held by an account holder who is fourteen or
3 fifteen years of age, including accounts that the social media platform treats or
4 categorizes as belonging to an account holder who is likely fourteen or fifteen years
5 of age for purposes of targeting content or advertising, and provide ninety days for
6 an account holder to dispute such termination. Termination shall be effective upon
7 the expiration of ninety days if the account holder fails to effectively dispute the
8 termination.

9 (b) Allow an account holder who is fourteen or fifteen years of age to request
10 to terminate the account. Termination shall be effective within five business days
11 after such request.

12 (c) Allow the confirmed parent or guardian of an account holder who is
13 fourteen or fifteen years of age to request that the minor's account be terminated.
14 Termination shall be effective within ten business days after such request.

15 (d) Permanently delete all personal information held by the social media
16 platform relating to the terminated account, unless there are legal requirements to
17 maintain such information.

18 E. Any knowing or reckless violation of Subsection B or C, or, if in effect,
19 Subsection D of this Section is deemed an unfair and deceptive trade practice
20 actionable pursuant to R.S. 51:1401 et. seq., solely by the attorney general against
21 a social media platform. If the attorney general has reason to believe that a social
22 media platform is in violation of Subsection B or C, or, if in effect, Subsection D of
23 this Section, the attorney general, as the enforcing authority, may bring an action
24 against such platform for an unfair or deceptive trade practice. In addition to other
25 remedies pursuant to R.S. 51:1401 et. seq., the attorney general may set and collect
26 a civil penalty of up to five thousand dollars per violation and reasonable attorney
27 fees and court costs. When the social media platform's failure to comply with
28 Subsection B or C, or, if in effect, Subsection D of this Section is a consistent pattern

1 of knowing or reckless conduct, punitive damages may be assessed against the social
2 media platform.

3 F.(1) A social media platform that knowingly or recklessly violates
4 Subsection B or C, or, if in effect, Subsection D of this Section is liable to the minor
5 account holder, including court costs and reasonable attorney fees as ordered by the
6 court.

7 (2) A civil action for a claim pursuant to this Subsection shall be brought
8 within one year from the date the complainant knew, or reasonably should have
9 known, of the alleged violation.

10 (3) Any action brought pursuant to this Subsection may only be brought on
11 behalf of a minor account holder.

12 G. For purposes of bringing an action pursuant to this Section, a social media
13 platform that allows a minor account holder younger than fourteen years of age or
14 a minor account holder who is fourteen or fifteen years of age to create an account
15 on such platform is considered to be both engaged in substantial and not isolated
16 activities within this state and operating, conducting, engaging in, or carrying on a
17 business and doing business in this state, and is therefore subject to the jurisdiction
18 of the courts of this state.

19 H. If a social media platform allows an account holder to use the social
20 media platform, the parties have entered into a contract.

21 I. This Section does not preclude any other available remedy at law or
22 equity.

23 J. The attorney general may promulgate rules in accordance with the
24 Administrative Procedure Act to implement this Chapter.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 1229 Original

2026 Regular Session

Wilford Carter

Abstract: Provides relative to social media use for minors.

Proposed law defines "account holder", "daily active users", "resident", and "social media platform".

Proposed law requires a social media platform to prohibit a minor under 14 years old from entering into a contract with a social media platform in order to become an account holder.

Proposed law requires a social media platform to do all of the following:

- (1) Terminate any account held by an account holder younger than 14 years old, including accounts that the social media platform treats or categorizes as belonging to an account holder who is likely younger than 14 years old for purposes of targeting content or advertising. Proposed law provides for a time period for when termination becomes effective and a time period to allow an account holder to dispute the termination.
- (2) Allow an account holder younger than 14 years old to submit a request to terminate the account. Proposed law provides a time period for when termination becomes effective.
- (3) Allow the confirmed parent or guardian of a minor account holder, who is younger than 14 years old, to request that the minor's account be terminated. Proposed law provides a time period for when termination becomes effective.
- (4) Permanently delete all personal information held by the social media platform relating to the terminated account, unless there are legal requirements for maintaining the personal information.

Proposed law requires a social media platform to prohibit minors who are 14 or 15 years old from entering into a contract with a social media platform in order to become an account holder, unless the minor's parent or guardian provides consent for the minor to become an account holder.

Proposed law requires a social media platform to do all of the following:

- (1) Terminate any account held by an account holder who is either 14 or 15 years old, including accounts that the social media platform treats or categorizes as belonging to an account holder who is likely 14 or 15 years old for purposes of targeting content or advertising. Proposed law provides for a time period for when termination becomes effective and a time period to allow an account holder to dispute the termination.
- (2) Allow an account holder who is 14 or 15 years old to submit a request to terminate the account. Proposed law provides a time period for when termination becomes effective.

- (3) Allow the confirmed parent or guardian of a minor account holder, who is 14 or 15 years old, to request that the minor's account be terminated. Proposed law provides a time period for when termination becomes effective.
- (4) Permanently delete all personal information held by the social media platform relating to the terminated account, unless there are legal requirements for maintaining the personal information.

Proposed law provides for severability, if a court enjoins the enforcement of proposed law (R.S. 51:1780.1(C)) or would otherwise enjoin enforcement of any other provision of proposed law due to proposed law (R.S. 51:1780.1(C)).

Proposed law further provides that if proposed law (R.S. 51:1780.1(C)) is severed, both of the following shall come into effect:

- (1) A social media platform shall prohibit a minor who is 14 or 15 years old from entering into a contract with a social media platform to become an account holder.
- (2) A list of established termination requirements as provided by proposed law.

Proposed law provides that any knowing or reckless violations of proposed law are deemed an unfair and deceptive trade practice actionable pursuant to present law (R.S. 51:1401 et. seq.).

Proposed law allows the attorney general, as the enforcing authority, to bring an action against the social media platform for an unfair and deceptive trade practice.

Proposed law allows the attorney general, in addition to other remedies allowed pursuant to present law (R.S. 51:1401 et. seq.), to set and collect a civil penalty up to \$5,000 per violation and reasonable attorney fees and court costs.

Proposed law also allows the attorney general to assess punitive damages against the social media platform, if the social media platform's failure to comply with proposed law is a consistent pattern of knowing and reckless conduct.

Proposed law provides that a social media platform that knowingly or recklessly violates proposed law is liable to the minor account holder, including court costs and reasonable attorney fees.

Proposed law provides that a civil action for a claim pursuant to proposed law shall be brought within one year from the date the complainant knew, or reasonably should have known, of the alleged violation.

Proposed law provides that the parties have entered into a contract, if a social media platform allows an account holder to use the social media platform.

Proposed law provides that proposed law does not preclude any other available remedy at law or equity.

Proposed law allows the attorney general to promulgate rules for the purposes of implementing proposed law.

(Adds R.S. 51:1780.1)