

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3914</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Caldwell (C.)</b>
<b>Date:</b>	<b>3/14/2024</b>
<b>Impact:</b>	<b>OAG: \$275,000</b>
	<b>DPS: Unknown</b>

**Research Analysis**

The floor substitute for HB 3914 places restrictions on social media usage for minors. Social media companies may not allow minors under 16 to use social media and must require parental consent for minors 16 or older. Companies who violate this regulation are subject to a \$2,500 fine per violation plus court costs, attorney fees, and damages.

Social media platforms are prohibited from processing personal information that may harm minors' privacy, profiling minors without safeguards or necessity, and using personal information beyond its intended purpose. They are also prohibited from collecting and using precise geolocation data and employing manipulative tactics to obtain personal information from minors. Violations can be reported to the Attorney General, who can issue notices to platforms and allow them 45 days to rectify the violations. Commercial entities and third-party vendors are additionally prohibited from retaining user information once the user is granted access to the social media platform.

**CHANGES IN FLOOR SUBSTITUTE FROM INTRODUCED:**

The floor substitute adds a statement of purpose for the bill, modifies various definitions, elaborates on prohibited use of personal data, and provides that social media companies are not liable for minors falsifying their identification. The substitute also changes the effective date and declares an emergency on the measure.

Prepared By: Autumn Mathews

**Fiscal Analysis**

This measure would restrict minors under the age of 16 from accessing certain social media platforms. HB3914 allows the Office of the Attorney General (OAG) to initiate enforcement measures on social media companies found to be in violation of this act. Officials with the OAG anticipate needing to hire an additional attorney and administrative employee to implement the provisions of the bill at a total cost of \$275,000, and would seek additional funding to defray these costs. It is possible that the Department of Public Safety (DPS) would incur costs related to the digital identification verification provisions of this measure, however House staff is awaiting response from DPS officials regarding potential fiscal impact to the agency.

The FA1 to the measure clarifies the OAG's role in the bill. It does not create fiscal impact.

Prepared By: Robert Flipping IV, House Fiscal Staff

### **Other Considerations**

None.

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