

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1727

By: Jech

6 AS INTRODUCED

7 An Act relating to social media; defining terms;  
8 authorizing certain cause of action against a social  
9 media company; establishing criteria to recover  
damages; authorizing certain rebuttable presumption;  
authorizing certain relief; prohibiting certain  
liability; authorizing other remedies; stating  
exception to certain rebuttable presumption;  
authorizing utilization of certain settings;  
disallowing certain waiver or limitation; providing  
for codification; and providing an effective date.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 205 of Title 75A, unless there  
17 is created a duplication in numbering, reads as follows:

18 A. As used in this act:

19 1. "Algorithmically curated" means social media platform user  
20 engagement is primarily driven by a curation algorithm and  
21 engagement driven design elements;

22 2. "Curation algorithm" means a computational process or set of  
23 rules used by a social media platform that determines, influences,

1 or personalizes output that is designed to encourage prolonged or  
2 frequent engagement;

3 3. "Engagement driven design elements" means autoplay features  
4 that continuously play content without requiring user interaction,  
5 scroll or pagination that loads additional content as long as the  
6 user continues to scroll, or push notifications;

7 4. "Excessive use" means the use of a social media platform by  
8 a minor to an extent that the use substantially interferes with the  
9 minor's normal functioning in academic performance, sleep, in-person  
10 relationships, mental health, or physical health;

11 5. "Minor" means an individual under eighteen (18) years of  
12 age;

13 6. "Push notification" means an automatic electronic message  
14 displayed on a user's device, when the user interface for the social  
15 media platform is not actively open or visible on the device, that  
16 prompts the user to check or engage with the social media platform;

17 7. "Social media company" means an entity that owns or operates  
18 a social media platform;

19 8. "Social media platform" means a website or internet medium  
20 that:

21 a. permits a person to become a registered user,  
22 establish an account, or create a profile for the  
23 purpose of allowing users to create, share, and view

user-generated content through such an account or profile,

- b. enables one or more users to generate content that can be viewed by other users of the medium, and
- c. primarily serves as a medium for users to interact with content generated by other users of the medium; and

9. "User" means a person who accesses or uses a social media platform.

B. 1. A minor user who is a resident of this state or his or her parent or legal guardian may bring a cause of action against a social media company in court for an adverse mental health outcome arising, in whole or in part, from the minor's excessive use of the social media company's algorithmically curated service on a social media platform.

2. To recover damages in a cause of action brought pursuant to this subsection, a person who brings the cause of action must demonstrate:

- a. that the minor user has been diagnosed by a licensed mental health care provider with an adverse mental health outcome, and
- b. that the adverse mental health outcome was caused by the minor user's excessive use of an algorithmically curated social media platform.

1       3. Except as provided in paragraph 4 of this subsection, a  
2 person who brings an action pursuant to this subsection is entitled  
3 to a rebuttable presumption that:

4           a. the minor user's adverse mental health outcome was  
5            caused, in whole or in part, by the minor user's  
6            excessive use of the algorithmically curated social  
7            media platform, and  
8           b. the minor user's excessive use of the algorithmically  
9            curated social media platform was caused, in whole or  
10           in part, by the algorithmically curated social media  
11           platform's curation algorithm and engagement driven  
12           design elements.

13       4. A social media company that complies with the provisions of  
14 subsection C of this section is entitled to a rebuttable presumption  
15 that:

16           a. the minor user's adverse mental health outcome was not  
17            caused, in whole or in part, by the minor user's  
18            excessive use of the algorithmically curated social  
19            media platform, and  
20           b. the minor user's excessive use of the algorithmically  
21            curated social media platform was not caused, in whole  
22            or in part, by the algorithmically curated social  
23            media platform's curation algorithm and engagement  
24            driven design elements.

1       5. If a court or fact finder finds that a minor user of this  
2 state suffered any adverse mental health outcome as a result of the  
3 minor's use of a social media platform's algorithmically curated  
4 service, the person seeking relief is entitled to:

5           a. an award of reasonable attorney fees and court costs,  
6                   and  
7           b. an amount equal to the greater of:  
8               (1) Ten Thousand Dollars (\$10,000.00) for each  
9                   adverse mental health outcome incidence, or  
10              (2) the amount of actual damages.

11       6. A social media company shall not be held liable based on the  
12 content of material posted by users of its algorithmically curated  
13 social media platforms or for declining to restrict access to or  
14 modify user posts based solely on the content of such posts.

15       7. Nothing in this subsection shall displace any other  
16 available remedies or rights authorized by state or federal law.

17       C. 1. A person is not entitled to the rebuttable presumption  
18 described in paragraph 3 of subsection B of this section and a  
19 social media platform is entitled to the rebuttable presumption  
20 described in paragraph 4 of subsection B of this section, if the  
21 social media company demonstrates to the court that its social media  
22 platform:

23           a. limits a minor user who is a resident of this state's  
24                   use of the algorithmically curated social media

platform to no more than three (3) hours in a twenty-four-hour period across all devices,

b. restricts a minor user who is a resident of this state from accessing the algorithmically curated social media platform between the hours of 10:30 p.m. and 6:30 a.m.,

- c. requires the parent or legal guardian of the minor who is a resident of this state to consent to a minor user's use of the algorithmically curated social media

- d. disables engagement driven design elements for a minor user's account.

2. A social media platform may utilize settings that are

enabled at the device level to impose the requirements described in this subsection; provided, however, a social media platform remains liable to ensure that the minor user's account is subject to the restrictions pursuant to this subsection.

D. A waiver or limitation, or a purported waiver or limitation, of any of the following is void and unlawful, is against public policy, and a court or arbitrator may not enforce or give effect to the waiver, notwithstanding any contract or choice-of-law provision in a contract:

1. A protection or requirement provided pursuant to this section:

1       2. The right to cooperate with or file a complaint with a  
2 government agency;

3       3. The right to a private right of action as provided pursuant  
4 to subsection B of this section; or

5       4. The right to recover actual damages, statutory damages,  
6 civil penalties, costs, or fees as authorized pursuant to this  
7 section.

8 SECTION 2. This act shall become effective November 1, 2026.

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