

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1388

By: Hasenbeck of the House

and

Reinhardt of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to schools; enacting the Protecting
12 Oklahoma's Children on Social Media Act of 2025;
13 defining terms; imposing certain duties on the State
14 Department of Education; prescribing content for
15 comprehensive character education program; requiring
16 employee workshops; requiring programs related to
17 online safety; prescribing required content;
18 providing for updates; requiring information to be
19 available on website; providing for online safety
20 programs at school district; requiring certain
21 acceptable use policies; prescribing required content
22 for acceptable use policies; providing for authorized
23 content; requiring implementation of acceptable use
24 policy; requiring certain technology protection
 measures; prescribing procedures for technology
 protection measures requiring training for employees;
 prescribing procedures for approval of policy;
 providing for review; providing for revision of
 policy; authorizing withholding of certain funding;
 providing for investigations; providing method for
 correction of violations; requiring adoption of
 social media policy; prescribing required content of
 policy; providing for implementation and enforcement
 of social media policy; requiring compliance review;
 prescribing procedures for corrections and revisions;
 prescribing procedures for noncompliance; authorizing
 corrective actions; requiring adoption of policy with

1 respect to bullying; prescribing required content;
2 providing for notifications; providing for evaluation
3 of policy; requiring State Department of Education to
4 develop model policy; providing for required content
5 of policy; requiring posting of certain information;
6 providing for civil immunity; providing for
7 ineligibility for state funding; imposing duties on
8 social media account service providers; providing for
9 express consent; prohibiting opening of certain
10 accounts; requiring social media service providers to
11 prohibit certain actions; authorizing enforcement of
12 provisions by Attorney General; eliminating private
13 right of action; authorizing damages; prescribing
14 procedures for notice; prohibiting certain provisions
15 in contracts, statements or terms of condition;
16 requiring certain entities to implement age
17 verification process; providing for reasonable age
18 verification methods; providing for liability based
19 on violation of requirements; providing for fines;
20 prohibiting retention of certain information;
21 providing exceptions for certain information methods;
22 providing for codification; providing an effective
23 date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 29-101 of Title 70, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Protecting
Oklahoma's Children on Social Media Act of 2025".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 29-102 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. As used in this section:

1 1. "Acceptable-use policy" means a policy for Internet usage
2 Internet use adopted by a local board of education or appropriate
3 school governing body that meets the requirements of this section;

4 2. "Account holder" means a person who is a resident of this
5 state and has an account or profile to use a social media platform,
6 including a minor account holder;

7 3. "Bullying" means an act that is:

8 a. any willful attempt or threat to inflict injury on
9 another person, when accompanied by an apparent
10 present ability to do so,

11 b. any intentional display of force such as would give
12 the victim reason to fear or expect immediate bodily
13 harm, or

14 c. any intentional written, verbal, or physical act which
15 a reasonable person would perceive as being intended
16 to threaten, harass, or intimidate, that:

17 (1) causes another person substantial physical harm
18 or visible bodily harm,

19 (2) has the effect of substantially interfering with
20 a student's education or otherwise substantially
21 infringing upon the rights of a student,

22 (3) is so severe, persistent, or pervasive that it
23 creates an intimidating or threatening
24 educational environment, or

1 (4) has the effect of substantially disrupting the
2 orderly operation of the school.

3 d. except as provided in subparagraph (e) of this
4 paragraph, such the term applies to acts which occur
5 on school property, on school vehicles, at designated
6 school bus stops, or at school related functions or
7 activities, including, but not limited to,
8 extracurricular activities, or by use of data or
9 software that is accessed through a computer, computer
10 system, computer network, or other electronic
11 technology of a local school system.

12 e. such term includes acts of cyberbullying that
13 originate on school property or involve the use of
14 school equipment, including, but not limited to, acts
15 that occur within a school sponsored online activity;

16 4. "Cyberbullying" means bullying that involves the use of
17 electronic communication, including, but not limited to,
18 communication devices and services, including, but not limited to,
19 cellular telephones, cameras, computers, social media platforms,
20 text messages, chat platforms, and Internet sites;

21 5. "Child pornography" means any visual depiction, including
22 any live performance, photograph, film, video, picture, or computer
23 or computer generated image or picture, whether made or produced by
24

1 electronic, mechanical, or other means, of sexually explicit conduct
2 when:

- 3 a. the production of the visual depiction involves a
4 minor engaging in sexually explicit conduct,
- 5 b. the visual depiction is of a minor engaging in
6 sexually explicit conduct, or
- 7 c. the visual depiction has been created, adapted, or
8 modified to appear that an identifiable minor is
9 engaging in sexually explicit conduct;

10 6. "Commercial entity" means a corporation, limited liability
11 company, partnership, limited partnership, sole proprietorship, or
12 other legally recognized entity;

13 7. "Digitized identification card" means a data file available
14 on a mobile device with connectivity to the Internet that contains
15 all of the data elements visible on the face and back of a driver's
16 license or identification card and displays the current status of
17 the driver's license or identification card as being valid, expired,
18 cancelled, suspended, revoked, active, or inactive;

19 8. "Distribute" means to issue, sell, give, provide, deliver,
20 transfer, transmute, circulate, or disseminate by any means;

21 9. "Educational entity" means:

- 22 a. a public elementary or secondary school,
- 23 b. a private elementary or secondary school,

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- c. an institution within The Oklahoma State System of Higher Education,
- d. a career-technology school district, or
- e. an independent or private college or university;

10. "Electronic communication" means, but is not limited to, any transfer of signs, signals, writings, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system. Such term shall include photographs and video and audio recordings;

11. "Harmful to minors" means that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when:

- a. taken as a whole, it predominantly appeals to the prurient, shameful, or morbid interest of minors,
- b. it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and
- c. taken as a whole, it is lacking in serious literary, artistic, political, or scientific value for minors;

12. "Identifiable minor" means a person:

- a. (1) who was a minor at the time the visual depiction was created, adapted, or modified, or

1 (2) whose image as a minor was used in creating,
2 adapting, or modifying the visual depiction, and
3 b. who is recognizable as an actual person by such
4 person's face, likeness, or other distinguishing
5 physical characteristic or other recognizable physical
6 feature;

7 13. "Internet" means the global information system that is
8 logically linked together by a globally unique address space based
9 on the Internet protocol or its subsequent extensions that is able
10 to support unencrypted communications using the transmission control
11 protocol/Internet protocol (TCP/IP) suite, its subsequent
12 extensions, or other Internet protocol compatible protocols and that
13 provides, uses, or makes accessible, either publicly or privately,
14 high level services layered on such communications and related
15 infrastructure;

16 14. "Local governing body" means the board of education of each
17 local school system, the governing body of each charter school and
18 the governing board of each completion special school. Such term
19 shall not include system charter schools, conversion charter
20 schools, whose charter is not held by a nonprofit corporation; and
21 college and career academies that are charter schools;

22 15. "Material harmful to minors" means:

23 a. any material that the average person, applying
24 contemporary community standards, would find, taking

1 the material as a whole and with respect to minors, is
2 designed to appeal to, or is designed to pander to,
3 prurient interest,

4 b. any of the following materials that exploit, are
5 devoted to, or principally consist of descriptions of
6 actual, simulated, or animated displays or depictions
7 of any of the following, in a manner patently
8 offensive with respect to minors:

9 (1) nipple of the female breast, pubic hair, anus,
10 vulva, or genitals,

11 (2) touching, caressing, or fondling of nipples,
12 breasts, buttocks, the anus, or genitals, or

13 (3) any sexual act, including, but not limited to,
14 sexual intercourse, masturbation, sodomy,
15 bestiality, oral copulation, flagellation,
16 excretory functions, and exhibitions of sexual
17 acts, or

18 c. the material taken as a whole lacks serious literary,
19 artistic, political, or scientific value for minors;

20 16. "Minor" means any individual under the age of eighteen (18)
21 years;

22 17. "Minor account holder" means an account holder who is a
23 minor;

24 18. "News-gathering organization" means:

- 1 a. an employee of a newspaper, news publication, or news
2 source, printed or published on an online or mobile
3 platform, while operating as an employee of a news-
4 gathering organization who can provide documentation
5 of employment with the newspaper, news publication, or
6 news source, or
- 7 b. an employee of a radio broadcast station, television
8 broadcast station, cable television operator, or wire
9 service while operating as an employee of a news-
10 gathering organization who can provide documentation
11 of employment;

12 19. "Obscene" means material that:

- 13 a. to the average person, applying contemporary community
14 standards, taken as a whole, it predominantly appeals
15 to the prurient interest, that is, a shameful or
16 morbid interest in nudity, sex, or excretion,
- 17 b. the material taken as a whole lacks serious literary,
18 artistic, political, or scientific value, and
- 19 c. the material depicts or describes, in a patently
20 offensive way, sexual conduct specifically defined in
21 divisions (1) through (5) of this subparagraph:
- 22 (1) acts of sexual intercourse, heterosexual or
23 homosexual, normal or perverted, actual or
24 simulated,

- 1 (2) acts of masturbation,
- 2 (3) acts involving excretory functions or lewd
- 3 exhibition of the genitals,
- 4 (4) acts of bestiality or the fondling of sex organs
- 5 of animals, or
- 6 (5) sexual acts of flagellation, torture, or other
- 7 violence indicating a sadomasochistic sexual
- 8 relationship;

9 20. "Obscene material" means material which meets the following
10 requirements:

- 11 a. to the average person, applying contemporary community
- 12 standards, taken as a whole, the material
- 13 predominantly appeals or panders to prurient interest
- 14 in nudity, sex, or excretion,
- 15 b. the material, taken as a whole, lacks serious
- 16 literary, artistic, political, or scientific value,
- 17 and
- 18 c. the material depicts or describes in a patently
- 19 offensive way sexual conduct as follows:
 - 20 (1) acts of sexual intercourse, heterosexual or
 - 21 homosexual, normal or perverted, actual or
 - 22 simulated,
 - 23 (2) acts of masturbation,
 - 24

- 1 (3) acts involving excretory functions or lewd
2 exhibition of the genitals,
3 (4) acts of bestiality or the fondling of sex organs
4 of animals, or
5 (5) sexual acts of flagellation, torture, or other
6 violence indicating a sadomasochistic sexual
7 relationship;

8 21. "Parent" means a person who has legal authority to act on
9 behalf of a minor child as a natural or adoptive parent or a legal
10 guardian;

11 22. "Post" means content that an account holder makes available
12 on a social media platform for other account holders or users to
13 view or listen to, including text, images, audio, and video;

14 23. "Publish" means to communicate or make information
15 available to another person or entity on a public website;

16 24. "Reasonable age verification" means to confirm that a
17 person seeking to access published material that may have a
18 substantial portion of material that is harmful to minors is at
19 least eighteen (18) years of age;

20 25. "School equipment" means any computer or computer
21 networking equipment, technology or technology-related device or
22 service, or communication system or service that is operated, owned,
23 leased, and made available to students by a local board of
24 education, local school system, or public school and that is used

1 for transmitting, receiving, accessing, viewing, hearing,
2 downloading, recording, or storing electronic communication;

3 26. "Social media platform" means an online forum that allows
4 an account holder to create a profile, upload posts, view and listen
5 to posts, form mutual connections, and interact publicly and
6 privately with other account holders and users. Such term shall not
7 include an online service, website, or application where the
8 predominant or exclusive function is any of the following:

9 a. email,

10 b. a service that, pursuant to its terms of use, does not
11 permit minors to use the platform and utilizes
12 commercially reasonable age assurance mechanisms to
13 deter minors from becoming account holders,

14 c. a streaming service that provides only licensed media
15 that is not user generated in a continuous flow from
16 the service, website, or application to the end user
17 and does not obtain a license to the media from a user
18 or account holder by agreement to its terms of
19 service,

20 d. news, sports, entertainment, or other content that is
21 preselected by the provider and not user generated,
22 and any chat, comment, or interactive functionality
23 that is provided incidental to or directly or
24 indirectly related to such content,

- 1 e. online shopping or ecommerce, if the interaction with
2 other users or account holders is generally limited to
3 the ability to upload a post and comment on reviews,
4 the ability to display lists or collections of goods
5 for sale or wish lists, and other functions that are
6 focused on online shopping or ecommerce rather than
7 interaction between users or account holders,
- 8 f. interactive gaming, virtual gaming, or an online
9 service, website, or application that allows the
10 creation and uploading of content for the purpose of
11 interactive gaming, educational entertainment, or
12 associated entertainment, and communications related
13 to that content,
- 14 g. photograph editing that has an associated photograph
15 hosting service if the interaction with other users or
16 account holders is generally limited to liking or
17 commenting,
- 18 h. single-purpose community groups for public safety if
19 the interaction with other users or account holders is
20 limited to that single purpose and the community group
21 has guidelines or policies against illegal content,
- 22 i. business-to-business software,
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- 1 j. teleconferencing or videoconferencing services that
2 allow reception and transmission of audio and video
3 signals for real-time communication,
- 4 k. cloud storage,
- 5 l. shared document collaboration,
- 6 m. cloud computing services, which may include cloud
7 storage and shared document collaboration,
- 8 n. providing access to or interacting with data
9 visualization platforms, libraries, or hubs,
- 10 o. permitting comments on a digital news website if the
11 news content is posted only by the provider of the
12 digital news website,
- 13 p. providing or obtaining technical support for a
14 platform, product, or service,
- 15 q. academic, scholarly, or genealogical research where
16 the majority of the content is created or posted by
17 the provider of the online service, website, or
18 application and the ability to chat, comment, or
19 interact with other users is directly related to the
20 provider's content,
- 21 r. Internet access and broadband service,
- 22 s. a classified advertising service in which the provider
23 of the online service, website, or application is
24 limited to all of the following:

- 1 (1) permitting only the sale of goods,
- 2 (2) prohibiting the solicitation of personal
- 3 services,
- 4 (3) posting or creating a substantial amount of the
- 5 content, and
- 6 (4) providing the ability to chat, comment, or
- 7 interact with other users only if it is directly
- 8 related to the provider's content,

9 t. an online service, website, or application that is
10 used by or under the direction of an educational
11 entity, including a learning management system,
12 student engagement program, or subject- or skill-
13 specific program, where the majority of the content is
14 created or posted by the provider of the online
15 service, website, or application and the ability to
16 chat, comment, or interact with other users is
17 directly related to the provider's content,

18 u. peer-to-peer payments, provided that interactions
19 among users or account holders are generally limited
20 to the ability to send, receive, or request funds;
21 like or comment on such transactions; or other
22 functions related to sending, receiving, requesting,
23 or settling payments among users or account holders,
24 or

1 v. career development opportunities, including
2 professional networking, job skills, learning
3 certifications, and job posting and application
4 services;

5 27. "Substantial portion" means more than thirty-three and one-
6 third percent (33 1/3%) of total material on a public website which
7 meets the definition of material that is harmful to minors as
8 defined in this section;

9 28. "Technology protection measure" means a technology that
10 inspects and analyzes unencrypted Internet traffic for malware and
11 that blocks or filters electronic access to obscene materials, child
12 pornography, or material that is harmful to minors;

13 29. "Transmit" means to send or broadcast an electronic
14 communication; and

15 30. "User" means a person who has access to view all or some of
16 the posts on a social media platform, but who is not an account
17 holder.

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 29-103 of Title 70, unless there
20 is created a duplication in numbering, reads as follows:

21 A. The State Department of Education shall develop by the start
22 of the 2025-2026 school year a comprehensive character education
23 program for levels K-12. This comprehensive character education
24 program shall be known as the "character curriculum" and shall focus

1 on the students' development of the following character traits:
2 courage, patriotism, citizenship, honesty, fairness, respect for
3 others, kindness, cooperation, self-respect, self-control, courtesy,
4 compassion, tolerance, diligence, generosity, punctuality,
5 cleanliness, cheerfulness, school pride, respect for the
6 environment, respect for the creator, patience, creativity,
7 sportsmanship, loyalty, perseverance, and virtue. Such program
8 shall also address, by the start of the 2025-2026 school year,
9 methods of discouraging bullying and violent acts against fellow
10 students and methods of promoting responsible digital citizenship
11 and the safe and appropriate use of technology, the Internet, and
12 social media. Local governing bodies shall implement such a program
13 in all grade levels at the beginning of the 2025-2026 school year
14 and shall provide opportunities for parental involvement in
15 establishing expected outcomes of the character education
16 program.

17 B. The Department of Education shall develop character
18 education program workshops designed for public school employees.

19 SECTION 4. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 29-104 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 A. 1. The Department of Education shall develop model programs
23 for educating students regarding online safety while using the
24 Internet, taking into consideration educational materials on this

1 topic developed by other states as well as any other materials
2 suggested by education experts, child psychologists, and technology
3 companies that promote child online safety issues.

4 2. The model programs provided for in this section shall
5 include one or more model programs for students in grades six
6 through twelve which:

7 a. shall include instruction regarding:

- 8 (1) the social, emotional, and physical effects of
9 social media on users,
- 10 (2) the effects of social media on the mental health
11 of users, particularly teenagers,
- 12 (3) the distribution of disinformation and
13 misinformation on social media,
- 14 (4) how social media influences thoughts and
15 behaviors,
- 16 (5) the permanency and risks of sharing materials
17 online,
- 18 (6) how to maintain personal security and identify
19 cyberbullying, predatory behavior, and human
20 trafficking on the Internet and social media, and
- 21 (7) how to report suspicious behavior encountered on
22 the Internet and social media to appropriate
23 persons and authorities, and

24

1 b. may include information regarding the benefits of
2 social media use, such as supporting career readiness
3 for future academic or employment opportunities,
4 sharing information with familiar family and friends,
5 and safely connecting with other users with similar
6 interests.

7 C. The Department of Education shall periodically update the
8 model programs provided for in this section to reflect changes in
9 Internet and social media use, emergent technologies, social and
10 psychological research, and information concerning new threats to
11 teenagers and young adults using social media platforms and other
12 online communication technologies.

13 D. The Department of Education shall publish on its website
14 information relating to the model programs provided for in this
15 section, including recommended curricula and instructional materials
16 as updated periodically as provided in this section. The Department
17 of Education shall provide technical assistance in addition to such
18 model programs and recommended curricula and instructional materials
19 to aid any local board of education that may elect to incorporate
20 one or more components of Internet and social media safety into its
21 instructional program.

22 E. Each local board of education may incorporate into its
23 instructional program a component on online Internet safety,
24

1 including social media safety, to be taught on a schedule as
2 determined by the local board of education.

3 SECTION 5. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 29-105 of Title 70, unless there
5 is created a duplication in numbering, reads as follows:

6 A. No later than October 1, 2025, each local governing body
7 shall adopt an acceptable-use policy for its school system. At a
8 minimum, an acceptable-use policy shall contain provisions which are
9 reasonably designed to:

10 1. Prevent and prohibit any school equipment from being used
11 for accessing, sending, receiving, viewing, or downloading obscene
12 materials, child pornography, or material that is harmful to minors;

13 2. Establish appropriate measures to be taken by the school or
14 local school system in response to:

15 a. students and school employees who intentionally
16 violate the acceptable-use policy, whether or not such
17 student or school employee was, at the time of such
18 violation, on school property, on a school bus or
19 other school vehicle, at a school-related function, or
20 elsewhere, provided that such measures include
21 disciplinary measures, and

22 b. any person who is not a student or school employee who
23 violates the acceptable-use policy, whether or not
24 such person was, at the time of such violation, on

1 school property, on a school bus or other school
2 vehicle, at a school related function, or elsewhere;

3 3. Provide for administrative procedures to enforce the
4 acceptable-use policy;

5 4. Provide for administrative procedures to address complaints
6 regarding possible violations of the acceptable-use policy which, at
7 a minimum, require that each complaint is responded to in writing by
8 an appropriate school or local school system official; and

9 5. Provide for expedited review and resolution of a claim that
10 the application of the acceptable-use policy is denying a student or
11 school employee access to material that is not within the
12 prohibitions of the acceptable-use policy.

13 B. The acceptable-use policy provided for in subsection A of
14 this section may include terms, conditions, and requirements deemed
15 appropriate by the local governing body to differentiate acceptable
16 uses among elementary, middle, and high school students and among
17 different age groups; provided, however, that any local governing
18 body that authorizes such differentiation shall articulate in its
19 acceptable-use policy the rationale for each method of
20 differentiation included in such acceptable-use policy.

21 C. Each local governing body shall provide reasonable
22 opportunities and procedures for parents or guardians of current
23 students to confer and collaborate with school administrators and
24 teachers regarding appropriate Internet access for such students.

1 D. Each local governing body and local school superintendent
2 shall take such steps as are necessary and appropriate to implement
3 and enforce the acceptable-use policy, which shall include, but
4 shall not be limited to, providing for the adoption, use, and
5 routine upgrading of technology protection measures which meet or
6 exceed compliance standards and specifications established by the
7 Department.

8 E. Each school and local school system shall provide, upon
9 written request of a parent or guardian, a copy of the acceptable-
10 use policy adopted pursuant to subsection B of this section and
11 information regarding the administrative procedures in effect to
12 enforce such acceptable-use policy and to address complaints about
13 such enforcement.

14 SECTION 6. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 29-106 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 Beginning with the 2025-2026 school year and each school year
18 thereafter, by April 1, the Department shall establish compliance
19 standards and specifications for technology protection measures to
20 be used by schools and local school systems. To the extent
21 practicable, such compliance standards and specifications for
22 technology protection measures shall include measures and controls
23 for parents or guardians of current students to supervise and manage
24 appropriate Internet access by such students who are using a school

1 issued computer or other electronic device while not on school
2 property, not on a school bus or other school vehicle, or not at a
3 school related function.

4 SECTION 7. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 29-107 of Title 70, unless there
6 is created a duplication in numbering, reads as follows:

7 A. In addition to establishing such compliance standards and
8 specifications, the Department shall recommend technology protection
9 measures to be installed by schools and local school systems on each
10 computer or other electronic device issued to students for off-
11 campus use.

12 B. The Department is authorized, in collaboration with the
13 Department of Administrative Services, to identify a nonexclusive
14 list of providers of technology protection measures that meet or
15 exceed such standards and specifications; provided, however, that
16 the Department shall no less than annually require each such
17 provider to verify that the technology protection measures it
18 provides meet or exceed such standards and specifications. The
19 Department is authorized to provide information to schools and local
20 school systems regarding state contracts with such providers of
21 technology protection measures. The Department shall prioritize the
22 identification of providers of technology protection measures that
23 include parental measures and controls as provided for in Section 6
24 of this act.

1 C. The Department shall provide guidance and technical
2 assistance to assist schools and local school systems in complying
3 with the requirements of Section 6 of this act.

4 D. No later than December 1, 2025, the Department shall develop
5 guidelines for the training of school personnel. The training
6 guidelines shall include instruction in:

7 1. Implementing and complying with acceptable-use policies
8 required by Section 6 of this act;

9 2. Basic cybersecurity issues pertinent to schools, students,
10 and educators, including, but not limited to, phishing and
11 multifactor authentication; and

12 3. Other current and emerging issues and topics which address
13 the safe and secure use of technology by students and educators.

14 SECTION 8. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 29-108 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Beginning with the 2025-2026 school year and each school
18 year thereafter, by October 15, each local governing body shall
19 submit a copy of the acceptable-use policy adopted pursuant to
20 Section 5 of this act to the State Board of Education. Such
21 submission shall also include the identification of the technology
22 protection measures that are being used to block access to material
23 in accordance with subsection D of Section 5 of this act.

24

1 B. The State Board of Education shall review each acceptable-
2 use policy and technology protection measure and any subsequent
3 revisions submitted pursuant to subsection C of this section. If
4 the State Board determines after review that a policy, technology
5 protection measure, or revision is not reasonably designed to
6 achieve the requirements of this section, the State Board shall
7 provide written notice to the local governing body explaining the
8 nature of such noncompliance, and the local board of education
9 governing body shall have thirty (30) days from the receipt of
10 written notice to correct such noncompliance. The State Board may
11 provide an extension to the thirty-day period on a showing of good
12 cause.

13 C. No revision of an acceptable-use policy submission which has
14 been approved by the State Board pursuant to subsection B of this
15 section shall be implemented until such revision is approved by the
16 State Board. If the State Board fails to disapprove the revision
17 within sixty (60) days after the submission is received, the local
18 governing body may proceed with the implementation of the revision.

19 D. The State Board shall be authorized to withhold a portion of
20 the state funding allotment for a school or to a local school system
21 if the local board of education that:

22 1. Fails to timely submit an acceptable-use policy or
23 technology protection measure in accordance with the requirements of
24 this section;

1 2. Submits an acceptable-use policy that is not reasonably
2 designed to achieve the requirements of this section; or

3 3. Is not enforcing or is substantially disregarding its
4 acceptable-use policy;

5 4. Is using technology protection measures which do not meet or
6 exceed standards and specifications established by the Department to
7 block access to material in accordance with subsection D of Section
8 5 of this act; or

9 5. Is not using any technology protection measures to block
10 access to material in accordance with subsection D of this section.

11 E. If the State Board disapproves an acceptable-use policy of a
12 local board of education or any revision thereof or notifies the a
13 local governing body that it is subject to the withholding of
14 funding pursuant to subsection D of this section, the local
15 governing body may appeal the decision to the superior court of the
16 county where the local governing body is situated.

17 SECTION 9. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 29-109 of Title 70, unless there
19 is created a duplication in numbering, reads as follows:

20 A. The State Board shall be responsible for conducting
21 investigations and making written determinations as to whether a
22 local governing body has violated the requirements of this section.

23 If the State Board determines that a local governing body is in
24 violation of the requirements of this section, it shall direct the

1 local governing body to acknowledge and correct the violation within
2 thirty (30) days and to develop a corrective plan for preventing
3 future recurrences.

4 B. Notwithstanding any other provision of this section to the
5 contrary, an administrator or supervisor of a school or local school
6 system, or designee thereof, may disable the software program or
7 online server that is being utilized technology protection measure
8 that is being used to block access to material or take other
9 reasonable steps for an adult or for a minor who provides written
10 consent from his or her parent or guardian to enable access to the
11 Internet for bona fide research or other lawful purpose.

12 C. Nothing in subsection B of this section shall be construed
13 to permit any person to have access to material the character of
14 which is illegal under federal or state law.

15 SECTION 10. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 29-110 of Title 70, unless there
17 is created a duplication in numbering, reads as follows:

18 A. No later than April 1, 2026, each local governing body shall
19 adopt a social media policy which shall:

20 1. a. except as provided in subparagraph b of this
21 paragraph, prohibit students from accessing social
22 media platforms through the use of computer equipment,
23 communications services, or Internet access that is
24 operated, owned, leased, and made available to

1 students by the local governing body, the school
2 system, or a public school,

3 b. to the extent authorized by such social media policy,
4 students shall be permitted to access social media
5 platforms only:

6 (1) as directed by school personnel,

7 (2) for the exclusive purpose of accessing and
8 utilizing age-appropriate educational resources,

9 (3) under the supervision of such school personnel,
10 and

11 (4) during the course of a school related activity;

12 2. Establish appropriate measures to be taken when a student
13 violates such policy; and

14 3. Establish procedures for parents and legal guardians to:

15 a. request information from school personnel about what
16 social media platforms have been or are intended to be
17 accessed as provided in subparagraph b of paragraph 1
18 of this subsection, and

19 b. prohibit their child from accessing one or more social
20 media platforms as provided in subparagraph b of
21 paragraph 1 of this subsection.

22 B. A local governing body shall take such steps as it deems
23 appropriate to implement and enforce its social media policy, which
24 shall include, but shall not be limited to:

1 1. Use of software programs and other technologies reasonably
2 designed and intended to block and monitor access to social media
3 platforms; and

4 2. Selection of online servers that block and monitor access to
5 social media platforms.

6 C. Each local school system or public school shall publish on
7 its website a copy of the social media policy adopted pursuant to
8 this section and shall provide a paper copy of such upon written
9 request of a parent or guardian of an enrolled student.

10 D. The Department of Education shall be authorized to consult
11 with and assist any local governing body in developing and
12 implementing a social media policy pursuant to this section.

13 E. 1. No later than April 1, 2026, each local governing body
14 shall submit a copy of the social media policy adopted pursuant to
15 this section to the Department of Education for compliance review.
16 Such submission shall identify any software program or other
17 technology that is being or will be utilized to block access to
18 social media platforms in accordance with subsection B of this
19 section.

20 SECTION 11. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 29-111 of Title 70, unless there
22 is created a duplication in numbering, reads as follows:

23 A. The Department of Education shall review each social media
24 policy and any subsequent revisions submitted pursuant to Section 10

1 of this act. If the Department of Education determines after
2 compliance review that a policy or revision thereof is not
3 reasonably designed to achieve the requirements of this section, it
4 shall provide written notice of noncompliance to the local governing
5 body as provided for in subsection C of this section.

6 B. No revision of a social media policy which has been deemed
7 compliant pursuant to subsection C of this section shall be
8 implemented until such revision is reviewed by the Department of
9 Education. If the Department of Education fails to provide a notice
10 of noncompliance for the revision within sixty (60) days of its
11 receipt, the local governing body may proceed with the
12 implementation of the revision.

13 C. 1. The Department of Education shall be responsible for
14 conducting any necessary investigations and making written
15 determinations as to whether a local governing body has failed to
16 comply with the requirements of this section.

17 2. If the Department of Education determines that a local
18 governing body has failed to comply with the requirements of this
19 section, it shall provide a written notice of noncompliance to such
20 local governing body and the local governing body shall have thirty
21 (30) days from the receipt of such notice to correct such
22 noncompliance and to develop a corrective action plan for preventing
23 future recurrences.

24

1 D. The Department of Education may extend such thirty-day
2 period upon a showing of good cause by the local governing body.

3 E. 1. The State Board of Education shall be authorized to take
4 corrective action, including, but not limited to, withholding a
5 portion of state funding to a local school system or public school
6 if such local governing body fails to comply with the provisions of
7 this section or fails to enforce or substantially disregards its
8 social media policy.

9 2. If the State Board of Education notifies the local governing
10 body that it is subject to the withholding of state funding pursuant
11 to paragraph 1 of this subsection, such local governing body may
12 bring an action against the State Board of Education seeking
13 appropriate relief from the superior court of the county where the
14 local governing body is headquartered.

15 SECTION 12. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 29-112 of Title 70, unless there
17 is created a duplication in numbering, reads as follows:

18 A. No later than July 1, 2026:

19 1. Each local board of education shall adopt a policy that
20 prohibits bullying, including, without limitation, cyberbullying, by
21 a student and shall require such prohibition to be included in the
22 student code of conduct for schools in that school system;

23 2. Each local board policy shall require that, upon a finding
24 by the disciplinary hearing officer, panel, or tribunal of school

1 officials provided for in this subpart that a student in grades six
2 through twelve has committed the offense of bullying for the third
3 time in a school year, such student shall be assigned to an
4 alternative school;

5 3. Each local board of education shall establish and publish in
6 its local board policy a method to notify the parent, guardian, or
7 other person who has control or charge of a student upon a finding
8 by a school administrator that such student has committed an offense
9 of bullying or is a target or suspected victim of bullying. Such
10 notice shall, as appropriate under the circumstances, include
11 referrals to resources for counseling and other appropriate services
12 for students who have been found to have committed an offense of
13 bullying or are targets or suspected victims of bullying; and

14 4. Each local board of education shall ensure that students and
15 parents and guardians of students are notified of the prohibition
16 against bullying, and the penalties for violating the prohibition,
17 by posting such information at each school and by including such
18 information in student and parent handbooks; and

19 5. Each local board of education shall establish a process to
20 regularly evaluate and update the use of technology solutions to aid
21 in the prevention of cyberbullying on school equipment, including,
22 but not limited to, monitoring software intended to provide
23 electronic notification when the occurrence of cyberbullying is
24 detected on such equipment.

1 B. No later than January 1, 2026, the Department of Education
2 shall develop a model policy regarding bullying, that may be revised
3 from time to time, and shall post such policy on its website in
4 order to assist local school systems. Such model policy shall
5 include:

6 1. A statement prohibiting bullying;

7 2. A requirement that any teacher or other school employee who
8 has reliable information that would lead a reasonable person to
9 suspect that someone is a target of bullying shall immediately
10 report it to the school principal;

11 3. A requirement that each school have a procedure for the
12 school administration to promptly investigate in a timely manner and
13 determine whether bullying has occurred;

14 4. An age-appropriate range of consequences for bullying which
15 shall include, at minimum and without limitation, disciplinary
16 action or counseling as appropriate under the circumstances;

17 5. A requirement that each school provide referrals, as
18 appropriate under the circumstances, to age-appropriate
19 interventions and services, including, but not limited to,
20 counseling services, for students who have been found to have
21 committed an offense of bullying or are targets or suspected victims
22 of bullying;

23 6. A procedure for a teacher or other school employee, student,
24 parent, guardian, or other person who has control or charge of a

1 student, either anonymously or in such person's name, at such
2 person's option, to report or otherwise provide information on
3 bullying activity;

4 7. A statement prohibiting retaliation following a report of
5 bullying; and

6 8. Provisions consistent with the requirements of subsection A
7 of this section.

8 C. No later than January 1, 2026, the Department of Education
9 shall develop and post on its website:

10 1. A list of entities and their contact information which
11 produce antibullying training programs and materials deemed
12 appropriate by the Department for use in local school systems. Such
13 list shall include at least one entity that provides awareness and
14 training programs relating to cyberbullying; and

15 2. A list of online and in-person providers of counseling and
16 other appropriate services for students who have been found by
17 school officials to have committed an offense of bullying or are
18 targets or suspected victims of bullying. Such list shall include
19 in-person providers available to families in areas throughout the
20 state.

21 D. Any person who reports an incident of bullying in good faith
22 shall be immune from civil liability for any damages caused by such
23 reporting.

24

1 E. Nothing in this section or in the model policy promulgated
2 by the Department of Education shall be construed to require a local
3 board of education to provide transportation to a student
4 transferred to another school as a result of a bullying incident.

5 F. Any school system which is not in compliance with the
6 requirements of subsection A of this section shall be ineligible to
7 receive state funding.

8 SECTION 13. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 29-113 of Title 70, unless there
10 is created a duplication in numbering, reads as follows:

11 A. The provider of a social media platform shall make
12 commercially reasonable efforts to verify the age of account holders
13 with a level of certainty appropriate to the risks that arise from
14 the social media platform's information management practices or
15 shall apply the special conditions applied to minors under this act
16 to all account holders.

17 B. The provider of a social media platform shall treat as a
18 minor any individual such provider verifies to be under the age of
19 sixteen (16) years.

20 C. No provider of a social media platform shall permit a minor
21 to be an account holder unless such provider obtains the express
22 consent of such minor's parent or guardian. Acceptable methods of
23 obtaining express consent from a parent or guardian include:

24

1 1. Providing a form for the minor's parent or guardian to sign
2 and return to the social media platform by common carrier,
3 facsimile, email, or scanning;

4 2. Providing a toll-free telephone number for the minor's
5 parent or guardian to call to consent;

6 3. Coordinating a call with the minor's parent or guardian
7 using videoconferencing technology;

8 4. Collecting information related to the minor's parent's or
9 guardian's government issued identification or financial or payment
10 card information and deleting such information after confirming the
11 identity of the parent or guardian;

12 5. Allowing the minor's parent or guardian to provide consent
13 by responding to an email and taking additional steps to verify the
14 parent's or guardian's identity; and

15 6. Any other commercially reasonable method of obtaining
16 consent using available technology.

17 D. Notwithstanding any other provision of this act, no provider
18 of a social media platform shall permit a minor to hold or open an
19 account on the social media platform if the minor is ineligible to
20 hold or open an account under any other provision of state or
21 federal law.

22 E. The provider of a social media platform shall make
23 available, upon the request of a parent or guardian of a minor, a
24 list and description of the features offered by the social media

1 platform related to censoring or moderating content available on the
2 social media platform, including any features that can be disabled
3 or modified by an account holder.

4 F. For a minor account holder, the provider of a social media
5 platform shall prohibit all of the following:

6 1. The display of any advertising in the minor account holder's
7 account based on such minor account holder's personal information,
8 except age and location; and

9 2. The collection or use of personal information from the
10 posts, content, messages, text, or usage activities of the minor
11 account holder's account other than what is adequate, relevant, and
12 reasonably necessary for the purposes for which such information is
13 collected, as disclosed to the minor.

14 SECTION 14. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 29-114 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 A. The Attorney General shall have exclusive authority to
18 enforce the provisions of this act.

19 B. Nothing in this act shall be interpreted to serve as the
20 basis for a private right of action under this act or any other law.

21 C. Subject to the ability to cure an alleged violation under
22 subsection D of this section, the Attorney General may initiate an
23 action and seek damages for up to Two Thousand Five Hundred Dollars
24 (\$2,500.00) for each violation under this act.

1 D. At least ninety (90) days before the day on which the
2 Attorney General initiates an enforcement action against a person or
3 entity that is subject to the requirements of this act, the Attorney
4 General shall provide the person or entity with a written notice
5 that identifies each alleged violation and an explanation of the
6 basis for each allegation. The Attorney General shall not initiate
7 an action if the person or entity cures the noticed violation within
8 ninety (90) days of receiving notice from the Attorney General and
9 provides the Attorney General with a written statement indicating
10 that the alleged violation is cured.

11 E. No provision in a contract, statement of terms or
12 conditions, or any other purported agreement, including, but not
13 limited to, a choice of law provision, a waiver or limitation, or a
14 purported waiver or limitation, may be utilized to prevent the
15 application of this act or prevent, limit, or otherwise interfere
16 with any person's or entity's right to cooperate with the Attorney
17 General or to file a complaint with the Attorney General. Any such
18 provision shall be null and void and unenforceable as contrary to
19 public policy, and a court or arbitrator shall not enforce or give
20 effect to any such provision.

21 SECTION 15. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 29-115 of Title 70, unless there
23 is created a duplication in numbering, reads as follows:

24

1 A. Before allowing access to a public website that contains a
2 substantial portion of material that is harmful to minors, a
3 commercial entity shall use a reasonable age verification method,
4 which may include, but not be limited to:

5 1. The submission of a digitized identification card, including
6 a digital copy of a driver's license;

7 2. The submission of government-issued identification; or

8 3. Any commercially reasonable age verification method that
9 meets or exceeds an Identity Assurance Level 2 standard, as defined
10 by the National Institute of Standards and Technology.

11 B. 1. A commercial entity that knowingly and intentionally
12 publishes or distributes material that is harmful to minors on a
13 public website which contains a substantial portion of material that
14 is harmful to minors is liable if the commercial entity fails to
15 perform reasonable age verification of the individual attempting to
16 access the material.

17 2. A commercial entity that violates this section is liable to
18 an individual for damages resulting from a minor accessing material
19 harmful to minors, including court costs and reasonable attorneys'
20 fees as ordered by the court.

21 3. A commercial entity that violates this section shall be
22 subject to a fine of up to Ten Thousand Dollars (\$10,000.00) for
23 each violation, the amount of which shall be determined by the
24 district court for the county in which any affected minor resides.

1 The Attorney General or district attorney having jurisdiction shall
2 institute proceedings to impose such fine within one (1) year of the
3 violation. The issuance of a fine under this paragraph shall not
4 preclude any right of action.

5 C. 1. When a commercial entity or third party performs a
6 reasonable age verification, the commercial entity shall not retain
7 any identifying information after access to the material has been
8 granted.

9 2. A commercial entity that is found to have knowingly retained
10 identifying information of an individual after access to the
11 material has been granted is liable to such individual for damages
12 resulting from retaining the identifying information, including
13 court costs and reasonable attorney's fees as ordered by the court.

14 D. This section shall not:

15 1. Apply to a news or public interest broadcast, public website
16 video, report, or event;

17 2. Affect the rights of a news-gathering organization; or

18 3. Apply to cloud service providers.

19 E. An Internet service provider and any affiliate, subsidiary,
20 or search engine shall not be considered to have violated this
21 section solely by providing access or connection to or from a public
22 website or to other information or content on the Internet or on a
23 facility, system, or network that is not under that Internet service
24 provider's control, to the extent the Internet service provider is

1 not responsible for the creation of the content or the communication
2 that constitutes material that is harmful to minors.

3 SECTION 16. This act shall become effective July 1, 2025.

4 SECTION 17. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8

9 COMMITTEE REPORT BY: COMMITTEE ON HEALTH AND HUMAN SERVICES
10 OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended and Coauthored.

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