

1 AN ACT relating to the protection of minors on digital platforms.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO  
4 READ AS FOLLOWS:

5 *As used in Sections 1 to 5 of this Act:*

6 *(1) "Addictive feed" means content recommended, selected, or prioritized for display*  
7 *to a user based, in whole or in part, on information associated with that user or*  
8 *the user's device, including but not limited to data gathered about the user's past*  
9 *behavior, viewing history, interaction patterns, or demographic profile;*

10 *(2) "Minor" means an individual who is under the age of eighteen (18);*

11 *(3) "Nonaddictive feed" means a presentation of content to a user that is displayed:*

12 *(a) In a linear, chronological order based only on the time the content was*  
13 *uploaded by accounts the user explicitly follows; or*

14 *(b) Only in response to a specific, nonprepopulated search query initiated by*  
15 *the user;*

16 *(4) "Social media platform" means any public-facing internet website, web*  
17 *application, or mobile application that:*

18 *(a) Is primarily used to connect with other users;*

19 *(b) Allows users to create, upload, and view content; and*

20 *(c) Has more than five hundred thousand (500,000) unique monthly users*  
21 *located in the Commonwealth; and*

22 *(5) "Verifiable parental consent" means consent obtained through a commercially*  
23 *reasonable method that requires the platform to obtain information that enables*  
24 *the platform to reasonably ensure the individual providing consent is the minor's*  
25 *parent or legal guardian.*

26 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO  
27 READ AS FOLLOWS:

1 (1) (a) A social media platform shall not provide a minor with an addictive feed  
2 without first obtaining verifiable parental consent. Without a verifiable  
3 parental consent, a social media platform shall only provide a nonaddictive  
4 feed to a minor. Upon obtaining verifiable parental consent, a social media  
5 platform may provide an addictive feed to the minor.

6 (b) A social media platform shall not deny access to its basic functionality or  
7 service to any user solely because verifiable parental consent to use an  
8 addictive feed has been withheld.

9 (2) A social media platform shall implement technical measures to prohibit the  
10 sending of push notifications to a minor between the hours of 12 midnight and 6  
11 a.m., unless the social media platform first obtains verifiable parental consent  
12 allowing such notifications.

13 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO  
14 READ AS FOLLOWS:

15 (1) A social media platform shall use commercially reasonable and technically  
16 feasible methods to determine the age of a user with a specified level of accuracy  
17 upon account creation.

18 (2) Any personal information collected by a social media platform for the sole  
19 purpose of determining age or obtaining verifiable parental consent shall:

20 (a) Not be used, retained, or disclosed for any other purpose, including  
21 advertising, marketing, or behavioral profiling; and

22 (b) Be deleted or deidentified immediately after its intended use for age  
23 verification or consent acquisition is complete.

24 (3) A social media platform shall not permit a minor to conduct any purchase or  
25 engage in any financial transaction, including but not limited to in-app  
26 purchases, microtransactions, or transferring funds, without an explicit, separate,  
27 and verifiable parental consent for each transaction.

1        ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO  
2 READ AS FOLLOWS:

3        (1) A social media platform shall develop and implement a proactive strategy to  
4        prevent a known minor's exposure to harmful material, which includes content  
5        that promotes, glorifies, or facilitates:

6        (a) Suicide, self-harm, or eating disorders;

7        (b) Substance abuse; or

8        (c) Stalking, bullying, or harassment.

9        (2) The proactive strategy required under subsection (1) of this section shall include  
10        the use of filtering technology to block such harmful material from being  
11        displayed to a known minor.

12        (3) (a) The Attorney General may enforce violations of Sections 1 to 5 of this Act.

13        (b) Any violation of Sections 1 to 5 of this Act shall be considered an unlawful  
14        act under KRS 367.170.

15        (c) The Attorney General may initiate a civil action for a violation of Sections 1  
16        to 5 of this Act and seek:

17        1. Up to five thousand dollars (\$5,000) for the first violation;

18        2. Up to ten thousand dollars (\$10,000) for each subsequent violation;

19        and

20        3. Reasonable expenses incurred in investigating and preparing the case,  
21        court costs, attorney's fees, and any other relief ordered by the court.

22        (d) In addition to enforcement by the Attorney General, a parent or legal  
23        guardian of a minor who has been harmed by a violation of Sections 1 to 5  
24        of this Act may bring a civil action in a court of competent jurisdiction  
25        against a social media platform to obtain a declaratory judgment that the  
26        platform is in noncompliance with Sections 1 to 5 of this Act.

27        ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 367 IS CREATED TO

1 READ AS FOLLOWS:

2 *If any provision of Sections 1 to 5 of this Act or its application to any person or*  
3 *circumstance is held invalid, the invalidity shall not affect other provisions or*  
4 *applications of Sections 1 to 5 of this Act which can be given effect without the invalid*  
5 *provision or application, and to this end the provisions of Sections 1 to 5 of this Act are*  
6 *severable.*

7       ➔Section 6. This Act may be cited as the Youth Online Safety Act.

8       ➔Section 7. This Act takes effect January 1, 2027.