

**SB186 ENROLLED**



1 SB186  
2 11XNSZZ-2  
3 By Senator Chambliss  
4 RFD: Children and Youth Health  
5 First Read: 20-Feb-25



## SB186 Enrolled

1 Enrolled, An Act,

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4 Relating to consumer protection; to require the use of  
5 a filter on certain Internet-enabled devices in this state; to  
6 provide certain requirements for the filter; and to authorize  
7 a civil action for a violation.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. As used in this act, the following terms  
10 have the following meanings:

11 (1) ACTIVATE. The process of powering on a device and  
12 associating it with a new or existing user account.

13 (2) DEVICE. A tablet or a smartphone manufactured on or  
14 after June 1, 2025.

15 (3) FILTER. Generally accepted and commercially  
16 reasonable software used on a device that is capable of  
17 preventing the device from accessing or displaying obscene  
18 material through Internet browsers or search engines owned and  
19 controlled by the manufacturer in accordance with prevailing  
20 industry standards, including blocking known websites linked  
21 to obscene content, via mobile data networks, wired Internet  
22 networks, and wireless Internet networks.

23 (4) INTERNET. The global information system that is  
24 logically linked together by a globally unique address space  
25 based on the Internet protocol (IP), or its subsequent  
26 extensions; that is able to support communications using the  
27 transmission control protocol/Internet protocol (TCP/IP) suite  
28 or its subsequent extensions, or other IP-compatible



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29 protocols; and that provides, uses, or makes accessible,  
30 either publicly or privately, high-level services layered on  
31 communications and related infrastructure.

32 (5) MANUFACTURER. A person to which all of the  
33 following apply:

34 a. Is engaged in the business of manufacturing a  
35 device.

36 b. Holds the patents for each device it manufactures or  
37 holds the patents for the operating system on a device.

38 c. Has a commercial designated registered agent in this  
39 state.

40 (6) MINOR. An individual under 18 years of age who is  
41 not emancipated, married, or a member of the United States  
42 Armed Forces.

43 (7) OBSCENE MATERIAL. A visual depiction of sexually  
44 explicit conduct, as defined under Section 13A-12-190, Code of  
45 Alabama 1975.

46 (8) OPERATING SYSTEM. Software that manages all of the  
47 other application programs on a device.

48 (9) PASSWORD. A string of characters or other secure  
49 method used to enable, deactivate, modify, or uninstall a  
50 filter on a device.

51 (10) RETAILER. A person, other than a manufacturer,  
52 that sells a device directly to consumers. The term includes  
53 an employee of a retailer acting in the course and scope of  
54 the employee's employment.

55 (11) SMARTPHONE. An electronic device that combines a  
56 cell phone with a hand-held computer, typically offering



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57 Internet access through a browser or search engine and that  
58 typically has data storage, text, and email capabilities.

59 (12) TABLET. A mobile device that is equipped with a  
60 mobile operating system, touchscreen display, and rechargeable  
61 battery and that has the ability to support access to a  
62 cellular network.

63 (13) VIDEO GAME CONSOLE. A discrete computing system,  
64 including the system's components and peripherals, primarily  
65 used for playing video games, but does not include a  
66 smartphone or tablet.

67 Section 2. Devices activated in this state must meet  
68 all of the following requirements:

69 (1) Contain a filter.

70 (2) Ask the user to provide the user's age during  
71 activation and account set-up.

72 (3) Automatically enable the filter when the user is a  
73 minor based on the age provided under subdivision (2).

74 (4) Allow a password to be established for the filter.

75 (5) Notify the user of the device when the filter  
76 blocks the device from accessing a website.

77 (6) Allow a non-minor who has a password the  
78 opportunity to deactivate and reactivate the filter.

79 Section 3. (a) A manufacturer of a device shall be  
80 subject to civil liability if all of the following occur:

81 (1) A device is activated in the state.

82 (2) The device does not, upon activation, enable a  
83 filter that complies with the requirements described in  
84 Section 2.



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85 (3) A minor accesses obscene material on the device.

86 (b) Notwithstanding subsection (a), this section does  
87 not apply to a manufacturer that makes a good faith effort to  
88 provide a device that, upon activation of the device in the  
89 state, automatically enables a filter on the device that  
90 complies with the requirements of Section 2.

91 (c) Nothing in this act does any of the following:

92 (1) Applies to a device manufactured before June 1,  
93 2025.

94 (2) Applies to a video game console.

95 (3) Creates a cause of action against a retailer of a  
96 device.

97 Section 4. With the exception of a minor's parent or  
98 legal guardian, a person may be liable in a civil action for  
99 intentionally enabling the password to remove or deactivate  
100 the filter on a device in the possession of the minor if the  
101 minor accesses obscene material on the device.

102 Section 5. (a) Whenever the Attorney General has reason  
103 to believe that a person has violated or is violating this  
104 act, the Attorney General, acting in the public interest, may  
105 bring an action in the name of the state against the person as  
106 follows:

107 (1) To enjoin any action that constitutes a violation  
108 of this act by the issuance of a temporary restraining order  
109 or preliminary or permanent injunction.

110 (2) To recover from the alleged violator a civil  
111 penalty not to exceed five thousand dollars (\$5,000) per  
112 violation, and not to exceed a total of fifty thousand dollars



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113 (\$50,000) in aggregate, as determined by the court.

114 (3) To recover from the alleged violator the Attorney  
115 General's reasonable expenses, investigative costs, and  
116 attorney fees.

117 (4) To obtain other appropriate relief as provided for  
118 under this act.

119 (b) The Attorney General, in addition to other powers  
120 conferred by this act, may issue subpoenas to any person and  
121 conduct hearings in aid of any investigation or inquiry.

122 (c) The Attorney General may seek the revocation of any  
123 license or certificate authorizing a manufacturer to engage in  
124 business in this state if, after the manufacturer is found to  
125 have violated this act, the manufacturer demonstrates a  
126 repeated pattern of violations of this act.

127 (d) For purposes of assessing a penalty under this  
128 section, a manufacturer is considered to have committed a  
129 separate violation for each device manufactured on or after  
130 June 1, 2025, which violates Section 2.

131 Section 6. This act shall become effective on October  
132 1, 2025.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB186

Senate 17-Apr-25

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed: 29-Apr-25

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Senate concurred in House amendment 01-May-25

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By: Senator Chambliss