

**HB173 INTRODUCED**



1      HB173  
2      XDIKS7Z-1  
3      By Representative Robbins  
4      RFD: Children and Senior Advocacy  
5      First Read: 13-Jan-26



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4     SYNOPSIS:

5                 Under existing law, online services, products,  
6     and features accessible to children are not required to  
7     protect children's safety and may use privacy-invasive  
8     design features on children.

9                 This bill would require covered platform  
10    operators to restrict access to portions of platforms  
11    that recommend, select, or prioritize for display media  
12    items based on information associated with the covered  
13    user or their device, unless it is determined that the  
14    covered user is not a minor or if parental consent is  
15    obtained.

16                 This bill would limit the hours that covered  
17    operators may send notifications to covered minors.

18                 This bill would require covered operators to use  
19    default platform settings that restrict covered minors  
20    from accessing the platform, receiving notifications,  
21    and engaging on the platform during certain time  
22    periods.

23                 This bill would require all covered operators to  
24    establish and maintain a mechanism that permits parents  
25    or legal guardians to require more stringent settings  
26    on covered platforms.

27                 This bill would require covered operators to  
28    annually disclose certain data for the previous



29                   calendar year.

30                   This bill would also make a violation of its  
31                   provisions a violation of the Deceptive Trade Practices  
32                   Act.

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35                   A BILL

36                   TO BE ENTITLED

37                   AN ACT

38

39                   Relating to consumer protection; to require covered  
40                   platform operators to restrict access to certain portions of  
41                   platforms unless the age of the user is determined or parental  
42                   consent is obtained; to limit the hours covered operators may  
43                   send notifications to covered minors; to require covered  
44                   operators to use default platform settings on all covered  
45                   platforms that limit covered minors' access, notifications,  
46                   and engagement during certain hours; to require covered  
47                   operators to establish and maintain a mechanism permitting  
48                   parents and legal guardians to require more stringent settings  
49                   on covered platforms; to require covered operators to annually  
50                   disclose certain data; and to make a violation of its  
51                   provisions a violation of the Alabama Deceptive Trade  
52                   Practices Act.

53                   BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

54                   Section 1. (a) For the purposes of this section, the  
55                   following terms have the following meanings:

56                   (1) COVERED MINOR. Any covered user who is younger than



57 18 years of age.

58 (2) COVERED OPERATOR. Any operator who operates or  
59 provides a covered platform. This does not include the federal  
60 government or any state or local government or state or local  
61 subdivision thereof.

62 (3) COVERED PLATFORM. Any platform that, as a  
63 significant part of the services offered, recommends, selects,  
64 or prioritizes for display, either concurrently or  
65 sequentially, media items generated or shared on a platform by  
66 users of the platform. The term does not include any platform  
67 that primarily facilitates the sale of goods or is used by and  
68 under the direction of an educational entity, including a  
69 learning management system or a student engagement program.

70 (4) COVERED USER. Any user of a covered platform in  
71 this state who is not acting as the covered operator, or as an  
72 agent or affiliate of the covered operator, of the covered  
73 platform.

74 (5) MEDIA ITEM. Any text, image, or video.

75 (6) OPERATOR. Any individual, corporation, limited  
76 liability company, partnership, limited partnership, limited  
77 liability partnership, association, joint stock company,  
78 unincorporated organization, or other legal entity that  
79 operates or provides a platform.

80 (7) PLATFORM. Any Internet website, online service,  
81 online application, mobile application, or social media  
82 platform, or any portion thereof.

83 (b) (1) No covered operator of a covered platform shall  
84 allow a covered user to access any portion of the covered



85 platform that recommends, selects, or prioritizes for display,  
86 either concurrently or sequentially, media items generated or  
87 shared by users of the covered platform if the recommendation,  
88 selection, or prioritization is based, in whole or in part, on  
89 any information associated with the covered user or the  
90 covered user's device, unless any of the following occur:

91           a.1. The covered operator has used commercially  
92 reasonable and technically feasible methods to determine that  
93 the covered user is not a covered minor; or

94           2. If the covered user is a covered minor, the covered  
95 operator has obtained verifiable consent from the covered  
96 minor's parent or legal guardian to recommend, select, or  
97 prioritize media items for such covered minor in the manner  
98 prescribed by this section.

99           b. The recommendation, selection, or prioritization is  
100 based on information that is not persistently associated with  
101 the covered user or the covered user's device and does not  
102 concern the covered user's previous interactions with media  
103 items generated or shared by other users of the covered  
104 platform.

105           c. The recommendation, selection, or prioritization is  
106 based on privacy or accessibility settings selected by the  
107 covered user or technical information concerning the covered  
108 user's device.

109           d. The covered user has expressly and unambiguously  
110 requested that any specific media item, media items from a  
111 specific author, creator, or poster to whom the covered user  
112 has subscribed, or media items shared by users to a specific



113 page or group to which the covered user has subscribed be  
114 displayed, blocked, prioritized, or deprioritized.

115 e. The recommended, selected, or prioritized media item  
116 is a direct and private communication.

117 f. The media item is recommended, selected, or  
118 prioritized exclusively in response to a specific search  
119 inquiry made by the covered user.

120 g. The media item is recommended, selected, or  
121 prioritized for display exclusively because the media item  
122 immediately follows any other media item in a preexisting  
123 sequence and is from the same author, creator, poster, or  
124 source.

125 h. The recommendation, selection, or prioritization is  
126 necessary to comply with any other provision of this section.

127 (2) A covered operator shall treat a covered user as a  
128 covered minor if the covered operator obtains actual knowledge  
129 that the covered user is a covered minor. A covered operator  
130 that has used commercially reasonable and technically feasible  
131 methods to determine a covered user's age and cannot determine  
132 whether the covered user is a covered minor shall presume that  
133 such covered user is not a covered minor for the purposes of  
134 this subsection.

135 (3)a. Information collected for the purpose of  
136 determining a covered user's age under this subsection shall  
137 not be used for any other purpose, and such information shall  
138 be deleted immediately after an attempt is made to determine  
139 the covered user's age unless use or retention is necessary to  
140 comply with any federal law or regulation or any other law or



141 regulation of this state.

142       b. Information collected for the purpose of obtaining  
143 verifiable consent from a covered minor's parent or legal  
144 guardian shall not be used for any other purpose, and the  
145 information shall be deleted immediately after an attempt is  
146 made to determine the covered user's age unless use or  
147 retention is necessary to comply with any federal law or  
148 regulation or any other law or regulation of this state.

149       (4) No covered operator shall withhold or degrade, or  
150 reduce the quality or increase the price of, any product,  
151 service, or feature due to the prohibition against  
152 recommending, selecting, or prioritizing media items in the  
153 manner set forth in subdivision (b) (1), unless the  
154 withholding, degradation, reduction, or increase is necessary  
155 for the covered operator to comply with the provisions of this  
156 subsection.

157       (5) Nothing in this subsection shall be construed to  
158 prohibit any covered operator from taking any action to  
159 restrict access to, or the availability of, any media item  
160 that the covered operator in good faith considers to be  
161 obscene, lewd, lascivious, filthy, excessively violent,  
162 harassing, or otherwise objectionable, regardless of whether  
163 such media item is protected under the Constitution of Alabama  
164 of 2022, or the Constitution of the United States.

165       (c) (1) No covered operator shall send any notification  
166 to a covered minor concerning any recommendation, selection,  
167 or prioritization made in the manner set forth in subdivision  
168 (b) (1) unless:



169           a. The notification is sent to the covered minor during  
170    the hours between 8:00 a.m. and 9:00 p.m. Central Standard  
171    Time; or

172           b. The covered operator has obtained verifiable consent  
173    from the covered minor's parent or legal guardian to send  
174    notifications to the covered minor outside of the time frame  
175    set forth in paragraph a.

176           (2) Unless otherwise required by a covered minor's  
177    verified parent or legal guardian, covered operators shall do  
178    all of the following as a default setting for the covered  
179    operator's covered platform:

180           a. Prevent the covered minor from accessing or  
181    receiving any notification described in subdivision (c) (1)  
182    outside of the time frame set forth in paragraph (c) (1)a.

183           b. Limit the covered minor's access to any portion of  
184    the covered operator's covered platform which recommends,  
185    selects, or prioritizes media items in the manner set forth in  
186    subdivision (b) (1) to a maximum period of one hour per day.

187           c. Set the covered minor's covered platform account to  
188    a mode that exclusively allows users to whom the covered minor  
189    is connected to view or respond to content posted by the  
190    covered minor.

191           (3) Covered operators shall also establish and maintain  
192    a mechanism by which a covered minor's verified parent or  
193    legal guardian may require the covered operator to do the  
194    following:

195           a. Prevent the covered minor from accessing or  
196    receiving any notification described in subdivision (1)



197 outside of a time frame specified by the parent or legal  
198 guardian.

199               b. Limit the covered minor's access to any portion of  
200 such covered operator's covered platform that recommends,  
201 selects, or prioritizes media items in the manner set forth in  
202 subdivision (b) (1) to a maximum daily period specified by the  
203 parent or legal guardian.

204               c. Set the covered minor's covered platform account to  
205 a mode that exclusively allows users to whom the covered minor  
206 is connected to view or respond to content posted by the  
207 covered minor.

208               (d) Not later than March 1, 2028, and annually  
209 thereafter, each covered operator shall publicly disclose, in  
210 a form and manner specified by the Attorney General, all of  
211 the following information for the preceding calendar year:

212               (1) The total number of covered users who used the  
213 covered operator's covered platform during the year.

214               (2) The portion of the total number of covered users  
215 who used the covered operator's covered platform during the  
216 year for whom the covered operator obtained verifiable consent  
217 from a parent or legal guardian.

218               (3) The portion of the total number of covered users  
219 who used the covered operator's covered platform for whom the  
220 default settings set forth in subdivision (c) (2) were enabled,  
221 and the portion of the total number of covered users for whom  
222 such default settings were not enabled.

223               (4) The average amount of time per day that covered  
224 users used the covered operator's covered platform, broken



225 down by user age and hour of day.

226 (e) Nothing in this section shall be construed to do  
227 any of the following:

228 (1) Require a covered operator to provide a covered  
229 minor's parent or legal guardian with access to, or control  
230 over, the covered minor's covered platform account or any data  
231 associated therewith, unless provision of such access or  
232 control is specifically required by this section.

233 (2) Impose liability for any commercial activity or  
234 action by a covered operator subject to 15 U.S.C. § 6501 which  
235 is inconsistent with the manner in which the commercial  
236 activity or action is treated under 15 U.S.C. § 6502.

237 (f) A violation of this section shall be deemed a  
238 violation of the Deceptive Trade Practices Act, pursuant to  
239 Chapter 19 of Title 8, Code of Alabama 1975.

240 Section 2. This act shall become effective on October  
241 1, 2026.