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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
RHODE ISLAND SOCIAL MEDIA REGULATION ACT

Introduced By: Representatives Spears, Boylan, Cortvriend, Tanzi, Casimiro, McEntee,
Potter, McNamara, Read, and McGaw

Date Introduced: February 27, 2026

Referred To: House Innovation, Internet, & Technology

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 6 of the General Laws entitled "COMMERCIAL LAW — GENERAL
2 REGULATORY PROVISIONS" is hereby amended by adding thereto the following chapter:

3 CHAPTER 63

4 RHODE ISLAND SOCIAL MEDIA REGULATION ACT

5 **6-63-1. Definitions.**

6 As used in this chapter:

7 (1) "Account holder" means a person who has, or opens, an account or profile to use a
8 social media company's platform.

9 (2) "Director" means the director of the department of business regulation.

10 (3) "Department" means the department of business regulation.

11 (4) "Educational entity" means a public school, a local education agency (LEA), a charter
12 school, a private school, a denominational school, a parochial school, a community college, a state
13 college, a state university, or a nonprofit private postsecondary educational institution.

14 (5) "Interactive computer service" means an information service, information system, or
15 information access software provider that provides or enables computer access by multiple users to
16 a computer server and provides access to the Internet. "Interactive computer service" includes:

17 (i) A web service;

18 (ii) A web system;

- 1 (iii) A website;
- 2 (iv) A web application; and
- 3 (v) A web portal.
- 4 (6) "Minor" means an individual who is under the age of eighteen (18) years.
- 5 (7) "Post" means content that an account holder makes available on a social media platform
6 for other account holders or users to view.
- 7 (8) "Social media company" means a person or entity that:
- 8 (i) Provides a social media platform that has at least five million (5,000,000) account
9 holders worldwide; and
- 10 (ii) Is an interactive computer service.
- 11 (9)(i) "Social media platform" means an online forum that a social media company makes
12 available for an account holder to:
- 13 (A) Create a profile;
- 14 (B) Upload posts;
- 15 (C) View the posts of other account holders; and
- 16 (D) Interact with other account holders or users.
- 17 (ii) "Social media platform" does not include an online service, website, or application:
- 18 (A) Where the predominant or exclusive function is:
- 19 (I) Electronic mail;
- 20 (II) Direct messaging consisting of text, photos, or videos that are sent between devices by
21 electronic means where messages are shared between the sender and the recipient, only visible to
22 the sender and the recipient, and are not posted publicly;
- 23 (B) That provides a streaming service that:
- 24 (I) Provides only licensed media in a continuous flow from the service, website, or
25 application to the end user; and
- 26 (II) Does not obtain a license to the media from a user or account holder by agreement to
27 its terms of service;
- 28 (C) That provides news, sports, entertainment, or other content that is preselected by the
29 provider and not user generated, and any chat, comment, or interactive functionality that is provided
30 incidental to, directly related to, or dependent upon provision of the content;
- 31 (D) That provides online shopping or e-commerce, if the interaction with other users or
32 account holders is generally limited to:
- 33 (I) The ability to upload a post and comment on reviews; and
- 34 (II) The ability to display lists or collections of goods for sale or wish lists; and other

1 functions that are focused on online shopping or e-commerce rather than interaction between users
2 or account holders;

3 (E) That provides interactive gaming, virtual gaming, or an online service, that allows the
4 creation and uploading of content for the purpose of interactive gaming, edutainment, or associated
5 entertainment, and the communication related to that content;

6 (F) That provides photo editing that has an associated photo hosting service, if the
7 interaction with other users or account holders is generally limited to liking or commenting;

8 (G) That provides a professional creative network for showcasing and discovering artistic
9 content, if the content is required to be non-pornographic;

10 (H) That provides single-purpose community groups for public safety if the interaction
11 with other users or account holders is generally limited to that single purpose and the community
12 group has guidelines or policies against illegal content;

13 (I) Providing career development opportunities, including professional networking, job
14 skills, learning certifications, and job posting and application services;

15 (J) That provides business to business software;

16 (K) That provides a teleconferencing or videoconferencing service that allows reception
17 and transmission of audio and video signals for real time communication;

18 (L) That provides cloud storage;

19 (M) That provides shared document collaboration;

20 (N) That provides cloud computing services, which may include cloud storage and shared
21 document collaboration;

22 (O) Providing access to or interacting with data visualization platforms, libraries, or hubs;

23 (P) Permitting comments on a digital news website, if the news content is posted only by
24 the provider of the digital news website;

25 (Q) Providing or obtaining technical support for a platform, product, or service;

26 (R) That provides academic or scholarly research;

27 (S) That provides genealogical research where the majority of the content that is posted or
28 created is posted or created by the provider of the online service, website, or application and the
29 ability to chat, comment, or interact with other users is directly related to the provider's content;

30 (T) That is a classified ad service that only permits the sale of goods and prohibits the
31 solicitation of personal services; or

32 (U) That is used by and under the direction of an educational entity, including a learning
33 management system a student engagement program and a subject or skill-specific program.

34 (10) "User" means a person who has access to view all or some of, the post on a social

1 media platform, but is not an account holder.

2 (11) "Rhode Island account holder" means a person who is a Rhode Island resident and an
3 account holder.

4 (12) "Rhode Island resident" means an individual who currently resides in Rhode Island.

5 **6-63-2. Age requirements for use of social media platform -- Parental consent --**
6 **Rulemaking authority of decision.**

7 (a) Commencing January 1, 2027, a social media company shall not permit a Rhode Island
8 resident who is a minor to be an account holder on the social media company's social media
9 platform.

10 (b) Commencing January 1, 2027, a social media company shall verify the age of an
11 existing or new Rhode Island account holder as required under this chapter:

12 (1) For a new account, at the time the Rhode Island resident opens the account; or

13 (2) For a Rhode Island account holder who has not provided age verification as required
14 under this section, within fourteen (14) calendar days of the Rhode Island account holder's attempt
15 to access the account.

16 (c) If a Rhode Island account holder fails to meet the verification requirements of this
17 section within the required time period, the social media company shall deny access to the account:

18 (1) Upon the expiration of the time period; and

19 (2) Until all verification requirements are met.

20 (d) The department shall promulgate rules and regulations to implement the provisions of
21 this chapter to include, but not limited to:

22 (1) Establish processes or means by which a social media company may meet the age
23 verification requirements of this chapter;

24 (2) Establish acceptable forms or methods of identification, specifically a valid
25 government-issued identification stating the date of birth or age of the individual account holder;

26 (3) Establish requirements for providing confirmation of the receipt of any information
27 provided by a person seeking to verify age under this chapter;

28 (4) Establish requirements for retaining, protecting, and securely disposing of any
29 information obtained by a social media company or its agent as a result of compliance with the
30 requirements of this chapter; and

31 (5) Require that information obtained by a social media company or its agent in order to
32 comply retained for the purpose of compliance and may not be used for any other purpose.

33 (e) If the department permits an agent to process verification requirements required by this
34 section, require that the agent have its principal place of business in the United States of America.

1 (f) The department shall require other applicable state agencies to comply with any rules
2 promulgated under the authority of this section.

3 (g) The department shall ensure that the rules are consistent with state and federal law.

4 **6-63-3. Investigating powers of the department.**

5 (a) The department shall receive consumer complaints alleging a violation of this chapter.

6 (b) A person may file a consumer complaint that alleges a violation under this chapter, with
7 the department.

8 (c) The department shall investigate a consumer complaint to determine whether a violation
9 of § 6-63-2 has occurred.

10 **6-63-4. Enforcement powers of the department.**

11 (a) Except for a private right of action under § 6-63-6, the department has the exclusive
12 authority to administer and concurrent authority with the attorney general to enforce the
13 requirements of § 6-63-2.

14 (b) The attorney general upon request, shall provide legal advice to, and act as counsel for,
15 the department in the exercise of the department responsibilities under this chapter.

16 (c) Subject to the ability to cure an alleged violation under this chapter:

17 (1) The department director may impose an administrative fine of up to two thousand five
18 hundred dollars (\$2,500) for each violation of this chapter; and

19 (2) The department may refer alleged violations to the attorney general to bring an action
20 in a court of competent jurisdiction to enforce a provision of this chapter.

21 (d) In a court action by the attorney general to enforce a provision of § 6-63-2, the court
22 may:

23 (1) Declare that the act or practice violates a provision of § 6-63-2;

24 (2) Issue an injunction for a violation of § 6-63-2;

25 (3) Order disgorgement of any money received in violation of § 6-63-2;

26 (4) Order payment of disgorged money to an injured purchaser or consumer;

27 (5) Award actual damages to an injured purchaser or consumer; and

28 (6) Award any other relief that the court deems reasonable and necessary.

29 (e) At least thirty (30) days before the day on which the department initiates an enforcement
30 action against a person or entity or refer the matter to the attorney general, the department shall
31 provide the person or entity with:

32 (1) Written notice that identifies each alleged violation; and

33 (2) An explanation of the basis for each allegation.

34 (f) The department may not initiate an action if the person or entity:

1 (1) Cures the noticed violation within thirty (30) days after the day on which the person or
2 entity receives the notices; and

3 (2) Provides the department with a written statement that:

4 (i) The person or entity has cured the violation; and

5 (ii) States no further violation shall occur.

6 (g) The department shall refer a matter to the attorney general with a recommendation to
7 initiate a civil action against a person or entity who:

8 (1) Fails to cure a violation after receiving the notice described in this section; or

9 (2) After curing a noticed violation and providing a written statement in accordance with
10 the provisions of this chapter, commits another violation of the same provision.

11 (h) If a court of competent jurisdiction grants judgment or injunctive relief to the attorney
12 general the court shall award the department:

13 (1) Reasonable attorneys' fees;

14 (2) Court costs; and

15 (3) Investigative fees.

16 (i) A person who repeatedly violates an administrative or court order issued for a violation
17 of this chapter, is subject to a civil penalty of no more than five thousand dollars (\$5,000) for a
18 second or subsequent violation.

19 (j) A civil penalty authorized under this section may be imposed in any civil action brought
20 or by the attorney general on behalf of the department.

21 (k) Nothing in this chapter shall be construed as limiting or preventing the attorney general
22 from initiating any investigation or enforcement action prior to or absent a referral from the
23 department.

24 **6-63-5. Department report.**

25 (a) The department, in consultation with the attorney general, shall, by October 15, compile
26 an annual report:

27 (1) Evaluating the liability and enforcement provisions of this chapter, including:

28 (i) The effectiveness of the department's efforts to enforce this chapter; and

29 (ii) Any recommendations for changes to this chapter;

30 (2) Summarizing the consumer interactions that are protected and not protected by this
31 chapter, including a list of alleged violations the department has received; and

32 (3) An accounting of all administrative fines and civil penalties assessed during the year.

33 (b) A copy of the reports compiled pursuant to the provisions of subsection (a) of this
34 section shall be provided to the governor, the speaker, and the senate president.

1 **6-63-6. Private rights of action.**

2 (a) Commencing January 1, 2027, an aggrieved person or account holder may bring an
3 action against a person that violates a requirement of § 6-63-2.

4 (b) A suit filed under the authority of this section shall be filed in the superior court for the
5 county in which a person bringing the action resides.

6 (c) If a court finds that a person or entity has violated a provision of § 6-63-2, the person
7 who brings an action under this section is entitled to:

8 (1) An award of reasonable attorneys' fees and court costs; and

9 (2) An amount equal to the greater of:

10 (i) Two thousand five hundred dollars (\$2,500) per each incident of violation; or

11 (ii) Actual damages for financial, physical, and emotional harm incurred by the person
12 bringing the action, if the court determines that the harm is a direct consequence of the violation or
13 violations.

14 **6-63-7. Waiver prohibited.**

15 A waiver or limitation, or a purported waiver or limitation, of any of the provisions of this
16 chapter is void as unlawful, is against public policy, and a court or arbitrator shall not enforce or
17 give effect to the waiver, notwithstanding any contract or choice-of-law provision in a contract that
18 violates a protection or requirement provided under this chapter.

19 **6-63-8. Severability.**

20 If any provision of this chapter or the application of any provision to any person or
21 circumstance is held invalid by a final decision of a court of competent jurisdiction, the remainder
22 of this chapter shall be given effect without the invalid provision or application. The provisions of
23 this chapter are severable.

24 SECTION 2. This act shall take effect on January 1, 2027.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO COMMERCIAL LAW -- GENERAL REGULATORY PROVISIONS --
RHODE ISLAND SOCIAL MEDIA REGULATION ACT

- 1 This act would create the Rhode Island Social Media Regulation act, which would not
- 2 permit a Rhode Island resident who is a minor to be an account holder on a social media's platform.
- 3 This act would take effect on January 1, 2027.

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