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Committee Substitute Favorable 4/1/25
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PROPOSED SENATE COMMITTEE SUBSTITUTE H301-PCS40690-BN-13

Short Title: Social Media & AI Safety.

(Public)

Sponsors:

Referred to:

March 6, 2025

A BILL TO BE ENTITLED

AN ACT TO PROVIDE SOCIAL MEDIA PROTECTIONS FOR MINORS UNDER SIXTEEN YEARS OF AGE, TO REQUIRE THE STATE BOARD OF EDUCATION TO UPDATE COMPUTER SCIENCE STANDARDS TO INCLUDE INSTRUCTION ON ARTIFICIAL INTELLIGENCE (AI), TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO ADOPT A MODEL AI POLICY, TO REQUIRE GOVERNING BODIES OF PUBLIC SCHOOL UNITS TO ADOPT POLICIES ON AI USE, TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO ESTABLISH A FRAMEWORK FOR EVALUATING GENERATIVE AI-POWERED EDUCATIONAL TOOLS USED IN PUBLIC SCHOOLS, AND TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO PARTNER WITH THE FRIDAY INSTITUTE TO DEVELOP EDUCATOR AND ADMINISTRATOR TRAINING ON THE USE OF AI.

The General Assembly of North Carolina enacts:

PART I. SOCIAL MEDIA PROTECTIONS FOR MINORS

SECTION 1.(a) The General Statutes are amended by adding a new Chapter to read:
"Chapter 114B.

"Social Media Protections for Minors.

"§ 114B-1. Title; definitions.

(a) Title. – This Chapter shall be known and may be cited as the "Social Media Protection for Minors Act."

(b) Definitions. – The following definitions apply in this Chapter:

(1) Account holder. – A person who opens an account or creates a profile or is identified by the social media platform by a unique identifier while using or accessing a social media platform when the social media platform knows or has reason to believe the person is a resident of this State.

(2) Anonymous age verification. – A commercially reasonable method used by a government agency or a business for the purpose of age verification, that is conducted by a nongovernmental, independent third party organized under the laws of a state of the United States that meets all of the following criteria:

a. Has its principal place of business in a state of the United States.

b. Is not owned or controlled by a company formed in a foreign country, a government of a foreign country, or any other entity formed in a foreign country.



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- 1 (3) Daily active users. – The number of unique users in the United States who
2 used the online forum, website, or application at least eighty percent (80%) of
3 the days during the previous 12 months or, if the online forum, website, or
4 application did not exist during the previous 12 months, the number of unique
5 users in the United States who used the online forum, website, or application
6 at least eighty percent (80%) of the days during the previous month.
- 7 (4) Department. – The North Carolina Department of Justice.
- 8 (5) Minor. – A person who is under 16 years of age.
- 9 (6) Resident. – A person who lives in this State for more than six months of the
10 year.
- 11 (7) Social media platform or platform. – An online forum, website, or application
12 that satisfies all of the following criteria:
- 13 a. Allows users to upload content or view the content or activity of other
14 users.
- 15 b. Ten percent (10%) or more of the daily active users who are younger
16 than 16 years of age spend on average two hours per day or longer on
17 the online forum, website, or application on the days when using the
18 online forum, website, or application during the previous 12 months
19 or, if the online forum, website, or application did not exist during the
20 previous 12 months, during the previous month.
- 21 c. Employs algorithms that analyze user data or information on users to
22 select content for users.
- 23 d. Has any of the following addictive features:
- 24 1. Infinite scrolling, which means either (i) continuously loading
25 content or content that loads as the user scrolls down the page
26 without the need to open a separate page or (ii) seamless
27 content or the use of pages with no visible or apparent end or
28 page breaks.
- 29 2. Push notifications or alerts sent by the online forum, website,
30 or application to inform a user about specific activities or
31 events related to the user's account.
- 32 3. Displays personal interactive metrics that indicate the number
33 of times other users have clicked a button to indicate their
34 reaction to content or have shared or reposted the content.
- 35 4. Auto-play video or video that begins to play without the user
36 first clicking on the video or on a play button for that video.
- 37 5. Live-streaming or a function that allows a user or advertiser to
38 broadcast live video content in real time.
- 39 The term does not include (i) an online service, website, or application where
40 the exclusive function is email or direct messaging consisting of text,
41 photographs, pictures, images, or videos shared only between the sender and
42 the recipients, without displaying or posting publicly or to other users not
43 specifically identified as the recipients by the sender, (ii) an online service,
44 website, or application that consists primarily of news, sports, entertainment,
45 or other information or content that is not user generated but preselected by
46 the provider, and for which any chat, comments, or interactive functionality is
47 incidental to, directly related to, or dependent on the provision of such content,
48 (iii) a community forum where the primary purpose of the forum is for
49 customer self-service support related to products, sellers, services, events, or
50 places, or any combination thereof, (iv) an interactive video game service
51 equipped with parental controls, (v) online shopping, or (vi) e-commerce.

1 (8) Standard age verification. – Any commercially reasonable method of age
2 verification approved by the social media platform.

3 **§ 114B-2. Social media protections for minors.**

4 (a) Minors Under 14 Years of Age. – A social media platform shall prohibit a minor who
5 is younger than 14 years of age from entering into a contract with the platform to become an
6 account holder and shall do all of the following:

7 (1) Terminate any account held by a minor under 14 years of age upon 30 days'
8 notice to the account holder. Termination must be effective upon the
9 expiration of the 30 days if the account holder fails to effectively dispute the
10 termination.

11 (2) Permanently delete all personal information held by the social media platform
12 relating to the terminated account, unless there are legal requirements to
13 maintain the information.

14 (b) Minors 14 or 15 Years of Age. – A social media platform shall prohibit a minor who
15 is 14 or 15 years of age from entering into a contract with the platform to become an account
16 holder unless the minor's parent or guardian provides consent for the minor to become an account
17 holder and shall do all of the following:

18 (1) Terminate any account held by an account holder who is 14 or 15 years of age
19 if the account holder's parent or guardian has not provided consent for the
20 minor to create or maintain the account. The social media platform shall
21 provide 30 days for an account holder to dispute the termination.

22 (2) Allow the parent or guardian of an account holder who is 14 or 15 years of
23 age to request that the minor's account be terminated. Termination must be
24 effective within 10 business days after the request.

25 (3) Permanently delete all personal information held by the social media platform
26 relating to the terminated account unless there are legal requirements to
27 maintain the information.

28 (c) Violations. – If the Department has reason to believe that a social media platform is
29 in violation of this section, the Department, as the enforcing entity, may bring an action against
30 the platform for an unfair or deceptive act or practice.

31 Any knowing or reckless violation of this section is deemed an unfair and deceptive trade
32 practice actionable under Chapter 75 of the General Statutes actionable solely by the Department
33 against a social media platform.

34 In addition to other remedies allowed by law, the Department may collect a civil penalty of
35 up to fifty thousand dollars (\$50,000) per violation and reasonable attorneys' fees and court costs.
36 When the social media platform's failure to comply with this section is a consistent pattern of
37 knowing or reckless conduct, punitive damages may be assessed against the platform.

38 A social media platform that knowingly or recklessly violates this section is liable to the
39 minor account holder, including court costs and reasonable attorneys' fees. Claimants may be
40 awarded up to ten thousand dollars (\$10,000) in damages. Any action brought under this
41 paragraph may only be brought on behalf of a minor account holder. A civil action for a claim
42 under this paragraph must be brought within one year from the date the complainant knew, or
43 reasonably should have known, of the alleged violation.

44 If a social media platform allows an account holder to use the social media platform, the
45 parties have entered into a contract.

46 This section does not preclude any other available remedy at law or in equity.

47 For purposes of bringing an action under this section, a social media platform that allows a
48 minor to create an account on the platform is considered to be both engaged in substantial and
49 not isolated activities within this State and operating, conducting, engaging in, or carrying on a
50 business and doing business in this State, and is therefore subject to the jurisdiction of the courts
51 of this State.

1 (d) Enforcement. – If, by its own inquiry or as a result of complaints, the Department has
2 reason to believe that an entity or person has engaged in, or is engaging in, an act or practice that
3 violates this section, the Department may administer oaths and affirmations, subpoena witnesses
4 or matter, and collect evidence. Within five days, excluding weekends and legal holidays, after
5 the service of a subpoena or at any time before the return date specified therein, whichever is
6 longer, the party served may file in the superior court in the county in which it resides or in which
7 it transacts business and serve upon the enforcing authority a petition for an order modifying or
8 setting aside the subpoena. The petitioner may raise any objection or privilege which would be
9 available upon service of such subpoena in a civil action. The subpoena shall inform the party
10 served of its rights under this subsection.

11 If the matter that the Department seeks to obtain by subpoena is located outside the State, the
12 entity or person subpoenaed may make it available to the Department or its representative to
13 examine the matter at the place where it is located. The Department may designate
14 representatives, including officials of the state in which the matter is located, to inspect the matter
15 on its behalf, and may respond to similar requests from officials of other states.

16 Upon failure of an entity or person without lawful excuse to obey a subpoena and upon
17 reasonable notice to all persons affected, the Department may apply to the superior court for an
18 order compelling compliance.

19 The Department may request that an entity or person that refuses to comply with a subpoena
20 on the ground that testimony or matter may incriminate the entity or person be ordered by the
21 court to provide the testimony or matter. Except in a prosecution for perjury, an entity or
22 individual that complies with a court order to provide testimony or matter after asserting a valid
23 privilege against self-incrimination shall not have the testimony or matter so provided, or
24 evidence derived therefrom, received against the entity or person in any criminal investigation or
25 proceeding.

26 Any entity or person upon whom a subpoena is served pursuant to this subsection shall
27 comply with the terms thereof unless otherwise provided by order of the court.

28 Any entity or person that fails to appear with the intent to avoid, evade, or prevent compliance
29 in whole or in part with any investigation under this Chapter or who removes from any place,
30 conceals, withholds, mutilates, alters, or destroys, or by any other means falsifies any
31 documentary material in the possession, custody, or control of any entity or person subject to any
32 such subpoena, or knowingly conceals any relevant information with the intent to avoid, evade,
33 or prevent compliance shall be liable for a civil penalty of not more than five thousand dollars
34 (\$5,000) per week in violation, reasonable attorneys' fees, and costs.

35 (e) Rules. – The Department may adopt rules to implement this Chapter.

36 (f) Civil Penalties. – The clear proceeds of civil penalties provided for in this section
37 shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

38 **"§ 114B-3. Age verification for social media platforms.**

39 (a) A social media platform must use either anonymous age verification or standard age
40 verification to verify that an account holder is 16 years of age or older and, except as provided in
41 G.S. 114B-2(b), prevent creation of an account by a person younger than 16 years of age. The
42 social media platform must offer anonymous age verification and standard age verification, and
43 a person attempting to create an account may select which method will be used to verify the
44 person's age.

45 (b) A social media platform must ensure that the requirements of subsection (c) of this
46 section are met.

47 (c) A third party conducting anonymous age verification pursuant to this section must
48 comply with all of the following:

49 (1) Shall not retain personal identifying information used to verify age once the
50 age of an account holder or a person seeking an account has been verified.

- 1 (2) Shall not use personal identifying information used to verify age for any other
2 purpose.
- 3 (3) Must keep anonymous any personal identifying information used to verify
4 age. The information may not be shared or otherwise communicated to any
5 person.
- 6 (4) Must protect personal identifying information used to verify age from
7 unauthorized or illegal access, destruction, use, modification, or disclosure
8 through reasonable security procedures and practices appropriate to the nature
9 of the personal information.

10 (d) Any violation of subsection (a) or (b) of this section is deemed an unfair and deceptive
11 trade practice actionable under Chapter 75 of the General Statutes solely by the Department on
12 behalf of a resident minor against a social media platform.

13 If the Department has reason to believe that a social media platform is in violation, the
14 Department may bring an action against the social media platform for an unfair or deceptive act
15 or practice under Chapter 75 of the General Statutes. In addition to other remedies allowed by
16 law, the Department may collect a civil penalty of up to fifty thousand dollars (\$50,000) per
17 violation and reasonable attorneys' fees and court costs.

18 When the social media platform's failure to comply with subsection (a) or (b) of this section
19 is a consistent pattern of knowing or reckless conduct, punitive damages may be assessed against
20 the social media platform.

21 **"§ 114B-4. Miscellaneous provisions.**

22 (a) It is the intent of the General Assembly that this Chapter be liberally construed for the
23 protection of minors.

24 (b) If any provision of this Chapter or its application to any person or circumstances is
25 held invalid, the invalidity does not affect other provisions or applications of this Chapter which
26 can be given effect without the invalid provision or application and, to this end, the provisions of
27 this Chapter are severable."

28 **SECTION 1.(b)** This section becomes effective October 1, 2026.

29

30 **PART II. MODIFY COMPUTER SCIENCE STANDARDS**

31 **SECTION 2.(a)** G.S. 115C-81.90 is amended by adding a new subsection to read:

32 "(a1) Instruction on Artificial Intelligence Literacy. – The State Board shall adopt
33 age-appropriate standards for instruction on artificial intelligence (AI) literacy for grades
34 kindergarten through 12. All courses offered pursuant to this section shall include instruction on
35 AI literacy aligned with the standards adopted by the State Board. Notwithstanding the regular
36 review of content standards required by G.S. 115C-12(9c), the State Board shall review and
37 update these standards every two years to keep up with advancements in AI. The standards shall
38 include at least the following:

- 39 (1) Responsible and ethical use of AI.
- 40 (2) Limitations of AI tools.
- 41 (3) Evaluation and verification of outputs provided by AI tools.
- 42 (4) Data and privacy concerns related to AI tools.
- 43 (5) Best practices and safety when interacting with AI or AI chatbots."

44 **SECTION 2.(b)** Notwithstanding the regular review of content standards pursuant
45 to G.S. 115C-12(9c), the State Board of Education shall revise the standard course of study for
46 computer science for grades kindergarten through 12 to include artificial intelligence literacy in
47 accordance with G.S. 115C-81.90(a1), as enacted by this section. The State Board shall adopt the
48 revised standards for implementation beginning with the 2028-2029 school year.

49 **SECTION 2.(c)** The State Board of Education, in consultation with the Department
50 of Public Instruction, shall update the lists of approved courses required by G.S. 115C-81.90(b)
51 and (c) to reflect course alignment with the revised computer science standards adopted pursuant

1 to subsection (b) of this section. The State Board shall update the lists for use beginning with the
2 2028-2029 school year.

3 **SECTION 2.(d)** The Department of Public Instruction shall report to the Joint
4 Legislative Education Oversight Committee by December 15, 2028, on the following related to
5 the adoption of revised computer science standards in accordance with subsection (b) of this
6 section:

- 7 (1) Adoption and implementation of the revised standards.
- 8 (2) Alignment of courses on the approved courses lists as updated pursuant to
9 subsection (c) of this section.
- 10 (3) Any difficulties with the implementation of the revised standards.

11 **PART III. PUBLIC SCHOOL UNIT AI POLICIES**

12 **SECTION 3.(a)** Part 3A of Article 8 of Chapter 115C of the General Statutes is
13 amended by adding a new section to read:

14 **"§ 115C-102.13. Artificial intelligence policies.**

15 The Department of Public Instruction shall develop a model artificial intelligence (AI) policy
16 to serve as guidance to public school units when developing their AI policies. At a minimum, the
17 model policy shall include the following:

- 18 (1) A definition of AI, generative AI, and AI tools.
- 19 (2) Guidance on how to develop the AI literacy of students and school staff. AI
20 literacy shall include education about nonconsensual intimate imagery.
- 21 (3) Data privacy and security measures to protect students and staff, including
22 protecting personally identifiable information, when using AI.
- 23 (4) Standards of ethical and acceptable use of AI and AI chatbots in an
24 educational setting, including standards of academic integrity when using AI."

25 **SECTION 3.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:

26 "(73) To adopt an AI use policy. – Local boards of education shall adopt a policy
27 on the use of artificial intelligence by students and staff for educational
28 purposes after review of the model policy developed by the Department of
29 Public Instruction pursuant to G.S. 115C-102.13."

30 **SECTION 3.(c)** G.S. 115C-150.12C is amended by adding a new subdivision to
31 read:

32 "(39) To adopt an AI use policy. – The board of trustees shall adopt a policy on the
33 use of artificial intelligence by students and staff for educational purposes
34 after review of the model policy developed by the Department of Public
35 Instruction pursuant to G.S. 115C-102.13."

36 **SECTION 3.(d)** G.S. 115C-218.33 is amended by adding a new subsection to read:

37 "(c) A charter school shall adopt a policy on the use of artificial intelligence by students
38 and staff for educational purposes after review of the model policy developed by the Department
39 of Public Instruction pursuant to G.S. 115C-102.13."

40 **SECTION 3.(e)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

41 "(18c) To adopt an AI use policy. – The board of directors shall adopt a policy on the
42 use of artificial intelligence by students and staff for educational purposes
43 after review of the model policy developed by the Department of Public
44 Instruction pursuant to G.S. 115C-102.13."

45 **SECTION 3.(f)** G.S. 116-239.8 is amended by adding a new subdivision to read:

46 "(21c) To adopt an AI use policy. – The chancellor shall adopt a policy regarding the
47 use of artificial intelligence by students and staff for educational purposes
48 after review of the model policy developed by the Department of Public
49 Instruction pursuant to G.S. 115C-102.13."

1 **SECTION 3.(g)** This section is effective when it becomes law. The Department of
2 Public Instruction shall develop the model policy required by G.S. 115C-102.13, as enacted by
3 this section, no later than December 31, 2026. The Superintendent shall ensure that all public
4 school units have access to the model policy developed by the Department by no later than
5 January 15, 2027. Governing bodies of public school units shall adopt the policies required by
6 subsections (b) through (f) of this section by no later than June 30, 2027.

7 8 **PART IV. AI TOOL EVALUATION FRAMEWORK**

9 **SECTION 4.(a)** Part 3A of Article 8 of Chapter 115C of the General Statutes is
10 amended by adding a new section to read:

11 **"§ 115C-102.14. Department responsibilities regarding artificial intelligence tools.**

12 (a) The Department of Public Instruction shall establish and maintain an evaluation
13 framework that provides criteria and guiding considerations for evaluating generative artificial
14 intelligence-powered educational tools (AI tools). The Department shall review and update the
15 framework at least every two years and update the criteria to reflect changes in technology,
16 evidence, or educational practice. The framework shall address at least the following:

17 (1) Student data privacy, security, and transparency.

18 (2) Alignment with the standard course of study.

19 (3) Accessibility for all students.

20 (b) The Department shall maintain a publicly available list of AI tools that have been
21 reviewed under the framework established in accordance with subsection (a) of this section.

22 (c) The Department shall establish procurement guidance, qualified vendor lists, and
23 other mechanisms to support and incentivize the adoption of AI tools that have been reviewed
24 under the framework established in accordance with subsection (a) of this section.

25 (d) The Department shall maintain a publicly available list of all AI tools being used in
26 public school units."

27 **SECTION 4.(b)** This section is effective when it becomes law.

28 29 **PART V. EDUCATOR AND ADMINISTRATOR TRAINING ON THE USE OF AI**

30 **SECTION 5.(a)** The Department of Public Instruction shall partner with the Friday
31 Institute for Educational Innovation at North Carolina State University (Friday Institute) to
32 design, produce, and support implementation of a suite of tool-agnostic online training modules
33 and related training resources. Modules and resources shall address at least the following:

34 (1) AI fundamentals for educators, including the following:

35 a. What AI is and is not.

36 b. The basics of generative AI.

37 c. Strengths and limitations of AI as a learning tool.

38 d. AI "hallucinations," or when AI tools reference information that is
39 inaccurate or nonexistent.

40 (2) Responsible instructional use of AI, such as the following:

41 a. Lesson planning.

42 b. Differentiated instruction.

43 c. Student feedback.

44 d. Productivity workflows and how AI can improve productivity.

45 e. Appropriate boundaries for AI usage.

46 (3) Verification and quality control, including the following:

47 a. Fact-checking information provided by an AI program.

48 b. Evaluation of sources provided by an AI program.

49 c. Documenting prompts and outputs from an AI program.

50 d. Educator accountability for decisions based on input from an AI
51 program.

- 1 (4) Academic integrity and assessment redesign to account for greater student
2 access to AI tools.
- 3 (5) Data privacy and security regarding AI tools.
- 4 (6) Bias in AI systems, including the following:
 - 5 a. How bias enters into AI systems.
 - 6 b. The effect of those biases on disparately impacted communities.
 - 7 c. How to mitigate the effects of bias when using AI tools.
 - 8 d. Inclusive classroom use.
- 9 (7) Accessible usage with special populations, including supports and
10 differentiation for the following populations:
 - 11 a. Students with disabilities.
 - 12 b. Limited English proficient students.
- 13 (8) Ethical use and professional responsibility for educators, including the
14 following:
 - 15 a. Transparency with students and families about the use of AI tools.
 - 16 b. Appropriate decision making in the classroom regarding the use of AI
17 tools.
 - 18 c. Avoiding overreliance on AI tools.

19 **SECTION 5.(b)** The Friday Institute shall produce at least the following:

- 20 (1) A suite of self-paced modules that require a minimum of 10 hours of seat time
21 to complete.
- 22 (2) A facilitator guide to be provided to administrators in each public school unit
23 to help facilitate the professional learning developed pursuant to subsection
24 (a) of this section.
- 25 (3) Model classroom resources to be provided to teachers.
- 26 (4) A package to be provided to public school unit professional learning staff to
27 develop a "train-the-trainer" model within public school units.

28 **SECTION 5.(c)** All resources developed pursuant to subsection (b) of this section
29 shall be made available to public school units by June 30, 2027, using professional development
30 platforms and structures currently in use by the Department of Public Instruction.

31 **SECTION 5.(d)** All teachers employed by local school administrative units, charter
32 schools, or laboratory schools shall complete the professional development provided pursuant to
33 this section by June 30, 2028.

34 **SECTION 5.(e)** The Department of Public Instruction shall report to the Joint
35 Legislative Education Oversight Committee by December 15, 2028, on the following:

- 36 (1) The number of modules delivered by the Friday Institute and implemented in
37 public school units.
- 38 (2) Educator participation in modules, based on metrics available to the
39 Department.
- 40 (3) Any recommended updates to the professional learning provided pursuant to
41 this section.
- 42 (4) Any additional supports needed for continuing implementation.

43
44 **PART VI. EFFECTIVE DATE**

45 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
46 law.