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SESSION 2025

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Committee Substitute Favorable 4/1/25
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Senate Education/Higher Education Committee Substitute Adopted 4/29/26
PROPOSED SENATE COMMITTEE SUBSTITUTE H301-PCS40742-BE-28

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 CHILDREN 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 CHILDREN

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

"Chapter 114B.

"Social Media Protections for Children.

"§ 114B-1. Title; definitions.

(a) Title. – This Chapter shall be known and may be cited as the "Social Media Protection for Children 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 addictive social media platform by a unique identifier while using or accessing an addictive platform when the addictive platform knows or has reason to believe the person is a resident of this State.

(2) Addictive social media platform or addictive platform. – An online forum, website, or application that satisfies all of the following criteria:

a. Has as its primary purpose or function to provide a forum for users to upload content or view uploaded content of other users.

b. Had ten percent (10%) or more of its daily active users who are younger than 16 years of age spend on average at least two hours per day on the online forum, website, or application on the days when



- 1 using the online forum, website, or application during the previous 12
2 months or, if the online forum, website, or application did not exist
3 during the previous 12 months, during the previous month.
4 c. Employs algorithms that analyze user data or information on users to
5 select content for users.
6 d. Has any of the following addictive features:
7 1. Infinite scrolling, which means either (i) continuously loading
8 content or content that loads as the user scrolls down the page
9 without the need to open a separate page or (ii) seamless
10 content or the use of pages with no visible or apparent end or
11 page breaks.
12 2. Push notifications or alerts sent by the online forum, website,
13 or application to inform a user about specific activities or
14 events related to the user's account that cannot be disabled.
15 3. Displays personal interactive metrics that indicate the number
16 of times other users have clicked a button to indicate their
17 reaction to content or have shared or reposted the content.
18 4. Auto-play video or video that begins to play without the user
19 first clicking on the video or on a play button for that video.
20 5. Live-streaming or a function that allows a user or advertiser to
21 broadcast live video content in real time.
22 e. Is not an online service, website, or application where the exclusive
23 function is email, audio communication, or direct messaging
24 consisting of text, photographs, pictures, images, audio, or videos
25 shared only between the sender and the recipients, without displaying
26 or posting publicly or to other users not specifically identified as the
27 recipients by the sender.
28 (3) Anonymous age verification. – A commercially reasonable method used by a
29 government agency or a business for the purpose of age verification that meets
30 all of the following:
31 a. Is conducted by a nongovernmental, independent third party organized
32 under the laws of a state of the United States that meets all of the
33 following criteria:
34 1. Has its principal place of business in a state of the United
35 States.
36 2. Is not owned or controlled by a company formed in a foreign
37 country, a government of a foreign country, or any other entity
38 formed in a foreign country.
39 b. Does not do any of the following:
40 1. Retain personal identifying information used to verify age once
41 the age of an account holder or a person seeking an account has
42 been verified.
43 2. Use personal identifying information used to verify age for any
44 other purpose.
45 c. Does all of the following:
46 1. Keep anonymous any personal identifying information used to
47 verify age. The information may not be shared or otherwise
48 communicated to any person.
49 2. Protect personal identifying information used to verify age
50 from unauthorized or illegal access, destruction, use,
51 modification, or disclosure through reasonable security

1 procedures and practices appropriate to the nature of the
2 personal information.

3 (4) Child. – A person who is under 16 years of age.

4 (5) Daily active users. – The number of unique users in the United States who
5 used the online forum, website, or application at least eighty percent (80%) of
6 the days during the previous 12 months or, if the online forum, website, or
7 application did not exist during the previous 12 months, the number of unique
8 users in the United States who used the online forum, website, or application
9 at least eighty percent (80%) of the days during the previous month.

10 (6) Resident. – A person who lives in this State for more than six months of the
11 year.

12 (7) Standard age verification. – Any commercially reasonable method of age
13 verification approved by the addictive social media platform.

14 (8) User data. – Any data collected by an addictive social media platform about
15 an account holder.

16 **§ 114B-2. Social media protections for children.**

17 (a) Addictive Social Media Platform Contract. – For the purposes of this section, if an
18 addictive social media platform allows an account holder to use the addictive platform, the parties
19 have entered into a contract.

20 (b) Children Under 14 Years of Age. – An addictive social media platform shall prohibit
21 a child who is younger than 14 years of age from entering into a contract with the addictive
22 platform to become an account holder and shall do all of the following:

23 (1) Terminate an account held by a child under 14 years of age after providing the
24 account holder 30 days to dispute the termination.

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

28 (c) Children 14 or 15 Years of Age. – An addictive social media platform shall prohibit
29 a child who is 14 or 15 years of age from entering into a contract with the addictive platform to
30 become an account holder unless the child's parent or guardian provides consent for the child to
31 become an account holder and shall do all of the following:

32 (1) Terminate an account held by an account holder who is 14 or 15 years of age
33 after providing the account holder 30 days to dispute the termination.

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

37 (3) Permanently delete all personal information held by the addictive platform
38 relating to the terminated account unless there are legal requirements to
39 maintain the information.

40 (d) Unfair and Deceptive Trade Practice. – A violation of this section is an unfair and
41 deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75 of the General
42 Statutes, subject to all of the following:

43 (1) The action may solely be brought by the Attorney General against an addictive
44 social media platform.

45 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
46 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
47 and reasonable attorneys' fees and court costs.

48 (3) If an addictive social media platform's failure to comply with this section is a
49 consistent pattern of knowing or reckless conduct, the court may assess
50 punitive damages against the addictive platform.

1 (e) Private Right of Action. – An addictive social media platform that knowingly or
2 recklessly violates this section is liable to the child account holder, including court costs and
3 reasonable attorneys' fees. Claimants may be awarded up to ten thousand dollars (\$10,000) in
4 damages. Any action brought under this subsection may only be brought on behalf of a child
5 account holder. A civil action for a claim under this subsection must be brought within one year
6 from the date the complainant knew, or reasonably should have known, of the alleged violation.

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

9 (g) Jurisdiction. – For purposes of bringing an action under this section, an addictive
10 social media platform that allows a child to create an account on the addictive platform is
11 considered to be both engaged in substantial and not isolated activities within this State and
12 operating, conducting, engaging in, or carrying on a business and doing business in this State,
13 and is therefore subject to the jurisdiction of the courts of this State.

14 (h) Nonexclusive Remedies. – This section does not preclude any other available remedy
15 at law or in equity.

16 **"§ 114B-3. Age verification for addictive social media platforms.**

17 (a) Age Verification Requirement. – An addictive social media platform shall use either
18 anonymous age verification or standard age verification to verify that an account holder is 16
19 years of age or older and, except as provided in G.S. 114B-2(c), prevent creation of an account
20 by a person younger than 16 years of age. The addictive platform shall offer anonymous age
21 verification and standard age verification, and a person attempting to create an account may select
22 which method will be used to verify the person's age.

23 (b) Unfair and Deceptive Trade Practice. – Any violation of subsection (a) of this section
24 is an unfair and deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75
25 of the General Statutes, subject to all of the following:

26 (1) The action may solely be brought by the Attorney General on behalf of a
27 resident child against an addictive social media platform.

28 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
29 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
30 and reasonable attorneys' fees and court costs.

31 (3) If an addictive social media platform's failure to comply with this section is a
32 consistent pattern of knowing or reckless conduct, the court may assess
33 punitive damages against the addictive platform.

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

36 (d) Jurisdiction. – For purposes of bringing an action under this section, an addictive
37 social media platform that allows a child to create an account on the addictive platform is
38 considered to be both engaged in substantial and not isolated activities within this State and
39 operating, conducting, engaging in, or carrying on a business and doing business in this State,
40 and is therefore subject to the jurisdiction of the courts of this State.

41 (e) Nonexclusive Remedies. – This section does not preclude any other available remedy
42 at law or in equity.

43 **"§ 114B-3.5. Prohibit use or sale of user data.**

44 (a) Prohibited Uses of a Child's User Data. – An addictive social media platform shall
45 not do any of the following with a child's user data:

46 (1) Use the user data to inform content recommendations to the child. This
47 requirement is not intended to prevent content recommendations from being
48 shown as a direct result of explicit actions, such as showing posts from
49 accounts a child follows in a chronological feed, but it is intended to prevent
50 any data, including follows, from being used in an algorithm to generate
51 algorithmic recommendations.

- 1 (2) Use the user data to inform what commercial advertisements or promotions
2 are shown to the child. This requirement is not intended to prevent the
3 showing of advertisements or promotions that are shown to the child based
4 upon explicit actions, such as being based on the results of a search initiated
5 by the user on the platform.
- 6 (3) Sell the child's user data to a third party.
- 7 (b) Exceptions. – This section does not apply to any of the following:
- 8 (1) An addictive social media platform engaging in any actions identified in
9 subsection (a) of this section in reliance on the user's age verification pursuant
10 to G.S. 114B-3.
- 11 (2) An addictive social media platform's use of a child's user data to block access
12 to inappropriate or harmful content to the child.
- 13 (c) Unfair and Deceptive Trade Practice. – Any violation of subsection (a) of this section
14 is an unfair and deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75
15 of the General Statutes, subject to all of the following:
- 16 (1) The action may solely be brought by the Attorney General on behalf of a
17 resident child against an addictive social media platform.
- 18 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
19 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
20 and reasonable attorneys' fees and court costs.
- 21 (3) If an addictive social media platform's failure to comply with this section is a
22 consistent pattern of knowing or reckless conduct, the court may assess
23 punitive damages against the addictive platform.
- 24 (d) Civil Penalties. – The clear proceeds of civil penalties provided for in this section
25 shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.
- 26 (e) Jurisdiction. – For purposes of bringing an action under this section, an addictive
27 social media platform that allows a child to create an account on the addictive platform is
28 considered to be both engaged in substantial and not isolated activities within this State and
29 operating, conducting, engaging in, or carrying on a business and doing business in this State,
30 and is therefore subject to the jurisdiction of the courts of this State.
- 31 (f) Nonexclusive Remedies. – This section does not preclude any other available remedy
32 at law or in equity.

33 **"§ 114B-4. Rules; construction; severability.**

- 34 (a) The Attorney General may adopt rules to implement this Chapter.
- 35 (b) It is the intent of the General Assembly that this Chapter be liberally construed for the
36 protection of children.
- 37 (c) An internet service provider or its affiliates or subsidiaries, a search engine, or a cloud
38 service provider does not violate this Chapter solely for providing access or connection to or
39 from an addictive social media platform not under the provider's control, including transmission,
40 downloading, intermediate storage, or access software, to the extent the provider is not otherwise
41 an addictive social media platform.
- 42 (d) If any provision of this Chapter or its application to any person or circumstances is
43 held invalid, the invalidity does not affect other provisions or applications of this Chapter which
44 can be given effect without the invalid provision or application and, to this end, the provisions of
45 this Chapter are severable."

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

47

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

- 49 **SECTION 2.(a)** G.S. 115C-81.90 is amended by adding a new subsection to read:
- 50 **"(a1) Instruction on Artificial Intelligence Literacy. – The State Board shall adopt**
51 **age-appropriate standards for instruction on artificial intelligence (AI) literacy for grades**

1 kindergarten through 12. All courses offered pursuant to this section shall include instruction on
2 AI literacy aligned with the standards adopted by the State Board. Notwithstanding the regular
3 review of content standards required by G.S. 115C-12(9c), the State Board shall review and
4 update these standards every two years to keep up with advancements in AI. The standards shall
5 include at least the following:

- 6 (1) Responsible and ethical use of AI.
- 7 (2) Limitations of AI tools.
- 8 (3) Evaluation and verification of outputs provided by AI tools.
- 9 (4) Data and privacy concerns related to AI tools.
- 10 (5) Best practices and safety when interacting with AI or AI chatbots."

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

16 **SECTION 2.(c)** The State Board of Education, in consultation with the Department
17 of Public Instruction, shall update the lists of approved courses required by G.S. 115C-81.90(b)
18 and (c) to reflect course alignment with the revised computer science standards adopted pursuant
19 to subsection (b) of this section. The State Board shall update the lists for use beginning with the
20 2028-2029 school year.

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

- 25 (1) Adoption and implementation of the revised standards.
- 26 (2) Alignment of courses on the approved courses lists as updated pursuant to
27 subsection (c) of this section.
- 28 (3) Any difficulties with the implementation of the revised standards.

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

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

33 **"§ 115C-102.13. Artificial intelligence policies.**

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

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

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

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

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

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

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

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

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

10 "**(18c)** To adopt an AI use policy. – The board of directors shall adopt a policy on the
11 use of artificial intelligence by students and staff for educational purposes
12 after review of the model policy developed by the Department of Public
13 Instruction pursuant to G.S. 115C-102.13."

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

15 "**(21c)** To adopt an AI use policy. – The chancellor shall adopt a policy regarding the
16 use of artificial intelligence by students and staff for educational purposes
17 after review of the model policy developed by the Department of Public
18 Instruction pursuant to G.S. 115C-102.13."

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

25 26 **PART IV. AI TOOL EVALUATION FRAMEWORK**

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

29 "**§ 115C-102.14. Department responsibilities regarding artificial intelligence tools.**

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

35 **(1)** Student data privacy, security, and transparency.

36 **(2)** Alignment with the standard course of study.

37 **(3)** Accessibility for all students.

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

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

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

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

46 47 **PART V. EDUCATOR AND ADMINISTRATOR TRAINING ON THE USE OF AI**

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

- 1 (1) AI fundamentals for educators, including the following:
 - 2 a. What AI is and is not.
 - 3 b. The basics of generative AI.
 - 4 c. Strengths and limitations of AI as a learning tool.
 - 5 d. AI "hallucinations," or when AI tools reference information that is
 - 6 inaccurate or nonexistent.
- 7 (2) Responsible instructional use of AI, such as the following:
 - 8 a. Lesson planning.
 - 9 b. Differentiated instruction.
 - 10 c. Student feedback.
 - 11 d. Productivity workflows and how AI can improve productivity.
 - 12 e. Appropriate boundaries for AI usage.
- 13 (3) Verification and quality control, including the following:
 - 14 a. Fact-checking information provided by an AI program.
 - 15 b. Evaluation of sources provided by an AI program.
 - 16 c. Documenting prompts and outputs from an AI program.
 - 17 d. Educator accountability for decisions based on input from an AI
 - 18 program.
- 19 (4) Academic integrity and assessment redesign to account for greater student
- 20 access to AI tools.
- 21 (5) Data privacy and security regarding AI tools.
- 22 (6) Bias in AI systems, including the following:
 - 23 a. How bias enters into AI systems.
 - 24 b. The effect of those biases on disparately impacted communities.
 - 25 c. How to mitigate the effects of bias when using AI tools.
 - 26 d. Inclusive classroom use.
- 27 (7) Accessible usage with special populations, including supports and
- 28 differentiation for the following populations:
 - 29 a. Students with disabilities.
 - 30 b. Limited English proficient students.
- 31 (8) Ethical use and professional responsibility for educators, including the
- 32 following:
 - 33 a. Transparency with students and families about the use of AI tools.
 - 34 b. Appropriate decision making in the classroom regarding the use of AI
 - 35 tools.
 - 36 c. Avoiding overreliance on AI tools.

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

- 38 (1) A suite of self-paced modules that require a minimum of 10 hours of seat time
- 39 to complete.
- 40 (2) A facilitator guide to be provided to administrators in each public school unit
- 41 to help facilitate the professional learning developed pursuant to subsection
- 42 (a) of this section.
- 43 (3) Model classroom resources to be provided to teachers.
- 44 (4) A package to be provided to public school unit professional learning staff to
- 45 develop a "train-the-trainer" model within public school units.

46 **SECTION 5.(c)** All resources developed pursuant to subsection (b) of this section

47 shall be made available to public school units by June 30, 2027, using professional development

48 platforms and structures currently in use by the Department of Public Instruction.

49 **SECTION 5.(d)** All teachers employed by local school administrative units, charter

50 schools, or laboratory schools shall complete the professional development provided pursuant to

51 this section by June 30, 2028.

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

- 3 (1) The number of modules delivered by the Friday Institute and implemented in
4 public school units.
5 (2) Educator participation in modules, based on metrics available to the
6 Department.
7 (3) Any recommended updates to the professional learning provided pursuant to
8 this section.
9 (4) Any additional supports needed for continuing implementation.

10
11 **PART VI. EFFECTIVE DATE**

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