

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 1 of 9

Amends Title [YES]
Fifth Edition

Date _____, 2026

Senator Garrett

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

moves to amend the bill on page 1, line 12, by inserting the following at the end of the line before the period:

"AND TO ESTABLISH ONLINE SAFETY DIVISION UNDER THE ATTORNEY GENERAL AND TO ENACT NORTH CAROLINA CHILDREN'S SAFE SCREENS ACT AND TO CREATE THE ONLINE SAFETY COMMISSION, AND TO ESTABLISH THE SBI CYBERBULLYING UNIT";

and on page 9, lines 10-11, by inserting the following between the lines:

"PART V-A. ESTABLISH ONLINE SAFETY DIVISION UNDER THE ATTORNEY GENERAL

SECTION 5A. Online Safety Division. – Effective July 1, 2026, Chapter 114 of the General Statutes is amended by adding a new Article to read:

"Article 11.

"Online Safety Division.

"§ 114-75. Division established; duties; funding.

(a) There is hereby established in the Office of the Attorney General of North Carolina, the Online Safety Division (Division). The Division includes the North Carolina Online Child Safety Commission (Commission) created in Chapter 114B of the General Statutes.

(b) The attorneys and professional staff assigned to this Division shall focus on online safety, with an emphasis on the protection of children online. The Division shall have the following duties:



* H 3 0 1 - A B E - 6 0 - V - 2 *

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 3 of 9

1 (7) Online service. – Social media, gaming platforms, messaging services,
2 content-sharing platforms, and other user-interactive services provided by a
3 covered platform.

4 **"§ 114B-2. Duty of care established; mandated protections for children; requirements for**
5 **covered platforms.**

6 (a) It is the public policy of this State that its children are owed a duty of care with regard
7 to their online activities in order to limit foreseeable harm and their exposure to dark patterns and
8 harmful content on covered platforms. Further, the General Assembly endorses age-appropriate
9 design and strong parental controls as central to protecting children in online service
10 environments.

11 (b) Covered platforms shall require parental notification for accounts created by children
12 and must offer robust, easy-to-use parental supervision tools such as filtering options, contact
13 management, time limits and scheduling, purchase controls, and activity reporting.

14 (c) It is unlawful for covered platforms to use dark patterns or deploy features known to
15 be addictive or manipulative.

16 (d) Covered platforms shall establish clear definitions of what constitutes cyberbullying
17 and include provisions for direct reporting to the Division, as well as provide intervention and
18 support services for affected children, including mediation options where appropriate.

19 (e) Each covered platform shall submit to the Online Safety Division an annual Child
20 Impact Assessment for new and existing services on the platform. The assessment shall include
21 documentation of potential risks to children and assessment of addiction and compulsive usage
22 risks. The documentation supporting each annual assessment shall be retained for at least a
23 three-year period.

24 (f) Covered platforms shall utilize the highest privacy settings by default for all users
25 reasonably likely to be children and shall establish strict data minimization principles to include
26 the following:

- 27 (1) Limiting collection of personal data to what is necessary for the service.
28 (2) Requiring deletion when no longer needed.
29 (3) Prohibiting data use for commercial purposes unless strictly necessary.
30 (4) Including "Right to be Forgotten" provisions empowering minors to request
31 deletion of their data and content.
32 (5) Prohibiting profiling and behavioral advertising targeting children.
33 (6) Requiring child-friendly privacy information and controls.
34 (7) Mandating transparency about personal data use.
35 (8) Establishing clear restrictions on geolocation data collection and use.
36 (9) Data broker restrictions for children's information.

37 **"§ 114B-3. Enforcement.**

38 (a) Effective December 1, 2026, the Attorney General shall bring civil actions to enforce
39 this Article. In any suit instituted by the Attorney General, in which the defendant is found to
40 have violated this Chapter and the acts or practices which constituted the violation were, when
41 committed, knowingly violative of a statute, the court may, in its discretion, impose a civil
42 penalty against the defendant of up to five hundred thousand dollars (\$500,000) for each
43 violation. Civil penalties may be imposed in a new action or by motion in an earlier action,

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 4 of 9

1 whether or not such earlier action has been concluded. In determining the amount of the civil
2 penalty, the court shall consider all relevant circumstances, including, but not limited to, the
3 extent of the harm caused by the conduct constituting a violation, the nature and persistence of
4 such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net
5 worth of the defendant, and any corrective action taken by the defendant. The clear proceeds of
6 penalties so assessed shall be remitted to the Civil Penalty and Forfeiture Fund in accordance
7 with G.S. 115C-457.2.

8 (b) This Chapter does not create a private right of action.

9 (c) The Commission shall refer all matters requiring judicial enforcement to the Attorney
10 General, whose authority to bring civil actions under this Chapter is exclusive. The Commission's
11 authority to seek injunctive relief is limited to emergency interim relief pending Attorney General
12 action.

13 **"§ 114B-4. Online Safety Commission established.**

14 (a) Commission. – The North Carolina Online Child Safety Commission (Online Safety
15 Commission or Commission) is established as a regulatory body within the Department of Justice
16 with oversight authority on matters relating to the safety and wellbeing of minors in digital
17 environments. The Commission's primary mission shall be to protect North Carolina's children
18 from online harms through research, education, regulation, enforcement, and ongoing adaptation
19 to the evolving digital landscape. The Commission shall serve as the state's foremost authority
20 on online child safety, advancing the digital wellbeing of minors while respecting fundamental
21 rights. The Commission shall be guided by the best interests of the child, the recognition that
22 digital safety is fundamental to childhood development, the understanding that technology must
23 adapt to children's needs rather than the reverse, and the principle that powerful digital platforms
24 must be held accountable for the safety of young users.

25 (b) Members. – The Commission shall consist of nine (9) voting members appointed by
26 the Governor and two (2) nonvoting ex officio members to include the Attorney General and the
27 Superintendent of Public Instruction. The nine voting members shall have demonstrated expertise
28 and commitment to child welfare, digital technology, mental health, education, or related fields
29 relevant to children's online safety. The Commission membership shall include, at minimum:

30 (1) One (1) member with expertise in child development and psychology

31 (2) One (1) member with expertise in digital technology and data ethics

32 (3) One (1) member representing parents or guardians

33 (4) One (1) member with expertise in cybersecurity and privacy

34 (5) One (1) member with expertise in education

35 (6) One (1) member with legal expertise in child protection

36 (7) One (1) youth advocate between the ages of 18 and 25.

37 Commission members shall serve four-year staggered terms, with initial appointments varying
38 in length to ensure continuity. The Commission shall elect a Chair and Vice-Chair from among
39 its members, serving two-year terms. No member shall serve more than two consecutive terms.

40 The Commission shall be supported by a professional staff led by an Executive Director. The
41 Commission shall maintain an investigative staff separate from its adjudicative functions. The
42 Commission shall maintain specialized units for enforcement, education, research, and policy

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 5 of 9

1 and shall employ technologists, child development experts, data analysts, and legal specialists.
2 The Commission may establish advisory committees on specific issue areas.

3 Every three years, the Commission shall (i) conduct a comprehensive review of its activities
4 and impact, (ii) assess changing technological landscape and emerging challenges, (iii) revise
5 strategic priorities and approaches as needed, and (iv) recommend statutory amendments to
6 maintain effectiveness.

7 (c) Expertise. – The Commission shall provide expert guidance to each of the following:

8 (1) The Governor and General Assembly on matters relating to online child
9 safety.

10 (2) State agencies on implementation of digital safety programs.

11 (3) Educational institutions on digital literacy and safety curricula.

12 (4) Parents and caregivers on tools and strategies to protect children online.

13 (5) Technology platforms on best practices for age appropriate design.

14 (d) Powers and Duties. – Further, the Commission shall have the following powers and
15 duties:

16 (1) Regulatory authority to adopt binding regulations concerning age verification,
17 minor account data practices, default safety settings, complaint procedures,
18 and platform transparency disclosures. This authority includes adopting rules
19 for device-level and platform level age assurance as alternatives to site-by-site
20 verification.

21 (2) The authority to issue binding regulations implementing subdivision (1) of
22 this subsection when it first finds, on the basis of substantial evidence in the
23 record, all of the following:

24 a. The regulation addresses specific harm to minors expressly identified
25 in this act;

26 b. The regulated platform conduct materially contributes to that harm;
27 and

28 c. The regulation is no broader than necessary to address that harm and
29 does not govern the selection, ranking, or curation of content.

30 (3) To initiate investigations into potential violations.

31 (4) To issue orders requiring compliance with this Chapter.

32 (5) To seek injunctive relief through the courts when necessary to prevent harm
33 to children.

34 (6) Maintain a database of safety incidents, platform responses, and outcomes.

35 (7) Develop and oversee the following:

36 a. Public awareness campaigns on online child safety.

37 b. Resource development for schools, parents, and children.

38 c. Training programs for educators and other professionals.

39 d. Digital literacy standards for K-12 education.

40 (8) Conduct or commission research on emerging online risks to children, collect
41 and analyze data on the prevalence and impact of online harms, monitor global
42 developments in online safety regulation, and evaluate the effectiveness of
43 interventions and regulations.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 6 of 9

- 1 (9) Establish accessible mechanisms for receiving complaints about online harm
2 to children, create specialized response protocols for different categories of
3 harm, oversee platform compliance with complaint response requirements and
4 intervene directly in serious cases where platforms fail to act appropriately.
5 (10) Provide support resources for affected children and families.
6 (e) In addition, the Commission shall:
7 (1) Coordinate with relevant State agencies including the Department of Health
8 and Human Services and Department of Public Instruction.
9 (2) Collaborate with federal authorities including the Federal Trade Commission
10 and Department of Justice.
11 (3) Engage with international counterparts to develop consistent approaches to
12 digital safety.
13 (4) Partner with academic institutions, non-profit organizations, and other
14 stakeholders dedicated to child safety.
15 (f) Annual Report. – The Commission shall prepare and publish an annual "State of
16 Children's Online Safety in North Carolina" report that:
17 (1) Assesses current online risks facing North Carolina's children.
18 (2) Analyzes trends in online harms and platform responses.
19 (3) Evaluates platform compliance with this act and related regulations.
20 (4) Identifies emerging threats and technologies of concern.
21 (5) Measures progress in addressing previously identified issues.
22 (6) Provides data-driven insights on the digital experiences of children by age
23 group.
24 (g) Compliance Reviews. – The Commission shall conduct annual compliance reviews
25 of covered platforms that:
26 (1) Evaluate implementation of required safety measures.
27 (2) Assess the effectiveness of age verification systems.
28 (3) Review Child Impact Assessments and safety documentation.
29 (4) Analyze complaint handling and response times.
30 (5) Examine algorithmic systems for compliance with safety standards.
31 (6) Identify best practices and areas requiring improvement.
32 (7) Result in public compliance ratings for each major platform.
33 (h) Legislative Recommendations. – The Commission shall submit annual
34 recommendations to the General Assembly that:
35 (1) Identify necessary amendments to this act based on technological
36 developments.
37 (2) Propose new legislative measures to address emerging concerns.
38 (3) Suggest improvements to enforcement mechanisms.
39 (4) Recommend funding priorities for child online safety initiatives.
40 (5) Identify areas where federal action or coordination is needed.
41 (i) Public Hearings and Testimony. – The Commission shall:
42 (1) Hold at least four public hearings annually across different regions of the
43 State.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 7 of 9

- 1 (2) Receive testimony from children, parents, educators, platforms, and experts.
- 2 (3) Conduct specialized hearings on emerging issues of concern.
- 3 (4) Ensure diverse perspectives are represented in deliberations.
- 4 (5) Make hearing records publicly available.
- 5 (j) Industry Engagement. – The Commission shall:
- 6 (1) Convene an annual Industry Safety Summit with platform representatives.
- 7 (2) Facilitate regular working groups on specific safety challenges.
- 8 (3) Review and approve updates to industry codes of practice.
- 9 (4) Evaluate voluntary safety initiatives.
- 10 (5) Promote adoption of safety innovations across the industry.
- 11 (k) Transparency. – The Commission shall publish annual transparency reports detailing:
- 12 (1) Enforcement actions taken and their outcomes.
- 13 (2) Complaints received and resolved.
- 14 (3) Penalties assessed and collected.
- 15 (4) Allocation and impact of Children's Online Safety Fund expenditures.
- 16 (5) Commission activities, investigations, and initiatives.
- 17 (6) Metrics for measuring the effectiveness of the Act's implementation.
- 18 (l) Audit of Educational Programs. – The Commission shall annually audit and evaluate:
- 19 (1) Digital literacy programs in North Carolina schools.
- 20 (2) Parent education initiatives.
- 21 (3) Professional development for educators and youth workers.
- 22 (4) Public awareness campaign effectiveness.
- 23 (5) Resource allocation and accessibility across communities.
- 24 (m) Research Agenda Development. – The Commission shall:
- 25 (1) Establish annual research priorities based on identified gaps.
- 26 (2) Commission or conduct studies on priority areas.
- 27 (3) Award research grants from the Children's Online Safety Fund.
- 28 (4) Publish findings and recommendations based on research.
- 29 (5) Ensure research informs regulatory and educational approaches.
- 30 (n) Funding Mechanisms. – The Commission shall:
- 31 (1) Receive an annual appropriation from the General Assembly.
- 32 (2) Administer the Children's Online Safety Fund.
- 33 (3) Report annually on budget allocation and performance metrics.
- 34 (o) Technological Capabilities. – The Commission shall:
- 35 (1) Maintain technical testing facilities to evaluate platform compliance.
- 36 (2) Develop data analysis capabilities to identify patterns of harm.
- 37 (3) Employ experts capable of evaluating platform algorithms and safety systems.
- 38 (4) Keep pace with emerging technologies that may pose risks to children.
- 39 (p) Ethical Frameworks. – The Commission shall:
- 40 (1) Establish clear ethical guidelines for its work.
- 41 (2) Ensure privacy protection in research and investigations.
- 42 (3) Develop age-appropriate methods for involving children in policy
- 43 development.

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 8 of 9

- 1 (4) Balance safety imperatives with other rights and considerations.
2 (q) Accountability Mechanisms. – The Commission shall:
3 (1) Maintain transparent decision-making processes.
4 (2) Publish the basis for regulatory determinations.
5 (3) Establish clear metrics for measuring its own effectiveness.
6 (4) Undergo periodic independent evaluation.

7 **"§ 114B-5. Construction; severability.**

8 (a) This Article shall be liberally construed for the protection of minors and the general
9 public. Nothing in this Article shall be construed to infringe on any rights protected by the North
10 Carolina or U.S. Constitutions.

11 (b) If any provision of this Article is held by a court of competent jurisdiction to be invalid,
12 void, or unenforceable, in whole or in part, the decision shall not affect the validity,
13 enforceability, or applicability of the remaining provisions, which shall remain in full force and
14 effect as if the provision held invalid, void, or unenforceable had not been included."

15 **SECTION 5B.(b)** Implementation timeline. — By September 1, 2026, initial
16 appointments to the Commission shall be made and the Commission shall convene its first
17 meeting.

18 **SECTION 5B.(c)** Initial Responsibilities. – Within the first year of operation, the
19 Commission shall:

- 20 (1) Hire key staff and establish organizational structure.
21 (2) Develop initial regulations implementing this act.
22 (3) Create complaint handling systems.
23 (4) Establish public education programs.
24 (5) Develop platform compliance guidelines.
25 (6) Submit its first annual report to the General Assembly.

26 **SECTION 5B.(d)** Phased Implementation. – The Commission shall develop a phased
27 implementation plan that:

- 28 (1) Prioritizes addressing the most serious harm.
29 (2) Accommodates different compliance timelines based on platform size.
30 (3) Allows for industry adjustment to new requirements.
31 (4) Includes benchmarks for measuring progress.

32 **SECTION 5B.(e)** Review and Adaptation. –Every three years, the Commission shall:

- 33 (1) Conduct a comprehensive review of its activities and impact.
34 (2) Assess changing technological landscape and emerging challenges.
35 (3) Revise strategic priorities and approaches as needed.
36 (4) Recommend statutory amendments to maintain effectiveness.

37
38 **PART V-C. ESTABLISH SBI CYBERBULLYING UNIT**

39 **SECTION 5C.** Effective July 1, 2026, Article 13A of Chapter 143B of the General
40 Statutes is amended by adding a new section to read:

41 **"§ 143B-1209. Cyberbullying Unit established.**

NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 301

TABLED

AMENDMENT NO. A4
(to be filled in by
Principal Clerk)

H301-ABE-60 [v.2]

Page 9 of 9

- 1 (a) There is established in the State Bureau of Investigation the Cyberbullying Unit (Unit)
2 dedicated to the protection of children online and to aid in the enforcement of Article 11 of
3 Chapter 114 of the General Statutes.
4 (b) In addition to any other duties assigned by law, the Unit shall operate a toll-free
5 number and website on online child safety and cyberbullying jointly with the Department of
6 Justice."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____