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SENATE BILL No. 199

Proposed Changes to January 29, 2026 printing by AM019905

DIGEST OF PROPOSED AMENDMENT

Social media providers. Establishes requirements and restrictions regarding adolescent use of social media. Makes a violation of the requirements and restrictions a deceptive act.

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-26-14-6, AS AMENDED BY P.L.43-2021,
2 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 6. (a) The association must establish a case review
4 panel that meets the following requirements:
5 (1) The panel has nine (9) members.
6 (2) The secretary of education or the secretary's designee is a
7 member of the panel and is the chairperson of the panel.
8 (3) The secretary of education appoints as members of the panel
9 persons having the following qualifications:
10 (A) Four (4) parents of high school students.
11 (B) Two (2) high school principals.
12 (C) Two (2) high school athletic directors.
13 (B) Four (4) school administrators.
14 (4) The secretary of education shall administer the functions of
15 the panel.
16 (5) A member of the panel serves for a four (4) year term,
17 subject to the following:
18 (A) An appointee who ceases to meet the member's
19 qualification under subdivision (3) ceases to be a member
20 of the panel.

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(B) The secretary of education shall appoint fifty percent (50%) of the initial appointees under each clause in subdivision (3) for terms of two (2) years, so that terms of the panel are staggered.

(6) The panel must meet monthly, unless there are no cases before the panel. The panel may meet more frequently at the call of the chairperson. However, the chairperson must call a meeting within five (5) business days, or as soon thereafter as a quorum can be assembled, after the panel receives a case in which time is a factor in relation to the scheduling of an athletic competition.

(7) A quorum of the panel is five (5) members. The affirmative vote of the greater of the majority present or four (4) members of the panel is required for the panel to take action.

(b) A student's parent who disagrees with a decision of the association concerning the application or interpretation of a rule of the association to the student shall have the right to do one (1) of the following:

(1) Accept the decision.

(2) Refer the case to the panel. The parent must refer the case to the panel not later than thirty (30) days after the date of the association's decision.

(c) After a case is referred under subsection (b)(2), the panel must do the following:

(1) Collect testimony and information on the case, including testimony and information from both the association and the parent.

(2) Place the case on the panel's agenda and consider the case at a meeting of the panel.

(3) Not later than ten (10) business days after the meeting at which the panel considers the case, issue a written decision that does one (1) of the following:

(A) Upholds the association's decision on the case.

(B) Modifies the association's decision on the case.

(C) Nullifies the association's decision on the case.

(d) Subject to section 7 of this chapter, the association must implement the decision of the panel on each case. However, a decision of the panel:

(1) applies only to the case before the panel; and

(2) does not affect any rule of the association or decision under any rule concerning any student other than the student whose parent referred the case to the panel.

(e) The association shall pay all costs attributable to the operation

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1 of the panel, including travel and a stipend of at least fifty dollars (\$50)
2 for each meeting for panel members.

3 SECTION 2. IC 20-28-3-1, AS AMENDED BY P.L.190-2025,
4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: Sec. 1. (a) As used in this section, "teacher
6 candidate" means an individual recommended for an initial teaching
7 license from a teacher preparation program located in Indiana.

8 (b) As used in this section, "teacher preparation program"
9 includes, but is not limited to, the following:

- 10 (1) A teacher education school or department.
- 11 (2) A transition to teaching program under IC 20-28-4.
- 12 (3) Any other entity approved by the department to offer a course
13 of study leading to an initial teaching license.

14 (c) The department shall:

- 15 (1) arrange a statewide system of professional instruction for
16 teacher education;
- 17 (2) accredit and review teacher preparation programs that
18 comply with the rules of the department;
- 19 (3) approve content area licensure programs for particular kinds
20 of teachers in accredited teacher preparation programs; and
- 21 (4) specify the types of licenses for individuals who complete
22 programs of approved courses.

23 (d) The department shall work with teacher preparation programs
24 to develop a system of teacher education that ensures individuals who
25 complete teacher preparation programs are able to meet the highest
26 professional standards.

27 (e) Before July 1, 2015, the department shall establish standards
28 for the continuous improvement of program processes and the
29 performance of individuals who complete teacher preparation
30 programs. The state board shall adopt rules containing the standards
31 not later than two hundred seventy (270) days after the department
32 finishes the standards.

33 (f) The standards established under subsection (e) must include
34 benchmarks for performance, including test score data for each teacher
35 preparation entity on content area licensure tests and test score data for
36 each teacher preparation entity on pedagogy licensure tests.

37 (g) Each teacher preparation program shall annually report the
38 program's performance on the standards and benchmarks established
39 under this section to the department. The department shall make the
40 information reported under this subsection available to the public on
41 the department's website. Each teacher preparation program shall make
42 the information reported under this subsection available to the public

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1 on the teacher preparation program's website. In addition to reporting
2 performance, each teacher preparation program must report to the
3 department the following:

4 (1) The attrition, retention, and completion rates of teacher
5 candidates for the previous three (3) calendar years. The teacher
6 preparation program must also provide underlying data, as
7 determined by the department, used as part of calculating the
8 teacher preparation program's retention rates.

9 (2) The number of teacher candidates in each content area who
10 complete the teacher preparation program during the year,
11 disaggregated by ranges of cumulative grade point averages.

12 (3) The number of teacher candidates in each content area who,
13 during the year:

14 (A) do not pass a content area licensure examination; and
15 (B) do not retake the content area licensure examination.

16 (h) In making information available to the public on the
17 department's website, the department shall include in the report under
18 subsection (g), in addition to the matrix ratings described in subsection
19 (i), the following information:

20 (1) Average scaled or standard scores of teacher candidates who
21 complete teacher preparation programs on basic skills, content
22 area, and pedagogy licensure examinations.

23 (2) The average number of times teacher candidates who
24 complete a teacher preparation program take each licensing test
25 before receiving a passing score and the percentage of teacher
26 candidates who receive a passing score on each licensing test on
27 the teacher candidates' first attempts.

28 (i) Not later than July 30, 2016, the department and the
29 commission for higher education, in conjunction with the state board,
30 the Independent Colleges of Indiana, Inc., and teacher preparation
31 programs, shall establish a matrix rating system for teacher preparation
32 programs based on the performance of the programs as demonstrated
33 by the data collected under subsections (g) and (h). The matrix rating
34 system must be based on data collected for teachers who initially
35 receive their teaching license during the previous three (3) years. The
36 department shall make the matrix ratings available to the public on the
37 department's website.

38 (j) Each teacher preparation program shall report to the
39 department, in a manner prescribed by the department, the teacher
40 preparation program's admission practices, in accordance with:

41 (1) the Council for the Accreditation of Educator Preparation
42 standards, for teacher preparation programs accredited by the

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14 The department shall include information reported to the department
15 on the department's website.

28 (1) In the case of a state educational institution, the commission
29 for higher education shall place the teacher preparation program
30 on an improvement plan with clear performance goals and a
31 designated period in which the performance goals must be
32 achieved.

33 (2) In the case of a proprietary postsecondary educational
34 institution, the commission for higher education shall
35 recommend to the teacher preparation program an improvement
36 plan with clear performance goals and a designated period in
37 which the performance goals should be achieved.

(3) In the case of a nonprofit college or university, the Independent Colleges of Indiana, Inc., shall coordinate a peer review process to make recommendations to the peer institution in achieving the department's performance metrics.

42 (m) The department shall approve at least two (2) accreditors that:

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7 (n) Not later than December 31, 2024, the department and the
8 commission for higher education, in conjunction with the state board,
9 shall partner with teacher preparation programs to receive an outside
10 evaluation by a nationally recognized nonprofit, nonpartisan
11 organization that leverages evidence based approaches on the science
12 of reading to evaluate teacher preparation reading instruction programs.

13 SECTION 3. IC 20-28-10-20 IS ADDED TO THE INDIANA
14 CODE AS A NEW SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: **Sec. 20. (a) As used in this section,**
16 **"stillbirth" means a birth after twenty (20) weeks of gestation that**
17 **is not a live birth.**

18 (b) Not later than December 1, 2026, the secretary of education
19 shall do the following:

(A) The birth of an employee's child.

(B) The birth of a child to an employee's spouse.

(C) The placement of a child for adoption with employee.

(D) The stillbirth of an employee's child.

Identify the length of paid leave school corporations provide for each event under subdivision (1).

Make recommendations concerning paid employees for each event under subdivision (1).

Submit the findings and recommendations under this section to the general assembly in an electronic format under IC 5-14-6.

(c) This section expires July 1, 2027.

35 SECTION 4. IC 20-30-5-7.4 IS ADDED TO THE INDIANA
36 CODE AS A NEW SECTION TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2026]: **Sec. 7.4. (a) Not later than December**
38 **1, 2026, the secretary of education shall do the following:**

42 (2) Submit the metrics identified under subdivision (1) to the



general assembly in an electronic format under IC 5-14-6.

(b) This section expires July 1, 2027.

SECTION 5. IC 20-32-8.5-2, AS AMENDED BY P.L.186-2025, SECTION 291, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) Except as provided in subsection (b), the plan required by this chapter must include the following:

(1) Reading skill standards for grade 1 through grade 3.

(2) A method for making determinant evaluations by grade 3 that remedial action is required for a student, including:

(A) except as provided in subsections (c) and (g), beginning with evaluations administered during the 2024-2025 school year, retention of the student in grade 3 if the student has not achieved a passing score on the determinant evaluation of reading skills approved by the state board after the student has had an opportunity to retake the determinant evaluation at least twice in the summer; and

(B) the use of curricular materials and supplemental materials aligned to the science of reading that are designed to address deficiencies in reading;

after other methods of remediation have been evaluated or used, or both, if reading skills are below the standard. Appropriate consultation with parents or guardians must be part of the plan. (3) A requirement that schools notify a student's parent of the following:

(A) The student's assessment results regarding skill level in:

- (i) phonemic awareness;
- (ii) phonics;
- (iii) fluency;
- (iv) vocabulary; and
- (v) comprehension.

(B) The student's assessment results on the determinant evaluation of reading skills approved by the state board.

(C) Any intervention provided to the student or any remedial action taken.

(4) A requirement that schools monitor the progress of students who failed to achieve a valid passing score on the:

(A) determinant evaluation of reading skills approved by the state board; or

(B) statewide assessment program test.

(5) A requirement that schools provide reading instruction that

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1 reading to all students in kindergarten through grade 8.

2 (6) A requirement for the administration of the determinant

3 evaluation of reading skills approved by the state board to

4 students in grade 2.

5 (7) A requirement that all students take the determinant

6 evaluation of reading skills approved by the state board until the

7 student:

8 (A) receives a passing score, regardless of the student's

9 grade level; or

10 (B) enters grade 7.

11 (8) A requirement that a school report the following to the

12 department:

13 (A) The literacy interventions that will be used for students

14 in grade 2 who are at risk of not being reading proficient

15 and students in grade 3 who do not achieve a valid passing

16 score on the determinant evaluation of reading skills

17 approved by the state board.

18 (B) The literacy interventions in use before the adoption of

19 the plan for students in grade 2 who are at risk of not being

20 reading proficient and students in grade 3 who do not

21 achieve a valid passing score on the determinant evaluation

22 of reading skills approved by the state board.

23 (C) The literacy interventions in use before the adoption of

24 the plan for students who do not achieve a valid passing

25 score on the determinant evaluation of reading skills

26 approved by the state board.

27 (D) The number of students being served by the

28 interventions described in clauses (B) and (C).

29 (E) The cost of providing the interventions described in

30 clauses (B) and (C).

31 (F) Any other information requested by the department.

32 (9) Requirements for a school in which, **over the course of**

33 **three (3) consecutive years**, **fewer than seventy an average of**

34 **seventy-five percent (70%) (75%)** of students of the school

35 achieved a valid passing score on the determinant evaluation of

36 reading skills approved by the state board that must include the

37 following:

38 (A) Use of curriculum that is:

39 (i) based on the science of reading;

40 (ii) age appropriate; and

41 (iii) approved by the department.

42 (B) Employment of the following:

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(i) Before July 1, 2025, an instructional coach who is trained in the science of reading, as determined by the department. This item expires January 1, 2026.

(ii) After June 30, 2025, an instructional coach with a literacy related endorsement who is trained in the science of reading.

(C) Use of only benchmark, formative, interim, or similar assessments that:

(i) show alignment with Indiana's academic standards; and

(ii) are approved by the department.

(D) Use of a screener procured under IC 20-32-5.1-17(j).

(10) The fiscal impact of each component of the plan, if any. In determining whether a component has a fiscal impact, consideration shall be given to whether the component will increase costs to the state or a school corporation or require the state or school corporation to reallocate resources.

(b) A school may receive a waiver of the requirements provided in 511 IAC 6.2-3.1-4(a)(2) if the state board approves an alternative reading plan provided by the school.

(c) Except as approved by the department under subsection (g), a student who would otherwise be subject to retention in grade 3 under the plan is not subject to the retention requirement only if the student meets one (1) of the following criteria:

(1) The student was subject to retention and has been retained in grade 3 for one (1) school year.

(2) The student has an intellectual disability or the student's individualized education program specifies that retention is not appropriate, and the student's case conference committee has determined that promotion to another grade is appropriate.

(3) The student is an English learner who has received services for fewer than two (2) years and a committee consisting of:

(A) the student's parent;

(B) a building level administrator or designee;

(C) a classroom teacher of service;

(D) an English learner teacher of record, if one exists; and

(E) an English learner district administrator, if one exists; determines that promotion is appropriate based on the implementation of research based instructional practices outlined in the student's individual learning plan.

(4) The student received a score of proficient or above proficient in grade 3 math on the statewide summative assessment.

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6 (d) A student who is not subject to the retention requirement as
7 provided under subsection (c) must be provided with additional reading
8 instruction that is aligned with the science of reading until the student
9 achieves a passing score on the determinant evaluation of reading skills
10 approved by the state board.

11 (e) Before October 1 of each school year, the department shall:
12 (1) identify each incoming student (as defined in section 0.7 of
13 this chapter) enrolled in kindergarten in a school in Indiana; and
14 (2) notify the parent or guardian of the student of the retention
15 requirement under this chapter for grade 3 students who do not
16 achieve a passing score on the Indiana reading evaluation and
17 determination (IRead3).

18 (f) The department shall establish a standard reporting process and
19 reporting window for schools to report students who qualify for an
20 exemption under subsection (c).

21 (g) The department shall establish a registration process for
22 schools to exempt an English language learner who:

(1) does not achieve a passing score on the determinant evaluation of reading skills approved by the state board; and
(2) attends a school that has a student population comprised of at least fifty percent (50%) of English language learners in grade 3, as determined by the department;

from compliance with the requirements under subsection (a)(2)(A) until the beginning of the 2027-2028 school year. This subsection expires July 1, 2028.

31 SECTION 6. IC 21-18-6-10 IS ADDED TO THE INDIANA
32 CODE AS A NEW SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2026]: **Sec. 10. (a) Not later than December**
34 **1, 2026, the commission shall do the following:**

36 currently accrue.
37 (A) state educational institutions; or
38 (B) degree programs offered by state educational

(B) degree programs offered by state educational institutions.

40 (2) Identify and evaluate innovative accrediting agencies or
41 associations, including those not yet recognized by the United
42 States Department of Education, that do not currently

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1 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair,
 3 abusive, or deceptive act, omission, or practice in connection with a
 4 consumer transaction. Such an act, omission, or practice by a supplier
 5 is a violation of this chapter whether it occurs before, during, or after
 6 the transaction. An act, omission, or practice prohibited by this section
 7 includes both implicit and explicit misrepresentations.

8 (b) Without limiting the scope of subsection (a), the following
 9 acts, and the following representations as to the subject matter of a
 10 consumer transaction, made orally, in writing, or by electronic
 11 communication, by a supplier, are deceptive acts:

12 (1) That such subject of a consumer transaction has sponsorship,
 13 approval, performance, characteristics, accessories, uses, or
 14 benefits it does not have which the supplier knows or should
 15 reasonably know it does not have.

16 (2) That such subject of a consumer transaction is of a particular
 17 standard, quality, grade, style, or model, if it is not and if the
 18 supplier knows or should reasonably know that it is not.

19 (3) That such subject of a consumer transaction is new or
 20 unused, if it is not and if the supplier knows or should reasonably
 21 know that it is not.

22 (4) That such subject of a consumer transaction will be supplied
 23 to the public in greater quantity than the supplier intends or
 24 reasonably expects.

25 (5) That replacement or repair constituting the subject of a
 26 consumer transaction is needed, if it is not and if the supplier
 27 knows or should reasonably know that it is not.

28 (6) That a specific price advantage exists as to such subject of a
 29 consumer transaction, if it does not and if the supplier knows or
 30 should reasonably know that it does not.

31 (7) That the supplier has a sponsorship, approval, or affiliation
 32 in such consumer transaction the supplier does not have, and
 33 which the supplier knows or should reasonably know that the
 34 supplier does not have.

35 (8) That such consumer transaction involves or does not involve
 36 a warranty, a disclaimer of warranties, or other rights, remedies,
 37 or obligations, if the representation is false and if the supplier
 38 knows or should reasonably know that the representation is false.

39 (9) That the consumer will receive a rebate, discount, or other
 40 benefit as an inducement for entering into a sale or lease in
 41 return for giving the supplier the names of prospective
 42 consumers or otherwise helping the supplier to enter into other

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1 consumer transactions, if earning the benefit, rebate, or discount
 2 is contingent upon the occurrence of an event subsequent to the
 3 time the consumer agrees to the purchase or lease.

4 (10) That the supplier is able to deliver or complete the subject
 5 of the consumer transaction within a stated period of time, when
 6 the supplier knows or should reasonably know the supplier could
 7 not. If no time period has been stated by the supplier, there is a
 8 presumption that the supplier has represented that the supplier
 9 will deliver or complete the subject of the consumer transaction
 10 within a reasonable time, according to the course of dealing or
 11 the usage of the trade.

12 (11) That the consumer will be able to purchase the subject of
 13 the consumer transaction as advertised by the supplier, if the
 14 supplier does not intend to sell it.

15 (12) That the replacement or repair constituting the subject of a
 16 consumer transaction can be made by the supplier for the
 17 estimate the supplier gives a customer for the replacement or
 18 repair, if the specified work is completed and:

19 (A) the cost exceeds the estimate by an amount equal to or
 20 greater than ten percent (10%) of the estimate;

21 (B) the supplier did not obtain written permission from the
 22 customer to authorize the supplier to complete the work
 23 even if the cost would exceed the amounts specified in
 24 clause (A);

25 (C) the total cost for services and parts for a single
 26 transaction is more than seven hundred fifty dollars (\$750);
 27 and

28 (D) the supplier knew or reasonably should have known that
 29 the cost would exceed the estimate in the amounts specified
 30 in clause (A).

31 (13) That the replacement or repair constituting the subject of a
 32 consumer transaction is needed, and that the supplier disposes of
 33 the part repaired or replaced earlier than seventy-two (72) hours
 34 after both:

35 (A) the customer has been notified that the work has been
 36 completed; and

37 (B) the part repaired or replaced has been made available
 38 for examination upon the request of the customer.

39 (14) Engaging in the replacement or repair of the subject of a
 40 consumer transaction if the consumer has not authorized the
 41 replacement or repair, and if the supplier knows or should
 42 reasonably know that it is not authorized.



5 (A) the name misrepresents the supplier's geographic
6 location;
7 (B) the listing fails to identify the locality and state of the
8 supplier's business;
9 (C) calls to the local telephone number are routinely
10 forwarded or otherwise transferred to a supplier's business
11 location that is outside the calling area covered by the local
12 telephone directory; and
13 (D) the supplier's business location is located in a county
14 that is not contiguous to a county in the calling area covered
15 by the local telephone directory.

21 (B) calls to the local telephone number are routinely
22 forwarded or otherwise transferred to a supplier's business

23 location that is outside the local calling area; and
24 (C) the supplier's business location is located in a county
25 that is not contiguous to a county in the local calling area.

34 (19) The violation by a supplier of 47 U.S.C. 227, including any
35 rules or regulations issued under 47 U.S.C. 227.

36 (20) The violation by a supplier of the federal Fair Debt
37 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
38 rules or regulations issued under the federal Fair Debt Collection
39 Practices Act (15 U.S.C. 1692 et seq.).

(22) A violation of IC 24-5-8 (concerning business opportunity)

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1 transactions), as set forth in IC 24-5-8-20.

2 (23) A violation of IC 24-5-10 (concerning home consumer

3 transactions), as set forth in IC 24-5-10-18.

4 (24) A violation of IC 24-5-11 (concerning real property

5 improvement contracts), as set forth in IC 24-5-11-14.

6 (25) A violation of IC 24-5-12 (concerning telephone

7 solicitations), as set forth in IC 24-5-12-23.

8 (26) A violation of IC 24-5-13.5 (concerning buyback motor

9 vehicles), as set forth in IC 24-5-13.5-14.

10 (27) A violation of IC 24-5-14 (concerning automatic

11 dialing-announcing devices), as set forth in IC 24-5-14-13.

12 (28) A violation of IC 24-5-15 (concerning credit services

13 organizations), as set forth in IC 24-5-15-11.

14 (29) A violation of IC 24-5-16 (concerning unlawful motor

15 vehicle subleasing), as set forth in IC 24-5-16-18.

16 (30) A violation of IC 24-5-17 (concerning environmental

17 marketing claims), as set forth in IC 24-5-17-14.

18 (31) A violation of IC 24-5-19 (concerning deceptive

19 commercial solicitation), as set forth in IC 24-5-19-11.

20 (32) A violation of IC 24-5-21 (concerning prescription drug

21 discount cards), as set forth in IC 24-5-21-7.

22 (33) A violation of IC 24-5-23.5-7 (concerning real estate

23 appraisals), as set forth in IC 24-5-23.5-9.

24 (34) A violation of IC 24-5-26 (concerning identity theft), as set

25 forth in IC 24-5-26-3.

26 (35) A violation of IC 24-5.5 (concerning mortgage rescue

27 fraud), as set forth in IC 24-5.5-6-1.

28 (36) A violation of IC 24-8 (concerning promotional gifts and

29 contests), as set forth in IC 24-8-6-3.

30 (37) A violation of IC 21-18.5-6 (concerning representations

31 made by a postsecondary credit bearing proprietary educational

32 institution), as set forth in IC 21-18.5-6-22.5.

33 (38) A violation of IC 24-5-15.5 (concerning collection actions

34 of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

35 (39) A violation of IC 24-14 (concerning towing services), as set

36 forth in IC 24-14-10-1.

37 (40) A violation of IC 24-5-14.5 (concerning misleading or

38 inaccurate caller identification information), as set forth in

39 IC 24-5-14.5-12.

40 (41) A violation of IC 24-5-27 (concerning intrastate inmate

41 calling services), as set forth in IC 24-5-27-27.

42 (42) A violation of IC 15-21 (concerning sales of dogs by retail

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SECTION 9.1.2.1.1 IS ADDED TO THE INDIAN CODES

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1 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 2 2026]:

3 **ARTICLE 16. SOCIAL MEDIA PROVIDERS**

4 **Chapter 1. Applicability**

5 **Sec. 1. This article does not apply to an adolescent who is**
 6 **legally emancipated.**

7 **Chapter 2. Definitions**

8 **Sec. 1. The definitions in this chapter apply throughout this**
 9 **article.**

10 **Sec. 2. "Adolescent" means an individual who is less than**
 11 **sixteen (16) years of age.**

12 **Sec. 3. "Daily active users" means the unique users in the**
 13 **United States who:**

14 **(1) used a particular online forum, website, or application at**
 15 **least eighty percent (80%) of the days during the previous**
 16 **twelve (12) months; or**

17 **(2) if the online forum, website, or application did not exist**
 18 **during all of the previous twelve (12) months, used the**
 19 **particular online forum, website, or application at least**
 20 **eighty percent (80%) of the days during the previous month.**

21 **Sec. 4. "Linked account", with respect to a user's account with**
 22 **a social media provider, means another account with the social**
 23 **media provider that the user has designated, through a means**
 24 **provided by the social media provider, as an account:**

25 **(1) from which the user wishes to receive content;**

26 **(2) from which the user wishes the social media provider to**
 27 **include in recommendations for content provided to the user**
 28 **by the social media provider; or**

29 **(3) with which the user wishes to associate the user's account.**

30 **Sec. 5. (a) "Social media provider" means an online forum,**
 31 **website, or application that satisfies the following criteria:**

32 **(1) Allows users to upload content or view the content or**
 33 **activity of other users.**

34 **(2) Has a user base in which ten percent (10%) or more of**
 35 **the daily active users who are less than sixteen (16) years of**
 36 **age spent an average of two (2) hours per day or longer on**
 37 **the online forum, website, or application when using the**
 38 **online forum, website, or application during:**

39 **(A) the previous twelve (12) months; or**

40 **(B) if the online forum, website, or application did not**
 41 **exist during all of the previous twelve (12) months, the**
 42 **previous month.**

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(3) Employs algorithms that analyze user data or information on users to select content for users.

(4) Has any of the following addictive features:

(A) Continuously loading content, or content that loads as the user scrolls down the page without the need to open a separate page.

(B) Seamless content, or the use of pages with no visible or apparent end or page breaks.

(C) Display of personal interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted the content.

(D) Autoplay video or video that begins to play without the user first clicking on the video or on a play button for the video.

(E) Live streaming or a function that allows a user or advertiser to broadcast live video content in real time.

(5) Is owned or operated by a person that collectively with any parent, subsidiary, or affiliate of the person, generated at least one billion dollars (\$1,000,000,000) in gross revenues, worldwide, in one (1) or more of the immediately preceding three (3) years.

(b) The term does not include the following:

(1) An online service, website, or application where the exclusive function provides registered users of the service only with the ability to send and receive electronic mail or direct messaging consisting of text, photographs, pictures, images, or videos shared only between the sender and the recipients, without displaying or posting the material publicly or to others not identified as the recipient by the sender.

(2) A device manufacturer or application store.

(3) An online service, website, or application in which the primary service is on demand audio streaming.

Sec. 6. "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. The term includes records that relate to a mortgage, education, or employment.

Sec. 7. "Verifiable parental consent" means verifiable parental consent as defined by 15 U.S.C. 6501(9) that is obtained in conformance with 16 CFR 312.5.

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1 **Chapter 3. Adolescent Use of Social Media**

2 **Sec. 1. A social media provider that receives a request from an**

3 **Indiana resident for creation of an account with the social media**

4 **provider shall comply with the following:**

5 **(1) The social media provider shall use commercially**

6 **reasonable means to determine the age and state of residence**

7 **of the individual requesting creation of the account.**

8 **(2) If the social media provider determines under subdivision**

9 **(1) that the individual requesting creation of the account is**

10 **an adolescent, the social media provider may create the**

11 **account only if the social media provider receives verifiable**

12 **parental consent to creation of the account from a parent or**

13 **legal guardian of the adolescent.**

14 **Sec. 2. (a) A social media provider shall configure the account**

15 **as described in subsection (c) of a registered user that the social**

16 **media provider knows or has reason to know is an:**

17 **(1) adolescent; and**

18 **(2) Indiana resident.**

19 **(b) A social media provider may not allow an adolescent to**

20 **change or bypass an account configuration described in subsection**

21 **(c).**

22 **(c) A social media provider shall configure the account of a**

23 **registered user described in subsection (a) as follows:**

24 **(1) The social media provider may allow the account to**

25 **receive direct communications only from an account that the**

26 **user has designated as a linked account.**

27 **(2) The social media provider may not allow the account to**

28 **appear in the results of a search conducted by a person**

29 **through the social media provider's search utility unless the**

30 **person holds an account that the user has designated as a**

31 **linked account.**

32 **(3) The social media provider may not disseminate:**

33 **(A) content;**

34 **(B) recommendations for content; or**

35 **(C) advertising;**

36 **based on patterns of the adolescent's use of the social media**

37 **provider.**

38 **(4) The account may not use the addictive features described**

39 **under IC 24-16-2-5(a)(4).**

40 **(5) The social media provider shall provide the adolescent's**

41 **parent or legal guardian who provides verifiable parental**

42 **consent to the creation of the account with the option to**



1 receive a separate password for the account that allows the
 2 parent or legal guardian to:

3 (A) monitor the amount of time the adolescent spends
 4 using the social media platform;
 5 (B) set daily and weekly time limits on the adolescent's
 6 use of the social media platform; and
 7 (C) set limits on the times of day during which the
 8 adolescent can access the social media platform.

9 A social media provider may modify the account configuration
 10 under this subsection only if the social media provider determines
 11 under IC 24-16-4 that the account holder is no longer an
 12 adolescent.

13 **Chapter 4. Continuing Age Estimation**

14 Sec. 1. (a) Not later than fourteen (14) days after the first date
 15 on which an Indiana account holder has spent at least twenty-five
 16 (25) hours in a single six (6) month period using a social media
 17 provider's social media platform, the social media provider shall:

18 (1) make reasonable efforts; and
 19 (2) use reasonable means, taking into consideration the
 20 technology and data available to the social media provider;
 21 to determine the age of the Indiana account holder.

22 **(b) Subject to subsection (d):**

23 (1) if a social media provider knows or has reason to know
 24 that an Indiana account holder is sixteen (16) years of age or
 25 older, the social media provider may consider the Indiana
 26 account holder to not be an adolescent for purposes of this
 27 article; and

28 (2) if the social media provider knows or has reason to know
 29 that the Indiana account holder is not sixteen (16) years of
 30 age or older, the social media provider shall consider the
 31 Indiana account holder to be an adolescent for purposes of
 32 this article.

33 (c) Not later than fourteen (14) days after the first date on
 34 which an Indiana account holder has spent at least fifty (50) hours
 35 in a single six (6) month period using a social media provider's
 36 social media platform, the social media provider shall determine
 37 the age of the Indiana account holder as described under
 38 subsection (a) for the purpose of verifying the social media
 39 provider's determination of the Indiana account holder's age under
 40 subsection (a).

41 **(d) Subject to subsection (f):**

42 (1) if a social media provider knows or has reason to know



1 that an Indiana account holder is sixteen (16) years of age or
 2 older, the social media provider may continue to consider the
 3 Indiana account holder to not be an adolescent for purposes
 4 of this article; and

5 (2) if the social media provider knows or has reason to know
 6 that the Indiana account holder is not sixteen (16) years of
 7 age or older, the social media provider shall consider the
 8 Indiana account holder to be an adolescent for purposes of
 9 this article.

10 (e) Subject to subsection (g), a social media provider shall
 11 determine the age of an Indiana account holder with the social
 12 media provider's social media platform as described under
 13 subsection (a) for the purpose of verifying the social media
 14 provider's most recent determination of the Indiana account
 15 holder's age:

16 (1) when the Indiana account holder has spent an additional
 17 one hundred (100) hours using the social media platform
 18 following the date on which the social media provider
 19 determines the Indiana account holder's age under
 20 subsection (c) and each time the Indiana account holder
 21 spends an additional one hundred (100) hours using the
 22 social media platform thereafter; and

23 (2) each time the social media provider collects demographic
 24 information of any kind regarding the Indiana account
 25 holder.

26 (f) Subject to subsection (g):

27 (1) if a social media provider knows or has reason to know
 28 that an Indiana account holder is sixteen (16) years of age or
 29 older, the social media provider may continue to consider the
 30 Indiana account holder to not be an adolescent for purposes
 31 of this article; and

32 (2) if the social media provider knows or has reason to know
 33 that the Indiana account holder is not sixteen (16) years of
 34 age or older, the social media provider shall consider the
 35 Indiana account holder to be an adolescent for purposes of
 36 this article.

37 (g) Once an Indiana account holder has held an account with
 38 a social media provider's social media platform continuously for
 39 ten (10) consecutive years, the social media provider may, for
 40 purposes of the requirements to be met by a social media provider
 41 under this article, consider the Indiana account holder to not be an
 42 adolescent without determining the age of the Indiana account



1 **holder under this section.**

2 **Sec. 2. (a) This section applies if:**

3 **(1) a social media provider:**

4 **(A) determines under section 1 of this chapter; or**

5 **(B) receives information based on which the social**

6 **media provider knows or has reason to know;**

7 **that an Indiana account holder is an adolescent; and**

8 **(2) the social media provider did not receive verifiable**

9 **parental consent under IC 24-16-3-1 for creation of the**

10 **account.**

11 **(b) Not later than seven (7) days after the first date on which**

12 **this section applies to the account of an Indiana account holder**

13 **under subsection (a), the social media provider shall transmit to**

14 **the Indiana account holder notice that the account is subject to**

15 **termination due to the account's noncompliance with this article.**

16 **The notice must include:**

17 **(1) the requirement under this article with which the account**

18 **is noncompliant;**

19 **(2) notice that the Indiana account holder has thirty (30)**

20 **days within which to dispute the social media provider's**

21 **determination that the account is noncompliant; and**

22 **(3) instructions regarding the means under subsection (c) by**

23 **which the Indiana account holder may dispute the social**

24 **media provider's determination that the account is**

25 **noncompliant.**

26 **(c) A social media provider that provides notice to an Indiana**

27 **account holder under subsection (b) shall allow the Indiana**

28 **account holder thirty (30) days after the transmission date of the**

29 **notice to dispute the social media provider's determination**

30 **through:**

31 **(1) provision of verifiable parental consent from a parent or**

32 **legal guardian of the Indiana account holder to the**

33 **continuation of the account; or**

34 **(2) any commercially reasonable method that relies on public**

35 **or private transactional data to verify the age of the account**

36 **holder.**

37 **(d) If, not later than thirty (30) days after the transmission**

38 **date of a notice transmitted to an Indiana account holder under**

39 **subsection (b):**

40 **(1) a parent or legal guardian of the Indiana account holder**

41 **provides the social media provider with verifiable parental**

42 **consent to the continuation of the account under subsection**



(2) the Indiana account holder does not complete an age estimation process under subsection (c)(2);

18 the social media provider shall terminate the account at the
19 conclusion of the thirty (30) day period.

20 (f) If:

20 (1) b.
21 (1) a

21 (1) an Indiana account holder who receives a notice under
22 subsection (b) completes an age estimation process under
23 subsection (c)(2) not later than thirty (30) days after the
24 transmission date of the notice; and
25 (2) an Indiana account holder who receives a notice under

28 **the social media provider shall terminate the account not later than**
29 **seven (7) days after receiving the results of the age estimation.**

30 (g) A social media provider shall make a determination
31 regarding the results of an Indiana account holder's age estimation
32 under subsection (c)(2) not later than thirty (30) days after the date
33 on which the Indiana account holder completes the age estimation
34 process.

Chapter 5. Use and Retention of Information

Sec. 1. A social media provider that receives information from an individual for the purpose of the individual's provision of



1 **verifiable parental consent to the social media provider:**

2 **(1) may not use the information for any purpose other than**
3 **registering the individual's provision of verifiable parental**
4 **consent; and**

5 **(2) shall, except as necessary to comply with any other**
6 **applicable state or federal law or regulation, delete the**
7 **information immediately after registering the individual's**
8 **provision of verifiable parental consent.**

9 **Chapter 6. Enforcement**

10 **Sec. 1. An owner or operator of a social media provider that**
11 **violates this article commits a deceptive act that is actionable by**
12 **the attorney general under IC 24-5-0.5 and that is subject to the**
13 **penalties and remedies available to the attorney general under**
14 **IC 24-5-0.5.**

15 **SECTION 10.] [EFFECTIVE UPON PASSAGE] (a) 511**
16 **IAC 13-1-1(b)(6) is void. The publisher of the Indiana**
17 **Administrative Code and Indiana Register shall remove this**
18 **provision from the Indiana Administrative Code.**

19 **(b) This SECTION expires July 1, 2027.**

20 SECTION ~~↔~~[11]. An emergency is declared for this act.

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