Date of Hearing: June 23, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
SB 1247 (Padilla) – As Amended April 23, 2026

SENATE VOTE: 39-0

SUBJECT: SOCIAL MEDIA PLATFORMS: CHILD INFLUENCERS

SYNOPSIS

The rapid growth of social media in the last 20 years has given rise to a new form of advertisement through the use of social media influencers. Parents can become influencers by creating social media content about their family life, specifically their children, and monetize that content in lucrative ways. California enacted legislation, SB 764 (2024), to ensure children also receive financial benefit from this kind of content that they may appear in. However, even with financial compensation, a child may not want their lives documented and on the internet for the world to see. This bill allows child influencers, once they are adults, to request their vlogger parent or guardian to remove or edit paid content that features the child influencers as minors. The bill requires social media companies to implement a mechanism for child influencers to make this request. If vloggers fail to remove or edit the content as requested, child influencers may bring a civil action against them.

This bill is supported by child rights advocacy organizations and Oakland Privacy. The bill is opposed by the Civil Justice Association of California. The bill passed unanimously out of the Assembly Committee on Privacy and Consumer Protection.

SUMMARY: Requires content creators who feature their minor children and receive compensation to delete or edit content if requested by the child after they reach the age of majority. Specifically, **this bill**:

1) Requires a social media platform to provide a clear and conspicuous mechanism by which a child influencer can request a vlogger to delete or edit paid content if the content meets the following standards:

   a) The paid content is adequately identified by the child influencer so that the social media platform is able to notify the vlogger to remove the paid content from the social media platform; and

   b) The paid content features the child influencer as a minor.

2) Requires that if a social media platform does not provide a mechanism that enables the child influencer to submit a request directly to the vlogger, the social media platform must notify the vlogger of the request within three business days of its receipt.

3) Mandates that a vlogger must delete the paid content or edit the paid content in such a way that the child influencer is no longer featured in the paid content within ten business days of receiving a notice or direct request to delete or edit the paid content.

4) Provides that a child influencer may bring a civil action against a vlogger who violates the bill for all of the following:

   a) Actual damages;

   b) Statutory damages up to $3,000 for each day that a vlogger is in violation of the bill;

   c) Injunctive relief; and

   d) Reasonable attorney's fees and costs.

5) Requires a court, in an action under 5), to consider all of the following:

   a) Emotional harm or substantial embarrassment the paid content causes the child influencer;

   b) Increased risk to the child influencer of harassment or compromised safety;

   c) Loss of control of personal information; and

   d) Harm to future opportunities.

6) Defines the following terms:

   a) "Child influencer" means a person who is at least 18 years of age who is featured as a minor in paid content on a social media platform.

   b) "Paid content" means image or video content shared on a social media platform by a vlogger for which the vlogger receives compensation.

   c) "Social media platform" has the meaning defined in Business and Profession Code Section 22675.

   d) "Vlogger" means a person who meets both of the following criteria:

      i) The person is a parent, legal guardian, or family member of a child influencer who shared images or video content featuring that child influencer constituting at least 30 percent of the person's content shared on social media platforms.

      ii) The person received compensation for sharing the content featuring the child influencer described in i).

EXISTING LAW:

1) Defines "social media platform" as a public or semipublic internet-based service or application that has users in California and that meets both of the following criteria:

   a) A substantial function of the service or application is to connect users in order to allow users to interact socially with each other within the service or application; email or direct messaging services alone are insufficient to satisfy this criterion; and

b) The service or application allows users to do all of the following: (1) construct a public or semipublic profile for purposes of signing into and using the service or application; (2) populate a list of other users with whom an individual shares a social connection within the system; and (3) create or post content viewable by other users, including, but not limited to, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users. (Business and Professions Code Section 22675 (f).)

2) Provides that a minor is an individual who is under 18 years of age. (Family Code Section 6500.)

3) Provides that a minor's parent or guardian is entitled to the earnings of the minor, except as provided in 4), 5), and 7). (Family Code Section 7500.)

4) Provides that the parent or guardian of a minor who is emancipated—through marriage, serving on active duty with the Armed Forces of the United States, or a declaration of emancipation—is not entitled to the minor's earnings. (Family Code Sections 7002, 7050.)

5) Provides, under "Coogan's Law," that the parent or guardian of a minor who enters into a contract for artistic or creative services, including online content creation, or for participating in or playing a sport, is not entitled to the minor's earnings when specified conditions are met. (Family Code Sections 6750-6753.)

6) Defines the following relevant terms:

   a) "Content" means statements or comments made by users and media that are created, posted, shared, or otherwise interacted with by users on an internet-based service or application, but does not include media put on a service or application exclusively for the purpose of cloud storage, transmitting files, or file collaboration.

   b) "Family" means a group of persons related by blood or marriage, including civil partnerships, or whose close relationship with each other is considered equivalent to a family relationship by the individuals.

   c) "Online platform" means any public-facing internet website, web application, or digital application, including a mobile application, and includes a social media platform, advertising network, mobile operating system, search engine, email service, or internet access service.

   d) "Vlog" means content shared on an online platform in exchange for compensation.

   e) "Vlogger" means a parent, legal guardian, or family residing in California that creates image or video content that is performed in California in exchange for compensation, but does not include any person under 18 years of age who produces their own content.

   f) "Vlogging" means the act of sharing content on an online platform in exchange for compensation. (Family Code Section 6650.)

7) Provides that, when at least 30 percent of a vlogger's compensated content includes the likeness, name, or photograph of a minor, the vlogger must compensate the minor for their appearance in the content pursuant to a prescribed compensation formula, and the moneys must be held in trust for the minor until they reach the age of majority or are emancipated. (Family Code Sections 6651-6653.)

8) Provides that, if a vlogger knows or should have known that they violated the provisions of 7), the minor appearing in the content may commence an action to enforce the requirements of 7) and may obtain actual damages, punitive damages, and attorney's fees and costs. (Family Code Section 6654.)

9) Provides that 7) does not apply to a contract for vlogging services between a parent or guardian and a minor if the court has approved the contract pursuant to Coogan's law. (Family Code Section 6656.)

FISCAL EFFECT: As currently in print this bill is keyed non-fiscal.

COMMENTS: For some children, their online presence begins before birth with parents sharing content about pregnancy, including ultrasound photos and childbirth vlogs. Families with child influencers can amass millions of subscribers by documenting daily activities, such as morning routines and holiday traditions, and even visits to the emergency room. (Dana D. Joss, *Notes: Likes, Camera, Action: Safeguarding 'Child Influencers' through Expanded Coogan Protections and Increased Regulation of Social Media*, 15 Wm. & Mary Bus. L. Rev. 441, 450 (2024).)

This practice can be highly lucrative. Child influencers, and their parents, can earn substantial incomes from monthly subscriptions and interactions with followers. Some can charge $3,000 for a single post. Large followings impress brands and increase the chances of receiving discounts, products, and other financial incentives, and platforms reward these accounts with greater visibility. (Jennifer Valentino-DeVries and Michael H. Keller, *Five Takeaways from the Times's Investigation into Child Influencers,* New York Times (Feb. 22, 2024) available at: https://www.nytimes.com/2024/02/22/us/takeaways-instagram-child-influencers.html.) But children may not fully grasp what this content may mean for their loss of privacy. As these children grow up, they may begin to grapple with what it means to have significant portions of your life on the internet for the world to see. (Chris Felts, *"Once privacy is lost, it's lost forever" California bill seeks to protect kids against content posted by influencer parents*, CapRadio (Mar. 27, 2026) available at: https://www.capradio.org/articles/2026/03/27/once-privacy-is-lost-its-lost-forever-california-bill-seeks-to-protect-kids-against-content-posted-by-influencer-parents/.) In support of the bill, the author writes:

> Children featured in family videos lose the ability to control their image at a young age and face privacy and security concerns growing up in the public eye. SB 1247 would give children who were monetized online the ability to exert privacy rights by giving child influencers the ability to delete content featuring them as minors once they reach adulthood.

California's protections for child performers. Jackie Coogan was a popular child actor in the 1920s and 1930s, getting his "big break" starring alongside Charlie Chaplin in the 1921 film, The Kid. When Coogan reached adulthood, he found out that his mother and stepfather had squandered his millions of dollars of earnings, and did so legally. In response to Coogan's story, the Legislature, in 1938, enacted the Coogan Law. (Family Code Section 6750 *et seq.*) In accordance with the Coogan Law, courts must approve contracts in which a minor is employed or agrees to render artistic, creative, or athletic services, and the employer must set aside 15% of the minor's gross earnings in a trust that is typically administered by one of the child's parents or legal guardians. (*Id.*) While groundbreaking at the time, the Coogan Law did not stop all abuse of child stars. Indeed, a recent court decision noted that, "Inadequacies in the statutory scheme, however, resulted in additional abuses of the finances of such child actors as Shirley Temple, Macaulay Culkin, Lee Aaker, and Gary Coleman—all of whose parents left the minors with at best only a small percentage of what they earned during their careers." (*Phillips v. Bank of America, N.A*. (2015) 236 Cal.App.4th 217, 225.)

SB 764 established similar requirements to Coogan's Law, but for children appearing in paid content on social media. (Padilla, Ch. 611, Stats. 2024.) Vloggers—the adults creating the content—must set aside earnings from monetized social media content into a trust account for minor children who appeared prominently in the monetized content. (Family Code Sections 6650-6653.) SB 764 specified that a minor is considered engaged in vlogging if at least 30% of the vlogger's compensated video content includes the likeness, name, or photograph of the minor. SB 764 established financial protections for children who appear in paid social media content, but not a method for protecting the child's privacy.

This bill would require social media platforms to provide a clear and conspicuous mechanism for child influencers to request a vlogger remove or edit paid content where the child influencer appears. A child influencer is a person who is at least 18 years old and is featured as a minor in paid content on a social media platform. The mechanism to make requests for removal or edit can either contact the vlogger directly or the social media company can notify the vlogger within three days of receipt of the request from the child influencer. A vlogger must then, within 10 business days of receiving either the notice or direct request, delete or edit the paid content so that the child influencer is no longer featured.

The bill allows for a child influencer to bring a private right of action against a vlogger who fails to remove or edit the paid content within 10 days of receiving the notice or request. If successful in the action, the child influencer can be entitled to actual damages, $3,000 per day the vlogger fails to remove or edit the content, injunctive relief, and attorney's fees. Regarding the injunctive relief, the bill specifies that the court must consider (1) the emotional harm or substantial embarrassment the paid content causes the child influencer; (2) the potential for increased risk of harassment or safety to the child influencer; (3) the loss of control of personal information; and (4) harm to future opportunities.

Liability for Social Media Companies. The opposition's concern is regarding the potential liability of social media companies. As the bill is written, the civil action allowed is only against the vlogger, and not against a social media platform. Therefore, there does not appear to be any potential civil cause of action against a social media company on the face of the bill. In the event, however, a child influencer is successful in a civil action against a vlogger, but the vlogger contests that they received the required notice from the social media company, there may be potential liability for the social media company. *If the author wishes to clarify that the bill does not create a civil cause of action against a social media company, they may want to add language stating as such.* However, by keeping the bill as written, it may ensure social media companies properly implement the reporting mechanism.

***ARGUMENTS IN SUPPORT**:* This bill is supported by child advocacy organizations and Oakland Privacy. The American Academy of Pediatrics, California writes in support:

> SB 1247 takes an important and balanced step forward by allowing an adult who appeared as a minor in paid social media content to request that the content be removed or edited so they are no longer featured. The bill also requires platforms to provide a clear process for submitting those requests and establishes accountability when requests are ignored.
>
> The rapid growth of the influencer economy has fundamentally changed childhood for many young people. According to Goldman Sachs Research, the influencer economy was valued at approximately $250 billion in 2023 and is projected to grow to nearly $480 billion by 2028. () Increasingly, children are not simply appearing incidentally online—they are becoming the central subjects of monetized family content viewed by millions of strangers.
>
> Unlike traditional child performers, however, many child influencers have historically lacked clear legal protections regarding privacy, autonomy, and control over their digital identity. California appropriately addressed financial protections through SB 764 (Padilla, 2024), which extended Coogan Law-style protections to child influencers. SB 1247 builds on that progress by addressing another critical issue: a young adult's right to reclaim control over deeply personal content shared online during childhood.
>
> The harms associated with involuntary online exposure can be significant and long-lasting. The Senate Judiciary Committee analysis for SB 1247 notes that children featured in family vlogs may face embarrassment, harassment, compromised safety, identity theft concerns, and damage to future educational or employment opportunities. Public testimony supporting the bill has also highlighted situations where intimate medical information, developmental milestones, and deeply personal childhood experiences were permanently shared online without the child's meaningful consent.

Oakland Privacy writes in support:

> Senate Bill 1247 is a privacy bill that focuses on minors who have been featured in paid influencer content by their parents and guardians, often in the context of monetizing advice about child-rearing and household maintenance.
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> This growing field of Internet influencing has attracted large numbers of people who attempt to monetize the lessons of parenting and make money by sharing their experiences with their kids to audiences newly embarking on the parenthood journey.
>
> Colloquially known as "Momfluencers", it is probably fair to say that while much of the advice may prove to be helpful, it is also part of the long line of entities seeking to make money off the anxieties of young women that they aren't doing things right, including taking care of their young children. There seems to be a lot of money to be made by incorporating brand recommendations and sponsorship into blog posts, Tiktok videos and the like once an influencer has developed an online audience.
>
> However, one part of this formula, one of the more creative ways to address the affordability crisis plaguing many California families, likely never consented to star in these productions. The children of Momfluencers are inevitably featured in this content, but in many cases they

> are too young to consent to their starring roles. And in many others, the coercion present in family situations or a lack of understanding of later consequences to all this online visibility may make what seemed non-problematic at the age of 8 seem extremely problematic at the age of 18, or 35 for that matter.
>
> One would hope that, in most cases, a parent or guardian would respond generously to a desire by an adult child to remove such content because it is interfering with job or professional efforts, university applications or is simply a source of embarrassment or chagrin. That likely happens with no need to rely on state statute.
>
> But not all families are the same, and unfortunately when money is at stake, not all parents and guardians can be relied on to do the right thing. The long history of "stage parents" in Hollywood is a case in point. Senate Bill 1247 posits that when an adult is literally unable to get a parent or guardian to take down posts featuring the adult as a child which were financially renumerative to the parent or guardian, that the adult has some recourse for their wishes to be fulfilled.

***ARGUMENTS IN OPPOSITION**:* This bill is opposed by the Civil Justice Association of California (CJAC). CJAC writes in opposition:

> CJAC is concerned about the creation of a private right of action in this manner, as such claims can be readily brought and, when paired with significant statutory penalties, may invite abusive litigation and further burden already strained courts without providing a commensurate public benefit.
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> CJAC respects the author's intent to protect minors and provide individuals with greater control over content featuring them online. However, we are also concerned that the bill could be interpreted to create or expand liability for social media platforms beyond the conduct specifically regulated by the measure. To ensure the bill remains targeted to compensated vloggers, we respectfully request clarification that the legislation is not intended to create a civil cause of action against social media platforms.

REGISTERED SUPPORT / OPPOSITION:

Support

American Academy of Pediatrics, California
Child Protection Task Force (a Committee of SAG-AFTRA)
Oakland Privacy
Quit Clicking Kids

Opposition

Civil Justice Association of California (CJAC)

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