
UNFINISHED BUSINESS

Bill No: SB 1247
Author: Padilla (D), et al.
Amended: 8/10/26
Vote: 21

SENATE PRIV., DIGITAL TECH. & CONS. PROT. COMMITTEE: 9-0, 4/6/26
AYES: Cabaldon, Jones, Gonzalez, McNerney, Ochoa Bogh, Padilla, Reyes, Umberg, Wiener

SENATE JUDICIARY COMMITTEE: 13-0, 4/21/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern, Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SENATE FLOOR: 39-0, 5/19/26
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Niello

ASSEMBLY FLOOR: Passed, 8/26/26

SUBJECT: Social media platforms: child influencers

SOURCE: Author

DIGEST: This bill requires a social media platform to provide a clear and conspicuous mechanism by which a child influencer who is at least 18 years of age can request a vlogger to delete or edit certain paid content that features the child influencer as a minor.

Assembly Amendments relocate this bill's provision from the Business and Professions Code to the Family Code.

ANALYSIS:

Existing law:

1) Provides that a minor is an individual who is under 18 years of age. (Family (Fam.) Code, § 6500.)

2) Provides that a minor's parent or guardian is entitled to the earnings of the minor, except as provided in 3), 4), and 6). (Fam. Code, § 7500.)

3) 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. (Fam. Code, §§ 7002, 7050.)

4) 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. (Fam. Code, §§ 6750-6753.)

5) 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. (Fam. Code, § 6650.)

6) 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. (Fam. Code, § 6651-6653.)

7) Provides that, if a vlogger knows or should have known that they violated the provisions of 6), the minor appearing in the content may commence an action to enforce the requirements of 6) and may obtain actual damages, punitive damages, and attorney's fees and costs. (Fam. Code, § 6654.)

8) Provides that 6) 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. (Fam. Code, § 6656.)

9) 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.
   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 (Bus.) & Professions (Prof.) Code, § 22675(f).)

This bill:

1) 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 same meaning as in section 22675 of the Business and Professions Code.
- 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.

2) 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, pursuant to 4), that meets both of the following criteria:
   - a) The paid content is adequately identified by the child influencer so that the social media platform is able to notify the vlogger who is able to remove the paid content from the social media platform.
   - b) The paid content features the child influencer as a minor.

3) Requires a social media platform to notify the vlogger of the request within three business days of receipt if the mechanism provided does not enable the child influencer to submit a request directly to the vlogger.

4) Requires a vlogger, within 10 business days of receipt of a notice or direct request, to delete the identified paid content or edit the identified paid content in such a way that the child influencer is no longer featured in the paid content.

5) Provides that a child influencer may bring a civil action against a vlogger who violates the above for all of the following relief:
   - a) Actual damages.
   - b) Statutory damages in the amount of $3,000 for each day that the vlogger is in violation of 4).
   - c) Injunctive relief.
   - d) Reasonable attorney's fees and costs.

6) Requires a court to consider all of the following when considering whether to grant injunctive relief:
   - 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.
d) Harm to future opportunities.

Comments

Previous legislation established financial protections for minors whose images are used by vloggers to receive compensation. Under this bill, a child influencer, upon reaching the age of 18, may take control of content featuring images and videos of them as a minor by requesting they be edited or removed. The bill requires social media platforms to provide a clear and conspicuous mechanism for child influencers to request such action, and if certain criteria is met, the platforms must notify the relevant vlogger of the request. The vlogger is thereafter required to delete or edit the paid content, as provided. Vloggers who fail to carry this obligation are subject to civil actions for specified remedies.

Measures to protect children. The dramatic rise of content created and monetized by social media influencers, and specifically content heavily featuring minors, has drawn attention to a gap in these laws. A series of infamous examples of family members exploiting minors appearing in their content has raised calls for legislation to protect the interests of these children. Mirroring a law enacted in Illinois, SB 764 (Padilla, Ch. 611, Stats. 2024) responded to this gap. That law places obligations on adult "vloggers," creators of online content for compensation, whose online content features minors "engaging in vlogging" to set aside a certain amount of gross earnings in a trust account to be established in a California financial institution. A child is "engaged in vlogging" when a certain percentage of the content includes the minor and the related compensation reaches a certain threshold. Such vloggers are also required to maintain and share records related to the amount of relevant content produced and the compensation received therefrom.

Establishing control and privacy rights. Under this bill, a child influencer, upon reaching the age of 18, may take control of paid content featuring images and videos of them as a minor by requesting they be edited or removed. Current law allows for the financial protection of child influencers but does not give control of their images and videos to those child influencers upon reaching adulthood. The author seeks to establish a process whereby child influencers can take control of their online paid content and secure privacy rights as adults.

This process requires a social media platform to provide a "clear and conspicuous mechanism" for a child influencer to request edits or deletion of vloggers' paid content featuring them. This provision establishes unambiguous communication between the parties to ensure any child influencer can easily access this mechanism to make a privacy request.

Once the paid content that features the child influencer as a minor has been adequately identified, the child influencer may use the communication mechanism to make a request. Upon receiving this request, the social media platform must inform the vlogger of the request if the mechanism does not enable the child influencer to submit a request directly to the vlogger. Within ten business days of receiving the privacy request, the vlogger must delete or edit the paid content in such a way that the child influencer is no longer featured in the paid content.

Violations are subject to a civil action, to be brought by the child influencer, as specified. For a more thorough analysis of this bill and its provisions, please see the Senate Privacy, Digital Technologies, and Consumer Protection Committee analysis.

According to the author:

> 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

Costs are unknown, with potentially significant cost pressure to the courts to the extent there are additional civil filings for new violations created by this bill. Actual costs would depend on the number of child influencers seeking to edit or remove content and subsequent civil actions and injunctive relief. Although courts are not funded based on workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts. The proposed FY 2026-07 Governor's budget would provide $70 million General Fund support (Trial Court Trust Fund, General Fund).

SUPPORT: (Verified 8/25/2026)

American Academy of Pediatrics, California
Child Protection Task Force (a Committee of Sag-aftra)
No Affiliation

Oakland Privacy
Quit Clicking Kids

OPPOSITION: (Verified 8/25/2026)

Civil Justice Association of California

ARGUMENTS IN SUPPORT: The American Academy of Pediatrics, California, writes:

> SB 1247 strikes a thoughtful balance between family expression and a young adult's right to privacy and dignity. Importantly, the bill does not impose liability on social media platforms for the content itself; rather, it creates a practical process for handling removal requests and places responsibility on the compensated content creator. The measure also appropriately limits its scope to monetized family content where the child influencer appeared in a substantial portion of the material.
>
> California has often led the nation in recognizing emerging harms facing children in digital environments. SB 1247 continues that leadership by ensuring that children who grow up online are afforded basic autonomy over their own image, identity, and personal history.

ARGUMENTS IN OPPOSITION: The Civil Justice Association of California (CJAC) writes:

> The bill would impose penalties of a set $3,000 per day for each day of noncompliance. 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.
> CJAC respects the author's intent to protect minors and to provide individuals with control over content featuring them online. However, for the reasons stated above, we remain concerned with the bill's penalty structure and the creation of an additional private right of action in this context.

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