

# HB0322S02 compared with HB0322S01

~~{Omitted text}~~ shows text that was in HB0322S01 but was omitted in HB0322S02  
inserted text shows text that was not in HB0322S01 but was inserted into HB0322S02

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**Child Actor Regulations**  
2025 GENERAL SESSION  
STATE OF UTAH  
**Chief Sponsor: Doug Owens**  
Senate Sponsor: Scott D. Sandall

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3 **LONG TITLE**

4 **General Description:**

5 This bill enacts provisions related to minors involved in entertainment.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ defines terms;
- 9 ▶ requires that a parent or guardian establish a trust for a minor involved in entertainment;
- 10 ▶ provides the circumstances under which a child of a content creator is not subject to trust and compensation requirements;
- 12 ▶ provides the circumstances under which a parent or guardian may serve as the trustee of a trust for a minor involved in entertainment;
- 14 ▶ provides the requirements for a performer's employer when depositing a percentage of the earnings of a minor involved in entertainment into a trust;
- 16 ▶ establishes a right of action for a minor involved in entertainment;
- 17 ▶ requires that a content creator maintain a ~~{monthly}~~ record that relates to a minor featured in the content creator's content;

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- 19       ▶ ~~{ requires that a content creator maintain the monthly records for at least one year; }~~  
20       ▶ requires that a content creator inform a minor's parents that the minor is featured in the content  
creator's content;  
22       ▶ requires that a minor's parent or guardian establish a trust for the minor featured in social media  
content under certain conditions;  
24       ▶ establishes limitations related to the trust established for a minor featured in social media  
content;  
26       ▶ establishes a formula for a content creator to calculate the percentage of any earnings from social  
media that feature a minor and to transfer the earnings to the minor's trust;  
28       ▶ provides exemptions from the trust and compensation requirements;  
29       ▶ establishes a right of action for an individual featured in social media content as a minor;  
30       ▶ establishes a process by which a content creator may petition a court for an exception to the  
requirement to divide earnings from social media featuring a minor;  
32       ▶ grants an individual featured in social media content as a minor a right of deletion;  
33       ▶ requires that a social media company maintain a readily available process by which an individual  
featured in social media content as a minor may request that a ~~{ social media company }~~ content creator  
delete content featuring the individual featured in social media content as a minor;  
37       ▶ provides a process by which an individual may petition a court to ~~{ remove }~~ require that a  
content ~~{ featuring }~~ creator delete the ~~{ individual as a minor }~~ individual's content;  
39       ▶ provides for an award of attorney fees and damages; and  
40       ▶ provides the circumstances under which the provisions of this bill supersede a contractual  
provision related to disputes.

### 40 **Money Appropriated in this Bill:**

41       None

### 42 **Other Special Clauses:**

43       None

### 45 ENACTS:

46       **34-23-501** , Utah Code Annotated 1953 , Utah Code Annotated 1953

47       **34-23-502** , Utah Code Annotated 1953 , Utah Code Annotated 1953

48       **34-23-503** , Utah Code Annotated 1953 , Utah Code Annotated 1953

49       **34-23-504** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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- 50
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- 51 *Be it enacted by the Legislature of the state of Utah:*
- 52 Section 1. Section 1 is enacted to read:
- 55 **Part 5. Employment of Minors in Entertainment**
- 54 **34-23-501. Definitions.**
- 57 As used in this part:
- 58 (1)
- (a) "Administrative cost" means a reasonable cost that a content creator incurs when making social media content.
- 60 (b) "Administrative cost" includes:
- 61 (i) an expense directly related to the production of social media content; and
- 62 (ii) a social media service fee.
- 63 (c) "Administrative cost" does not mean any income a content creator pays to the content creator.
- 65 (2) "Compensated content" means paid minutes that feature a qualifying minor's personal content.
- 67 (3)
- (a) "Content creator" means an individual who produces social media content.
- 68 (b) "Content creator" does not include a minor who is the sole producer of the minor's own social media content.
- 70 (4) "Content share" means a determination, that a content creator makes on the first of each calendar month, of the percentage of minutes of a content creator's social media content that:
- 73 (a) were published in the calendar month immediately before the day on which the content creator makes the determination; and
- 75 (b) feature the personal content of an individual other than the content creator.
- 76 (5) "Emotional harm or substantial embarrassment" means psychological or emotional distress a reasonable, similarly situated individual would feel resulting from the individual's personal content appearing in a content creator's social media content.
- 79 (6) "Income from social media" means the income a content creator receives from creating social media content after the content creator makes reasonable deductions for administrative costs.
- 80 (7) "Market value compensated minor" means a minor who:
- 81 (a) in a calendar year, has an average monthly content share of at least 30% of a content creator's content;

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- 83 (b) is featured in social media content where the content creator:  
84 (i) received income from social media of at least \$150,000 in a calendar year; and  
85 (ii) is the parent or guardian of the minor;  
86 (c) receives compensation for appearing in a content creator's content that is substantially equivalent to  
the compensation that similarly situated represented minors would receive;  
89 (d) is not represented in negotiations relating to the minor's appearance in the content creator's content;  
and  
91 (e) is not a qualified minor or a represented minor.
- 82 ~~{(7)}~~ (8) "Minor" means an individual who is under 18 years old.  
83 ~~{(8)}~~ (9) "Minor content earnings" means any portion of income from social media that resulted from  
paid minutes featuring a qualifying minor.  
85 ~~{(9)}~~ (10) "Paid minutes" means the total number of minutes of social media content that generates  
income from social media.
- 87 ~~{(10)}~~ (11)  
(a) "Performer" means an individual who, either directly or through a third-party:  
88 (i) renders artistic or creative services in a motion picture, theater, radio, television production, or  
social media content in exchange for compensation under an employment contract; ~~{or}~~  
91 (ii) agrees to sell, lease, license, transfer, exchange, or otherwise dispose of for the purpose of use  
in motion pictures or theatrical, radio, or television productions:  
93 (A) literary, musical, artistic, or dramatic properties;  
94 (B) the use of the individual's name, likeness, recording, or performance; or  
95 (C) the story of or the incidents in the life of the individual~~{.}~~; or  
106 (iii) appears in social media content as a market value compensated minor.  
96 (b) "Performer" includes an individual who engages in ~~{the activities}~~ an activity described in  
Subsection ~~{(10)(a)(i)}~~ (11)(a)(i) or (ii) as:  
98 (i) an actor or actress;  
99 (ii) a dancer;  
100 (iii) a musician;  
101 (iv) a stunt double;  
102 (v) a writer;  
103 (vi) a director;

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- 104 (vii) a producer;
- 105 (viii) a choreographer;
- 106 (ix) a composer;
- 107 (x) a conductor;
- 108 (xi) a designer; or
- 109 (xii) a represented minor.
- 110 ~~{(11)}~~ (12) "Personal content" means social media content that features an individual's name, likeness, or photograph, or for which an individual is the subject of an oral narrative.
- 112 ~~{(12)}~~ (13) "Qualifying minor" means a minor who:
- 124 (a) a content creator determines on January 1 of each year, that in the immediately preceding calendar year:
- 113 ~~{(a)}~~ (i) ~~{in a calendar month, has a }~~ had an average monthly content share of at least 30% of a content creator's content;and
- 114 ~~{(b)}~~ (ii) ~~{is }~~ was featured in social media content where the content creator received income from social media of at least \$150,000 in ~~{the previous 12-month period}~~ a calendar year; and
- 116 ~~{(c)}~~ (b) is not a represented minor or ~~{an unrepresented }~~ a market value compensated minor.
- 117 ~~{(13)}~~ (14) "Represented minor" means a minor:
- 118 (a) ~~{who }~~ in a calendar ~~{month }~~ year, has ~~{a }~~ an average monthly content share of at least 30% of a content creator's content;
- 120 (b) who is featured in social media content where the content creator~~{ }~~ received income from social media of at least \$150,000 in a calendar year;
- 121 ~~{(i) {received income from social media of at least \$150,000 in the previous 12-month period; and} }~~
- 123 ~~{(ii) {is not the parent or guardian of the minor; and} }~~
- 124 ~~{(c) {before appearing in a content creator's social media content:} }~~
- 136 (c)
- 125 (i) who is represented by a parent, guardian, attorney, or other individual with a fiduciary duty to the minor and who is not the content creator in negotiations relating to a minor's appearance in a content creator's social media content; and
- 128 (ii) whose parent, guardian, attorney, or other individual with a fiduciary duty to the minor enters into an employment agreement with the content creator ~~{to compensate the minor in accordance with Section 34-23-502} .~~

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- 131 ~~{(14)}~~ (15) "Social media company" means the same as that term is defined in Section 13-71-101.
- 132 ~~{(15)}~~ (16) "Social media content" means video content shared on a social media service that meets the  
social media service's threshold for the generation of income from social media.
- 135 ~~{(16)}~~ (17) "Social media service" means the same as that term is defined in Section 13-71-101.
- 136 ~~{(17)}~~ "Unrepresented minor" means a minor who: }
- 137 ~~{(a)}~~ {in a calendar month, has a content share of at least 30% of a content creator's content; }
- 138 ~~{(b)}~~ {is featured in social media content where the content creator; }
- 139 ~~{(i)}~~ {received income from social media of at least \$150,000 in the previous 12-month period; and }
- 141 ~~{(ii)}~~ {is the parent or guardian of the minor; }
- 142 ~~{(c)}~~ {receives compensation for appearing in a content creator's content that is substantially equivalent  
to the compensation a similarly situated represented minor would receive; and }
- 145 ~~{(d)}~~ {before appearing in a content creator's content, is not represented in negotiations relating to the  
minor's appearance in the content creator's content. }

146 Section 2. Section 2 is enacted to read:

147 **34-23-502. Minors employed as performers -- Trust required -- Cause of action.**

- 148 (1) As used in this section, "employer," as that term relates to a market value compensated minor,  
means the market value compensated minor's parent or guardian.
- 149 ~~{(1)}~~ (2) {Within 15 days after } On or before January 30 of a calendar year, if in the {day on which  
a minor begins employment as } preceding calendar year a performer earned income of \$20,000 or  
more, the performer's parent or guardian ~~{of the minor}~~ shall:
- 151 (a) establish a trust for the benefit of the ~~{minor}~~ performer in accordance with Title 75A, Chapter 8,  
Uniform Transfer to Minors; and
- 153 (b) unless the performer is a market value compensated minor, notify the ~~{minor's}~~ performer's  
employer of the existence of the trust and any additional information required for the employer to  
transfer gross earnings to the trust.
- 155 ~~{(2)}~~ (3)
- (a) Subject to Subsection ~~{(2)(b)}~~ (3)(b), the ~~{minor's}~~ performer's parent or guardian may serve as the  
trustee of the trust.
- 157 (b) If the average monthly balance of the trust exceeds \$250,000 for a consecutive period of at least six  
months:
- 159 (i) the trustee of the trust shall petition a court to appoint a trustee to replace the trustee; and

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- 161 (ii) after receiving a petition under Subsection ~~{(2)(b)(i)}~~ {(3)(b)(i)}, a court shall appoint a new trustee to  
replace the trustee.
- 163 (c) A ~~{minor's}~~ performer's parent or guardian may not access the funds in the trust.
- 164 (d) A beneficiary of a trust established under this section may access the funds in the trust beginning the  
day on which the beneficiary turns 18 years old.
- 166 ~~{(3)}~~ {(4)} ~~{After receiving notice from the minor's parents as required in Subsection (1), the minor's}~~  
The performer's employer shall transfer 15% of the ~~{minor's}~~ performer's gross earnings into the  
trust:
- 168 (a) no later than 30 days after the day on which the minor's employment terminates if the minor's term  
of employment is 30 days or fewer; or
- 170 (b) on the same date that the employer makes payments in accordance with the employer's regular pay  
period, if the ~~{minor's}~~ performer's term of employment is more than 30 days.
- 173 ~~{(4)}~~ {(5)} The ~~{minor's}~~ performer's employer shall make the transfer described in Subsection ~~{(3)}~~ {(4)}  
in accordance with Title 75A, Chapter 8, Uniform Transfer to Minors.
- 175 ~~{(5)}~~ {(6)} After the ~~{minor's}~~ performer's employer completes the transfer described in Subsection  
~~{(3)}~~ {(4)}, the ~~{minor's}~~ performer's employer has no further obligations under this section.
- 177 ~~{(6)}~~ {(7)} Notwithstanding any other statute of limitation or repose that may be applicable to an action  
described in this section, an individual, for up to five years after the day on which the individual  
turns 18 years old, has a right of action against:
- 180 (a) an employer if the employer fails to transfer funds to the individual's trust as required under this  
section;
- 182 (b) an individual's parent or guardian if the individual's parent or guardian fails to:
- 183 (i) establish a trust as required under this section; or
- 184 (ii) notify the individual's employer of the existence of the trust as required under this section; and
- 186 (c) the trustee of the individual's trust, if the trustee failed to appoint a trust company to serve as trustee  
of the trust as required under this section.
- 188 ~~{(7)}~~ {(8)} If an individual brings a cause of action under Subsection ~~{(6)}~~ {(7)}, a court may award:
- 189 (a) actual damages;
- 190 (b) punitive damages;
- 191 (c) any other remedy provided by law; and
- 192 (d) reasonable costs and attorney fees.

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195 Section 3. Section 3 is enacted to read:

196 **34-23-503. Qualifying minors -- Trust required -- Cause of action.**

195 (1) A content creator that produces social media content featuring a qualifying minor shall maintain a monthly record of:

197 (a) income from social media;

198 (b) the qualifying minor's name and documentation of the qualifying minor's age;

199 (c) paid minutes;

200 (d) minor content earnings;

201 (e) compensated content; and

202 (f) the funds transferred into a trust for the benefit of a qualifying minor, as described in Subsection (5).

204 (2) The content creator shall:

205 (a) retain the records described in Subsection (1) for at least {~~one year~~} two years after the day on which the content creator creates the records;

207 (b) provide notice to the qualifying minor of the existence of the records; and

208 (c) make the records readily available to the {~~qualifying~~} minor for review upon request from the qualifying minor.

210 (3)

(a) If any portion of a content creator's social media content contains a minor, on January 1 of each year, the content creator shall make a determination as to whether the minor is a qualifying minor.

213 (b) {~~Except as provided in Subsection (4)(b), if~~} If a content creator determines that a minor is a qualifying minor, the content creator shall inform the qualifying minor's parent or guardian, in writing and within 15 business days {, ~~that the minor is a qualifying minor.~~} :

218 (i) that the minor is a qualifying minor; and

219 (ii) of any compensation the content creator shall pay to the qualifying minor in accordance with Subsection (5).

216 (c) {~~Except as provided in Subsection (4)(b), within~~} Within 15 days after the day on which the content creator informs the qualifying minor's parent or guardian as described in Subsection (3)(b), the parent or guardian of the qualifying minor shall, if the total amount of compensation described in Subsection (3)(b)(ii) equals or exceeds \$20,000;

219 (i) establish a trust for the benefit of the qualifying minor in accordance with Title 75A, Chapter 8, Uniform Transfer to Minors;



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- 221 (ii) notify the content creator of the existence of the trust; and
- 222 (iii) provide any additional information required for the content creator to make transfers of gross  
earnings into the trust.
- 230 (d) If the parent or guardian of the qualifying minor is the content creator, the requirement to notify the  
qualifying minor's parent or guardian described in Subsection (3)(b) and (3)(c) does not apply.
- 224 (4)
- (a) The qualifying minor's parent or guardian may serve as the trustee of the trust.
- 225 ~~{(b) {If the minor's parent or guardian is also the content creator, Subsections (3)(b) and (3)(c) do not~~  
~~apply.}}~~
- 227 ~~{(e)}~~ (b) If the average monthly balance of the trust exceeds \$250,000 for a consecutive period of at  
least six months:
- 229 (i) the trustee of the trust shall petition a court to appoint a trustee to replace the trustee; and
- 231 (ii) after receiving a petition under Subsection (4)(c)(i), a court shall appoint a new trustee to replace the  
trustee.
- 233 ~~{(d)}~~ (c) The qualifying minor's parent or guardian may not access the funds in the trust.
- 234 ~~{(e)}~~ (d) A beneficiary of a trust established under this section may access the funds in the trust  
beginning the day on which the beneficiary turns 18 years old.
- 236 (5)
- (a) If a content creator's content had minor content earnings in the previous month, a content creator  
shall:
- 238 (i) use the formula ~~{ $E=(A/T)$ }~~  $E = (A/T) * (Q/S) * (M/2)$  or the formula ~~{ $E=(A/T)*(1/X)*(M/2)$ }~~  
 $E = (A/T) * (1/X) * (M/2)$  to determine the qualifying minor's earnings to transfer to each  
qualifying minor where:
- 241 (A) E = a qualifying minor's earnings;
- 242 (B) A = all paid minutes featuring any qualifying minor;
- 243 (C) T = total paid minutes;
- 244 (D) Q = paid minutes featuring the qualifying minor;
- 245 (E) S = the sum of paid minutes for all qualifying minors;
- 246 (F) M = the preceding month's income from social media; and
- 247 (G) X = the total number of qualifying minors; and
- 255 (b)

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- 248        ~~{(ii)}~~ (i) subject to Subsection (5)(b)(ii), transfer the {qualifying} minor's earnings {calculated}  
257        described in Subsection (5)(a)(i) directly to {each} the qualifying {minor's trust;} minor; or  
250        (ii) after the qualifying minor's parent or guardian establishes a trust as described in Subsection (3)(c),  
250        transfer the qualifying minor's earnings calculated to each qualifying minor's trust.
- 250        (6)
- 252        (a) The content creator shall make a transfer described in Subsection (5) in accordance with Title 75A,  
252        Chapter 8, Uniform Transfer to Minors.
- 252        (b) The content creator shall make the calculations and the transfers described in Subsection (5) before  
252        the end of the month following the month in which the content creator received minor content  
252        earnings.
- 255        (7)
- 255        (a) A content creator may petition a court for an exception to Subsection (5) if:
- 256        (i) the content creator shows complying with Subsection (5) causes undue hardship;
- 257        (ii) the content creator provides an alternative plan to distribute compensation to a qualifying  
257        minor; and
- 259        (iii) the content creator commits to establishing an alternative trust that complies with the  
259        requirements of this section.
- 261        (b) A court shall issue an order granting an exception to Subsection (5) if the court determines:
- 263        (i) the content creator adequately shows that complying with Subsection (5) causes undue hardship; and
- 265        (ii) the alternative plan described in Subsection (8)(a)(ii) is in the best interest of the qualifying minor.
- 267        (8) Notwithstanding any other statute of limitation or repose that may be applicable to an action  
267        described in this section, an individual, for up to five years after the day on which the individual  
267        turns 18 years old, has a right of action:
- 270        (a) against:
- 271        (i) a content creator if the content creator fails to transfer funds to the individual's trust during the time  
271        the individual was a qualifying minor as required under this section;
- 274        (ii) a trustee if the trustee fails to appoint a trust company to serve as the trustee as required under this  
274        section; and
- 276        (iii) an individual's parent or guardian, if the parent or guardian fails to:
- 277        (A) establish a trust as required under this section; or
- 278        (B) notify the content creator of the existence of the trust as required under this section; and

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- 280 (b) only if a court did not issue an order granting an exception as described in Subsection (7)(b).
- 282 (9) If an individual brings a cause of action under Subsection (8), a court may award:
- 283 (a) actual damages;
- 284 (b) punitive damages;
- 285 (c) any other remedy provided by law; and
- 286 (d) reasonable costs and attorney fees.
- 287 (10) A minor that creates, produces, or publishes the minor's own social media content is entitled to all compensation resulting from the social media content.
- 289 (11) The provisions of this section supersede any agreement related to venue, arbitration, or mediation in a contract entered into after May 7, 2025, between a qualifying minor and a content creator.
- 302 Section 4. Section 4 is enacted to read:
- 303 **34-23-504. Minor's right of deletion.**
- 294 (1) An individual, who is at least 18 years old, may request that a content creator delete or edit any social media content that the content creator posted featuring the individual as a qualifying minor or ~~{an unrepresented minor}~~ a market value compensated minor by making a request to a social media company.
- 308 (2) The social media company may verify the age of the individual when the individual submits the request to delete or edit the content creator's post featuring the individual as a qualifying minor or market value compensated minor.
- 297 ~~{(2)}~~ (3) A social media company shall provide a readily apparent process for an individual described in Subsection (1) to submit a request for a content creator to:
- 299 (a) delete the post from the social media platform; ~~{and}~~ or
- 300 (b) edit posts to remove the individual's personal content.
- 301 ~~{(3)}~~ (4) An individual submitting a request under this section shall include all information reasonably requested by the social media company to identify the individual and the social media content featuring the individual as a qualifying minor or ~~{an unrepresented}~~ a market value compensated minor that the individual requests to delete or edit.
- 305 ~~{(4)}~~ (5) Upon receiving a request described in Subsection (1), a social media company shall inform the content creator of the request within ~~{30}~~ three business days after the day on which the social media company receives the request.
- 308 ~~{(5)}~~ (6)

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- (a) Within ten business days after the day on which the content creator receives the notice described in Subsection (5), the content creator shall:
- 324 (i) delete or edit the social media content described in the request; or
- 325 (ii) notify the social media company of:
- {(a)} (A) ~~{The}~~ the content ~~{creator shall edit or}~~ creator's decision to not delete ~~{social media content identified in the request described in Subsection (1) within 72 hours after social media}~~ or edit the request described in Subsection (1) within 72 hours after social media ~~{company informs the}~~ content ~~{creator as required in Subsection (4).}~~ ; and
- 311 {(b) ~~{Except as provided in Subsection (5)(c), if a content creator fails to edit or delete the social media content as required in Subsection (5)(a), the social media company shall edit or delete the social media content if the individual submits a request to the social media company that the social media company edit or delete the social media content.}~~}
- 315 {(c) ~~{A social media company may deny a request described in Subsection (5)(b) if the social media company determines and provides notice to the individual stating that allowing the social media content to remain on the social media service serves a public interest that outweighs the emotional harm or substantial embarrassment the social media content causes the individual.}~~}
- 327 (B) the content creator's reason for not deleting or editing the social media content.
- 320 {(6)} (b) The social media company ~~{may verify the age of}~~ shall inform the individual ~~{when the individual submits}~~ making the request ~~{to delete or edit}~~ of the content creator's ~~{post-featuring}~~ decision under Subsection (6)(a) within three business days after the ~~{individual as a qualifying minor or unrepresented minor}~~ day on which the social media company receives notification from the content creator.
- 323 (7)
- (a) ~~{An}~~ Subject to Subsection (7)(d), an individual who was a qualifying minor or ~~{an unrepresented}~~ a market value compensated minor has a right of action under this section against the ~~{social media company}~~ content creator if the ~~{social media company fails to}~~ content creator does not edit or delete social media content that features the individual after a request described in Subsection ~~{(5)(b)}~~ (1).
- 327 (b) If an individual brings an action in accordance with Subsection (7)(a), a court shall ~~{issue an order}~~ consider:
- 329

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- (i) ~~{to edit or delete the social media content if the court determines the }~~ any emotional harm or substantial embarrassment the social media content causes the individual ~~{outweighs a public interest; or }~~ ;
- 339 (ii) the interests of the content creator in the social media content; and
- 332 ~~{(ii) (iii) }~~ {allowing the social media content to remain on the social media service if the court determines that allowing the social media content to remain on the social media service serves a } the public interest ~~{that outweighs the emotional harm or substantial embarrassment }~~ served by the social media content ~~{causes the individual }~~ .
- 336 (c) ~~{An individual who was a qualifying minor or an unrepresented minor has a right of action under this section against }~~ If the court issues an order requiring the content creator ~~{if the content creator fails to edit or }~~ to delete the social media content that ~~{features }~~ is the subject of the individual's request, the court shall award the individual ~~{after a request described in Subsection (1). }~~ ;
- 344 (i) if the content creator's social media content featured the individual as a qualifying minor:
- 346 (A) actual damages; and
- 347 (B) reasonable costs and attorney fees; or
- 348 (ii) if the content creator's social media content featured the individual as a market value compensated minor, actual damages that occurred after the day on which the individual turned 18 years old.
- 340 (d) ~~{If an }~~ An individual ~~{brings }~~ who was a market value compensated minor may bring an action ~~{in accordance with Subsection (7)(c), a court shall issue an order }~~ under this Subsection (7) for up to the later of:
- 342 (i) ~~{to edit or delete }~~ three years after the ~~{social media content if the emotional harm or substantial embarrassment the social media content causes individual }~~ day on which the emotional harm or substantial embarrassment the social media content causes individual ~~{outweighs a public interest }~~ turns 18 years old; or
- 345 ~~{(ii) }~~ {allowing the social media content to remain on the social media service if the court determines that: }
- 347 ~~{(A) }~~ {allowing the social media content to remain on the social media service serves a public interest that outweighs the emotional harm or substantial embarrassment the social media content causes the individual; or }
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~~{(B)}~~ (ii) three years after the ~~{individual making the request made}~~ day on which the ~~{request for a reason other than}~~ individual knew or should have known that the social media content ~~{causing the individual}~~ inflicted emotional harm or substantial embarrassment.

353 ~~{(e) {If a court grants an order to remove or edit the social media content under Subsection (7)(b)(i) or (7)(d)(i), a content creator may petition the court to reinstate the social media content if the content creator shows the individual making the request made the request for a reason other than the social media content causing the individual emotional harm or substantial embarrassment.}}~~

358 ~~{(8) {In a court order under Subsection (7), a court shall order that the content creator pay reasonable attorney fees to the individual that petitions the court to edit or delete the social media content.}}~~

361 ~~{(9)}~~ (8) The provisions of this section supersede any agreement related to venue, arbitration, or mediation in a contract entered into after May 7, 2025, between an individual petitioning a court to edit or delete the social media content and a social media service.

359 Section 5. **Effective date.**

This bill takes effect on May 7, 2025.

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