

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS15457-LRa-168

Short Title: NC Children's Safe Screens Act/Funds. (Public)

Sponsors: Senators Garrett, Salvador, and Batch (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT ENACTING THE NORTH CAROLINA CHILDREN'S SAFE SCREENS ACT TO
3 PROTECT CHILDREN ONLINE, ESTABLISHING THE ONLINE SAFETY DIVISION
4 AT THE DEPARTMENT OF JUSTICE AND THE CYBERBULLYING UNIT AT THE
5 STATE BUREAU OF INVESTIGATION, CREATING THE NORTH CAROLINA
6 ONLINE CHILD SAFETY COMMISSION, AND APPROPRIATING FUNDS FOR
7 THOSE PURPOSES.

8 The General Assembly of North Carolina enacts:

9
10 **ESTABLISH ONLINE SAFETY DIVISION UNDER THE ATTORNEY GENERAL**

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

13 "Article 11.

14 "Online Safety Division.

15 **"§ 114-75. Division established; duties; funding.**

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

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

22 (1) Investigation of complaints made under, and enforcing compliance, with the
23 Chapter 114B of the General Statute (Children's Safe Screens Act).

24 (2) Educating law enforcement agencies and the general public about the online
25 safety of all North Carolinians, with an emphasis targeting harmful activities
26 and dark patterns.

27 (3) Issuance of online safety standards and guidelines, and review of relevant
28 industry codes pertaining to internet safety, age-appropriate design, and
29 compliance with the Children's Safe Screens Act.

30 (4) Facilitating advisory panels on internet safety, including child development
31 experts, technology specialists, parent representatives, community
32 stakeholders, and industry representatives.

33 (c) There is established in the Department of Justice a special fund to be known as the
34 Children's Online Safety Fund (Fund). The Fund shall be administered by the Commission and
35 used exclusively for prevention, education, and enforcement activities under Chapter 114B of
36 the General Statutes. The Fund shall receive appropriations by the General Assembly and any



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1 gifts, grants, or donations accepted for that purpose. The Commission shall report annually to the
2 General Assembly on Fund expenditures and outcomes."

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4 **ENACT NORTH CAROLINA CHILDREN'S SAFE SCREENS ACT/CREATE ONLINE**
5 **SAFETY COMMISSION**

6 **SECTION 2.(a)** Children's Online Safety. – Effective July 1, 2026, the General
7 Statutes are amended to add a new Chapter to read:

8 **"Chapter 114B.**

9 **"North Carolina Children's Safe Screens Act.**

10 **"§ 114B-1. Definitions.**

11 The following definitions apply in this Article:

- 12 (1) Age-appropriate design. – Design focused on developmental needs of
13 children.
14 (2) Child or minor. – An individual under eighteen (18) years of age.
15 (3) Covered platform. – An internet platform providing online services having
16 more than five million (5,000,000) users in North Carolina and revenues
17 exceeding twenty-five million dollars (\$25,000,000) annually.
18 (4) Dark patterns. – Design elements that deceive or coerce users into unintended
19 actions, including hidden defaults, misleading interfaces, artificial urgency,
20 autoplay of content, infinite scroll features, notification manipulation, and
21 obstruction of account deletion or privacy controls.
22 (5) Division. – The Online Safety Division of the North Carolina Department of
23 Justice.
24 (6) Harmful content. – Content that includes cyberbullying, self-harm promotion,
25 sexually explicit material, violent content, discrimination, and other physical
26 or psychological harms.
27 (7) Online service. – Social media, gaming platforms, messaging services,
28 content-sharing platforms, and other user-interactive services provided by a
29 covered platform.

30 **"§ 114B-2. Duty of care established; mandated protections for children; requirements for**
31 **covered platforms.**

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

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

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

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

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

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

4 (1) Limiting collection of personal data to what is necessary for the service.

5 (2) Requiring deletion when no longer needed.

6 (3) Prohibiting data use for commercial purposes unless strictly necessary.

7 (4) Including "Right to be Forgotten" provisions empowering minors to request
8 deletion of their data and content.

9 (5) Prohibiting profiling and behavioral advertising targeting children.

10 (6) Requiring child-friendly privacy information and controls.

11 (7) Mandating transparency about personal data use.

12 (8) Establishing clear restrictions on geolocation data collection and use.

13 (9) Data broker restrictions for children's information.

14 **"§ 114B-3. Enforcement.**

15 (a) Effective December 1, 2026, the Attorney General shall bring civil actions to enforce
16 this Article. In any suit instituted by the Attorney General, in which the defendant is found to
17 have violated this Chapter and the acts or practices which constituted the violation were, when
18 committed, knowingly violative of a statute, the court may, in its discretion, impose a civil
19 penalty against the defendant of up to five hundred thousand dollars (\$500,000) for each
20 violation. Civil penalties may be imposed in a new action or by motion in an earlier action,
21 whether or not such earlier action has been concluded. In determining the amount of the civil
22 penalty, the court shall consider all relevant circumstances, including, but not limited to, the
23 extent of the harm caused by the conduct constituting a violation, the nature and persistence of
24 such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net
25 worth of the defendant, and any corrective action taken by the defendant. The clear proceeds of
26 penalties so assessed shall be remitted to the Civil Penalty and Forfeiture Fund in accordance
27 with G.S. 115C-457.2.

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

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

33 **"§ 114B-4. Online Safety Commission established.**

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

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

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

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

- 1 (3) One (1) member representing parents or guardians
- 2 (4) One (1) member with expertise in cybersecurity and privacy
- 3 (5) One (1) member with expertise in education
- 4 (6) One (1) member with legal expertise in child protection
- 5 (7) One (1) youth advocate between the ages of 18 and 25.

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

9 The Commission shall be supported by a professional staff led by an Executive Director. The
10 Commission shall maintain an investigative staff separate from its adjudicative functions. The
11 Commission shall maintain specialized units for enforcement, education, research, and policy
12 and shall employ technologists, child development experts, data analysts, and legal specialists.
13 The Commission may establish advisory committees on specific issue areas.

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

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

- 19 (1) The Governor and General Assembly on matters relating to online child
20 safety.
- 21 (2) State agencies on implementation of digital safety programs.
- 22 (3) Educational institutions on digital literacy and safety curricula.
- 23 (4) Parents and caregivers on tools and strategies to protect children online.
- 24 (5) Technology platforms on best practices for age appropriate design.

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

- 27 (1) Regulatory authority to adopt binding regulations concerning age verification,
28 minor account data practices, default safety settings, complaint procedures,
29 and platform transparency disclosures. This authority includes adopting rules
30 for device-level and platform level age assurance as alternatives to site-by-site
31 verification.
- 32 (2) The authority to issue binding regulations implementing subdivision (1) of
33 this subsection when it first finds, on the basis of substantial evidence in the
34 record, all of the following:
 - 35 a. The regulation addresses specific harm to minors expressly identified
36 in this act;
 - 37 b. The regulated platform conduct materially contributes to that harm;
38 and
 - 39 c. The regulation is no broader than necessary to address that harm and
40 does not govern the selection, ranking, or curation of content.
- 41 (3) To initiate investigations into potential violations.
- 42 (4) To issue orders requiring compliance with this Chapter.
- 43 (5) To seek injunctive relief through the courts when necessary to prevent harm
44 to children.
- 45 (6) Maintain a database of safety incidents, platform responses, and outcomes.
- 46 (7) Develop and oversee the following:
 - 47 a. Public awareness campaigns on online child safety.
 - 48 b. Resource development for schools, parents, and children.
 - 49 c. Training programs for educators and other professionals.
 - 50 d. Digital literacy standards for K-12 education.

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

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

46 **§ 114B-5. Construction; severability.**

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

50 (b) If any provision of this Article is held by a court of competent jurisdiction to be
51 invalid, void, or unenforceable, in whole or in part, the decision shall not affect the validity,

1 enforceability, or applicability of the remaining provisions, which shall remain in full force and
2 effect as if the provision held invalid, void, or unenforceable had not been included."
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4 **IMPLEMENTATION SCHEDULE/REVIEW**

5 **SECTION 3.(a)** Implementation timeline. — By September 1, 2026, initial
6 appointments to the Commission shall be made and the Commission shall convene its first
7 meeting.

8 **SECTION 3.(b)** Initial Responsibilities. – Within the first year of operation, the
9 Commission shall:

- 10 (1) Hire key staff and establish organizational structure.
- 11 (2) Develop initial regulations implementing this act.
- 12 (3) Create complaint handling systems.
- 13 (4) Establish public education programs.
- 14 (5) Develop platform compliance guidelines.
- 15 (6) Submit its first annual report to the General Assembly.

16 **SECTION 3.(c)** Phased Implementation. – The Commission shall develop a phased
17 implementation plan that:

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

22 **SECTION 3.(d)** Review and Adaptation. –Every three years, the Commission shall:

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

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28 **ESTABLISH SBI CYBERBULLYING UNIT**

29 **SECTION 4.** Effective July 1, 2026, Article 13A of Chapter 143B of the General
30 Statutes is amended by adding a new section to read:

31 **"§ 143B-1209. Cyberbullying Unit established.**

32 (a) There is established in the State Bureau of Investigation the Cyberbullying Unit (Unit)
33 dedicated to the protection of children online and to aid in the enforcement of Article 11 of
34 Chapter 114 of the General Statutes.

35 (b) In addition to any other duties assigned by law, the Unit shall operate a toll-free
36 number and website on online child safety and cyberbullying jointly with the Department of
37 Justice."
38

39 **APPROPRIATIONS**

40 **SECTION 5.(a)** Effective July 1, 2026, there is appropriated from the General Fund
41 to the Department of Justice, Children's Online Safety Fund, the sum of six million dollars
42 (\$6,000,000) in recurring funds for the 2026-2027 fiscal year to fund its work as provided by this
43 act. These funds shall not revert at the end of the fiscal biennium.

44 **SECTION 5.(b)** Effective July 1, 2026, there is appropriated from the General Fund
45 to the Department of Justice, Children's Online Safety Fund, the sum of ten million dollars
46 (\$10,000,000) in non-recurring funds for the 2026-2027 fiscal year to fund its work as provided
47 by this act. These funds shall not revert at the end of the fiscal biennium.

48 **SECTION 5.(c)** Effective July 1, 2026, there is appropriated from the General Fund
49 to the State Bureau of Investigation (SBI) the sum of two million dollars (\$2,000,000) for the
50 2026-2027 fiscal year to create the Cyberbullying Unit at the SBI. These funds shall not revert
51 at the end of the fiscal biennium.

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EFFECTIVE DATE

SECTION 6. Except as otherwise provided, this act becomes effective July 1, 2026. The substantive requirements and prohibitions of Chapter 114B of the General Statutes, as enacted by Section 2 of this act, apply to acts or omissions occurring on or after December 1, 2026.