

**SENATE BILL No. 222**

By Committee on Federal and State Affairs

2-8

1 AN ACT concerning information technology; relating to online platforms  
2 and removal of liability protections therefor; requiring wireless  
3 communication device vendors to provide parental notification of  
4 application downloads by a minor.

5  
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) Notwithstanding the provisions of 47 U.S.C. § 230(c)  
8 (1), any provider of an online platform shall be treated as the publisher or  
9 speaker of information published by a user of such online platform if such  
10 provider:

11 (1) Knew or should have known such provider used an algorithm to  
12 make personalized recommendations to a user of such online platform; and

13 (2) such posts materially contributed to a physical or severe  
14 emotional injury to such user.

15 (b) As used in this section:

16 (1) "Algorithm" means any computational process, model or other  
17 automated means of processing to rank, order, promote, recommend,  
18 amplify or similarly alter the delivery or display of information.

19 (2) "Online platform" means any digital service that facilitates  
20 interactions between two or more independent users who interact through  
21 the internet.

22 (3) "Personalized recommendation" means using an algorithm to  
23 enhance the visibility of specific information to a specific user.

24 Sec. 2. (a) Upon a parent's purchase and activation of a wireless  
25 communication device intended for use by a minor, the wireless  
26 communication device vendor shall set such wireless communication  
27 device to a default setting that enables a push notification on a parent's  
28 wireless communication device alerting the parent that a minor has  
29 downloaded an application on the minor's wireless communication device.

30 (b) As used in this section:

31 (1) "Application" means a computer software package or packages  
32 that performs a specific function for the user.

33 (2) "Minor" means any unmarried person under 18 years of age.

34 (3) "Parent" means the parent, guardian, custodian or other person  
35 with authority to act on behalf of the minor.

36 (4) "Push notification" means an alert on a parent's wireless

1 communication device that notifies the parent that a minor downloaded an  
2 application on the minor's wireless communication device and provides the  
3 name of such application.

4 (5) "Wireless communication device" means any wireless electronic  
5 communication device that provides for voice or data communication  
6 between two or more parties, including, but not limited to, a mobile or  
7 cellular telephone, a text messaging device, a personal digital assistant that  
8 sends or receives messages, an audio-video player that sends or receives  
9 messages or a laptop computer.

10 (6) "Wireless communication device vendor" means any person or  
11 entity that is engaged in the sale of a wireless communication device and  
12 the provision of wireless services for the use of such device.

13 Sec. 3. This act shall take effect and be in force from and after its  
14 publication in the statute book.