

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

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HOUSE BILL 301
Committee Substitute Favorable 4/1/25
Committee Substitute #2 Favorable 4/15/25
Senate Education/Higher Education Committee Substitute Adopted 4/29/26
Senate Judiciary Committee Substitute Adopted 6/3/26
Sixth Edition Engrossed 6/10/26

Short Title: Social Media & AI Safety.

(Public)

Sponsors:

Referred to:

March 6, 2025

A BILL TO BE ENTITLED

AN ACT TO PROVIDE SOCIAL MEDIA PROTECTIONS FOR CHILDREN UNDER SIXTEEN YEARS OF AGE, TO REQUIRE THE STATE BOARD OF EDUCATION TO UPDATE COMPUTER SCIENCE STANDARDS TO INCLUDE INSTRUCTION ON ARTIFICIAL INTELLIGENCE (AI), TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO ADOPT A MODEL AI POLICY, TO REQUIRE GOVERNING BODIES OF PUBLIC SCHOOL UNITS TO ADOPT POLICIES ON AI USE, TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO ESTABLISH A FRAMEWORK FOR EVALUATING GENERATIVE AI-POWERED EDUCATIONAL TOOLS USED IN PUBLIC SCHOOLS, AND TO REQUIRE THE DEPARTMENT OF PUBLIC INSTRUCTION TO PARTNER WITH THE FRIDAY INSTITUTE TO DEVELOP EDUCATOR AND ADMINISTRATOR TRAINING ON THE USE OF AI.

The General Assembly of North Carolina enacts:

PART I. SOCIAL MEDIA PROTECTIONS FOR CHILDREN

SECTION 1.(a) The General Statutes are amended by adding a new Chapter to read:

"Chapter 114B.

"Social Media Protections for Children.

"§ 114B-1. Title; definitions.

(a) Title. – This Chapter shall be known and may be cited as the "Social Media Protection for Children Act."

(b) Definitions. – The following definitions apply in this Chapter:

(1) Account holder. – A person who opens an account or creates a profile or is identified by the addictive social media platform by a unique identifier while using or accessing an addictive platform when the addictive platform knows or has reason to believe the person is a resident of this State.

(2) Addictive social media platform or addictive platform. – An online forum, website, or application that satisfies all of the following criteria:

a. Has as its primary purpose or function to provide a forum for users to upload content or view uploaded content of other users.

b. Had ten percent (10%) or more of its daily active users who are younger than 16 years of age spend on average at least two hours per



- 1 day on the online forum, website, or application on the days when
2 using the online forum, website, or application during the previous 12
3 months or, if the online forum, website, or application did not exist
4 during the previous 12 months, during the previous month.
- 5 c. Employs algorithms that analyze user data or information on users to
6 select content for users.
- 7 d. Has any of the following addictive features:
- 8 1. Infinite scrolling, which means either (i) continuously loading
9 content or content that loads as the user scrolls down the page
10 without the need to open a separate page or (ii) seamless
11 content or the use of pages with no visible or apparent end or
12 page breaks.
- 13 2. Push notifications or alerts sent by the online forum, website,
14 or application to inform a user about specific activities or
15 events related to the user's account that cannot be disabled.
- 16 3. Displays personal interactive metrics that indicate the number
17 of times other users have clicked a button to indicate their
18 reaction to content or have shared or reposted the content.
- 19 4. Auto-play video or video that begins to play without the user
20 first clicking on the video or on a play button for that video.
- 21 5. Live-streaming or a function that allows a user or advertiser to
22 broadcast live video content in real time.
- 23 e. Is not an online service, website, or application where the exclusive
24 function is email, audio communication, or direct messaging
25 consisting of text, photographs, pictures, images, audio, or videos
26 shared only between the sender and the recipients, without displaying
27 or posting publicly or to other users not specifically identified as the
28 recipients by the sender.
- 29 (3) Anonymous age verification. – A commercially reasonable method used by a
30 government agency or a business for the purpose of age verification that meets
31 all of the following:
- 32 a. Is conducted by a nongovernmental, independent third party organized
33 under the laws of a state of the United States that meets all of the
34 following criteria:
- 35 1. Has its principal place of business in a state of the United
36 States.
- 37 2. Is not owned or controlled by an entity formed in a foreign
38 country or by a government of a foreign country, unless the
39 entity meets at least one of the following criteria:
- 40 I. The entity has received a determination from the
41 Committee of Foreign Investment in the United States
42 (CFIUS) that there are no unresolved national security
43 concerns with respect to the entity in connection to a
44 matter submitted to CFIUS and which CFIUS
45 concluded all action pursuant to Section 721 of the
46 Defense Production Act of 1950, as amended.
- 47 II. The entity has a national security agreement with
48 CFIUS and maintains the validity of the national
49 security agreement.

1 (2) Allow the parent or guardian of an account holder who is 14 or 15 years of
2 age to request that the child's account be terminated. Termination must be
3 effective within 10 business days after the request.

4 (3) Permanently delete all personal information held by the addictive platform
5 relating to the terminated account unless there are legal requirements to
6 maintain the information.

7 (d) Unfair and Deceptive Trade Practice. – A violation of this section is an unfair and
8 deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75 of the General
9 Statutes, subject to all of the following:

10 (1) The action may solely be brought by the Attorney General against an addictive
11 social media platform.

12 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
13 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
14 and reasonable attorneys' fees and court costs.

15 (3) If an addictive social media platform's failure to comply with this section is a
16 consistent pattern of knowing or reckless conduct, the court may assess
17 punitive damages against the addictive platform.

18 (e) Private Right of Action. – An addictive social media platform that knowingly or
19 recklessly violates this section is liable to the child account holder, including court costs and
20 reasonable attorneys' fees. Claimants may be awarded up to ten thousand dollars (\$10,000) in
21 damages. Any action brought under this subsection may only be brought on behalf of a child
22 account holder. A civil action for a claim under this subsection must be brought within one year
23 from the date the complainant knew, or reasonably should have known, of the alleged violation.

24 (f) Civil Penalties. – The clear proceeds of civil penalties provided for in this section
25 shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

26 (g) Jurisdiction. – For purposes of bringing an action under this section, an addictive
27 social media platform that allows a child to create an account on the addictive platform is
28 considered to be both engaged in substantial and not isolated activities within this State and
29 operating, conducting, engaging in, or carrying on a business and doing business in this State,
30 and is therefore subject to the jurisdiction of the courts of this State.

31 (h) Nonexclusive Remedies. – This section does not preclude any other available remedy
32 at law or in equity.

33 **"§ 114B-3. Age verification for addictive social media platforms.**

34 (a) Age Verification Requirement. – An addictive social media platform shall use either
35 anonymous age verification or standard age verification to verify that an account holder is 16
36 years of age or older and, except as provided in G.S. 114B-2(c), prevent creation of an account
37 by a person younger than 16 years of age. The addictive platform shall offer anonymous age
38 verification and standard age verification, and a person attempting to create an account may select
39 which method will be used to verify the person's age.

40 (b) Unfair and Deceptive Trade Practice. – Any violation of subsection (a) of this section
41 is an unfair and deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75
42 of the General Statutes, subject to all of the following:

43 (1) The action may solely be brought by the Attorney General on behalf of a
44 resident child against an addictive social media platform.

45 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
46 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
47 and reasonable attorneys' fees and court costs.

48 (3) If an addictive social media platform's failure to comply with this section is a
49 consistent pattern of knowing or reckless conduct, the court may assess
50 punitive damages against the addictive platform.

1 (c) Civil Penalties. – The clear proceeds of civil penalties provided for in this section
2 shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

3 (d) Jurisdiction. – For purposes of bringing an action under this section, an addictive
4 social media platform that allows a child to create an account on the addictive platform is
5 considered to be both engaged in substantial and not isolated activities within this State and
6 operating, conducting, engaging in, or carrying on a business and doing business in this State,
7 and is therefore subject to the jurisdiction of the courts of this State.

8 (e) Nonexclusive Remedies. – This section does not preclude any other available remedy
9 at law or in equity.

10 **"§ 114B-3.5. Prohibit use or sale of user data.**

11 (a) Prohibited Uses of a Child's User Data. – An addictive social media platform shall
12 not do any of the following with a child's user data:

13 (1) Use the user data to inform content recommendations to the child. This
14 requirement is not intended to prevent content recommendations from being
15 shown as a direct result of explicit actions, such as showing posts from
16 accounts a child follows in a chronological feed, but it is intended to prevent
17 any data, including follows, from being used in an algorithm to generate
18 algorithmic recommendations.

19 (2) Use the user data to inform what commercial advertisements or promotions
20 are shown to the child. This requirement is not intended to prevent the
21 showing of advertisements or promotions that are shown to the child based
22 upon explicit actions, such as being based on the results of a search initiated
23 by the user on the platform.

24 (3) Sell the child's user data to a third party.

25 (b) Exceptions. – This section does not apply to any of the following:

26 (1) An addictive social media platform engaging in any actions identified in
27 subsection (a) of this section in reliance on the user's age verification pursuant
28 to G.S. 114B-3.

29 (2) An addictive social media platform's use of a child's user data to block access
30 to inappropriate or harmful content to the child.

31 (c) Unfair and Deceptive Trade Practice. – Any violation of subsection (a) of this section
32 is an unfair and deceptive trade practice under G.S. 75-1.1 and is enforceable under Chapter 75
33 of the General Statutes, subject to all of the following:

34 (1) The action may solely be brought by the Attorney General on behalf of a
35 resident child against an addictive social media platform.

36 (2) In addition to the civil penalty under G.S. 75-15.2, the Attorney General may
37 collect a civil penalty of up to fifty thousand dollars (\$50,000) per violation
38 and reasonable attorneys' fees and court costs.

39 (3) If an addictive social media platform's failure to comply with this section is a
40 consistent pattern of knowing or reckless conduct, the court may assess
41 punitive damages against the addictive platform.

42 (d) Civil Penalties. – The clear proceeds of civil penalties provided for in this section
43 shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

44 (e) Jurisdiction. – For purposes of bringing an action under this section, an addictive
45 social media platform that allows a child to create an account on the addictive platform is
46 considered to be both engaged in substantial and not isolated activities within this State and
47 operating, conducting, engaging in, or carrying on a business and doing business in this State,
48 and is therefore subject to the jurisdiction of the courts of this State.

49 (f) Nonexclusive Remedies. – This section does not preclude any other available remedy
50 at law or in equity.

51 **"§ 114B-4. Rules; construction; severability.**

1 (a) The Attorney General may adopt rules to implement this Chapter.

2 (b) It is the intent of the General Assembly that this Chapter be liberally construed for the
3 protection of children.

4 (c) An internet service provider or its affiliates or subsidiaries, a search engine, a cloud
5 service provider, a connected-device manufacturer or seller, or an operating-system developer or
6 provider, does not violate this Chapter solely for manufacturing, selling, configuring, preloading,
7 updating, securing, or providing access or connection to or from an addictive social media
8 platform not under the provider's control, including transmission, downloading, intermediate
9 storage, or access software, to the extent the provider is not otherwise an addictive social media
10 platform.

11 (d) If any provision of this Chapter or its application to any person or circumstances is
12 held invalid, the invalidity does not affect other provisions or applications of this Chapter which
13 can be given effect without the invalid provision or application and, to this end, the provisions of
14 this Chapter are severable."

15 **SECTION 1.(b)** This section becomes effective January 1, 2027, and applies to
16 causes of action arising on or after that date.

17 18 **PART II. MODIFY COMPUTER SCIENCE STANDARDS**

19 **SECTION 2.(a)** G.S. 115C-81.90 is amended by adding a new subsection to read:

20 "(a1) Instruction on Artificial Intelligence Literacy. – The State Board shall adopt
21 age-appropriate standards for instruction on artificial intelligence (AI) literacy for grades
22 kindergarten through 12. All courses offered pursuant to this section shall include instruction on
23 AI literacy aligned with the standards adopted by the State Board. Notwithstanding the regular
24 review of content standards required by G.S. 115C-12(9c), the State Board shall review and
25 update these standards every two years to keep up with advancements in AI. The standards shall
26 include at least the following:

27 (1) Responsible and ethical use of AI.

28 (2) Limitations of AI tools.

29 (3) Evaluation and verification of outputs provided by AI tools.

30 (4) Data and privacy concerns related to AI tools.

31 (5) Best practices and safety when interacting with AI or AI chatbots."

32 **SECTION 2.(b)** Notwithstanding the regular review of content standards pursuant
33 to G.S. 115C-12(9c), the State Board of Education shall revise the standard course of study for
34 computer science for grades kindergarten through 12 to include artificial intelligence literacy in
35 accordance with G.S. 115C-81.90(a1), as enacted by this section. The State Board shall adopt the
36 revised standards for implementation beginning with the 2028-2029 school year.

37 **SECTION 2.(c)** The State Board of Education, in consultation with the Department
38 of Public Instruction, shall update the lists of approved courses required by G.S. 115C-81.90(b)
39 and (c) to reflect course alignment with the revised computer science standards adopted pursuant
40 to subsection (b) of this section. The State Board shall update the lists for use beginning with the
41 2028-2029 school year.

42 **SECTION 2.(d)** The Department of Public Instruction shall report to the Joint
43 Legislative Education Oversight Committee by December 15, 2028, on the following related to
44 the adoption of revised computer science standards in accordance with subsection (b) of this
45 section:

46 (1) Adoption and implementation of the revised standards.

47 (2) Alignment of courses on the approved courses lists as updated pursuant to
48 subsection (c) of this section.

49 (3) Any difficulties with the implementation of the revised standards.

50 51 **PART III. PUBLIC SCHOOL UNIT AI POLICIES**

1 **SECTION 3.(a)** Part 3A of Article 8 of Chapter 115C of the General Statutes is
2 amended by adding a new section to read:

3 **"§ 115C-102.13. Artificial intelligence policies.**

4 The Department of Public Instruction shall develop a model artificial intelligence (AI) policy
5 to serve as guidance to public school units when developing their AI policies. At a minimum, the
6 model policy shall include the following:

- 7 (1) A definition of AI, generative AI, and AI tools.
- 8 (2) Guidance on how to develop the AI literacy of students and school staff. AI
9 literacy shall include education about nonconsensual intimate imagery.
- 10 (3) Data privacy and security measures to protect students and staff, including
11 protecting personally identifiable information, when using AI.
- 12 (4) Standards of ethical and acceptable use of AI and AI chatbots in an
13 educational setting, including standards of academic integrity when using AI."

14 **SECTION 3.(b)** G.S. 115C-47 is amended by adding a new subdivision to read:

15 "(73) To adopt an AI use policy. – Local boards of education shall adopt a policy
16 on the use of artificial intelligence by students and staff for educational
17 purposes after review of the model policy developed by the Department of
18 Public Instruction pursuant to G.S. 115C-102.13."

19 **SECTION 3.(c)** G.S. 115C-150.12C is amended by adding a new subdivision to
20 read:

21 "(39) To adopt an AI use policy. – The board of trustees shall adopt a policy on the
22 use of artificial intelligence by students and staff for educational purposes
23 after review of the model policy developed by the Department of Public
24 Instruction pursuant to G.S. 115C-102.13."

25 **SECTION 3.(d)** G.S. 115C-218.33 is amended by adding a new subsection to read:

26 "(c) A charter school shall adopt a policy on the use of artificial intelligence by students
27 and staff for educational purposes after review of the model policy developed by the Department
28 of Public Instruction pursuant to G.S. 115C-102.13."

29 **SECTION 3.(e)** G.S. 115C-238.66 is amended by adding a new subdivision to read:

30 "(18c) To adopt an AI use policy. – The board of directors shall adopt a policy on the
31 use of artificial intelligence by students and staff for educational purposes
32 after review of the model policy developed by the Department of Public
33 Instruction pursuant to G.S. 115C-102.13."

34 **SECTION 3.(f)** G.S. 116-239.8 is amended by adding a new subdivision to read:

35 "(21c) To adopt an AI use policy. – The chancellor shall adopt a policy regarding the
36 use of artificial intelligence by students and staff for educational purposes
37 after review of the model policy developed by the Department of Public
38 Instruction pursuant to G.S. 115C-102.13."

39 **SECTION 3.(g)** This section is effective when it becomes law. The Department of
40 Public Instruction shall develop the model policy required by G.S. 115C-102.13, as enacted by
41 this section, no later than December 31, 2026. The Superintendent shall ensure that all public
42 school units have access to the model policy developed by the Department by no later than
43 January 15, 2027. Governing bodies of public school units shall adopt the policies required by
44 subsections (b) through (f) of this section by no later than June 30, 2027.

45
46 **PART IV. AI TOOL EVALUATION FRAMEWORK**

47 **SECTION 4.(a)** Part 3A of Article 8 of Chapter 115C of the General Statutes is
48 amended by adding a new section to read:

49 **"§ 115C-102.14. Department responsibilities regarding artificial intelligence tools.**

50 (a) The Department of Public Instruction shall establish and maintain an evaluation
51 framework that provides criteria and guiding considerations for evaluating generative artificial

1 intelligence-powered educational tools (AI tools). The Department shall review and update the
2 framework at least every two years and update the criteria to reflect changes in technology,
3 evidence, or educational practice. The framework shall address at least the following:

4 (1) Student data privacy, security, and transparency.

5 (2) Alignment with the standard course of study.

6 (3) Accessibility for all students.

7 (b) The Department shall maintain a publicly available list of AI tools that have been
8 reviewed under the framework established in accordance with subsection (a) of this section.

9 (c) The Department shall establish procurement guidance, qualified vendor lists, and
10 other mechanisms to support and incentivize the adoption of AI tools that have been reviewed
11 under the framework established in accordance with subsection (a) of this section.

12 (d) The Department shall maintain a publicly available list of all AI tools being used in
13 public school units."

14 **SECTION 4.(b)** This section is effective when it becomes law.

15 **PART V. EDUCATOR AND ADMINISTRATOR TRAINING ON THE USE OF AI**

16 **SECTION 5.(a)** The Department of Public Instruction shall partner with the Friday
17 Institute for Educational Innovation at North Carolina State University (Friday Institute) to
18 design, produce, and support implementation of a suite of tool-agnostic online training modules
19 and related training resources. Modules and resources shall address at least the following:

20 (1) AI fundamentals for educators, including the following:

21 a. What AI is and is not.

22 b. The basics of generative AI.

23 c. Strengths and limitations of AI as a learning tool.

24 d. AI "hallucinations," or when AI tools reference information that is
25 inaccurate or nonexistent.

26 (2) Responsible instructional use of AI, such as the following:

27 a. Lesson planning.

28 b. Differentiated instruction.

29 c. Student feedback.

30 d. Productivity workflows and how AI can improve productivity.

31 e. Appropriate boundaries for AI usage.

32 (3) Verification and quality control, including the following:

33 a. Fact-checking information provided by an AI program.

34 b. Evaluation of sources provided by an AI program.

35 c. Documenting prompts and outputs from an AI program.

36 d. Educator accountability for decisions based on input from an AI
37 program.

38 (4) Academic integrity and assessment redesign to account for greater student
39 access to AI tools.

40 (5) Data privacy and security regarding AI tools.

41 (6) Bias in AI systems, including the following:

42 a. How bias enters into AI systems.

43 b. The effect of those biases on disparately impacted communities.

44 c. How to mitigate the effects of bias when using AI tools.

45 d. Inclusive classroom use.

46 (7) Accessible usage with special populations, including supports and
47 differentiation for the following populations:

48 a. Students with disabilities.

49 b. Limited English proficient students.

50

- 1 (8) Ethical use and professional responsibility for educators, including the
2 following:
3 a. Transparency with students and families about the use of AI tools.
4 b. Appropriate decision making in the classroom regarding the use of AI
5 tools.
6 c. Avoiding overreliance on AI tools.

7 **SECTION 5.(b)** The Friday Institute shall produce at least the following:

- 8 (1) A suite of self-paced modules that require a minimum of 10 hours of seat time
9 to complete.
10 (2) A facilitator guide to be provided to administrators in each public school unit
11 to help facilitate the professional learning developed pursuant to subsection
12 (a) of this section.
13 (3) Model classroom resources to be provided to teachers.
14 (4) A package to be provided to public school unit professional learning staff to
15 develop a "train-the-trainer" model within public school units.

16 **SECTION 5.(c)** All resources developed pursuant to subsection (b) of this section
17 shall be made available to public school units by June 30, 2027, using professional development
18 platforms and structures currently in use by the Department of Public Instruction.

19 **SECTION 5.(d)** All teachers employed by local school administrative units, charter
20 schools, or laboratory schools shall complete the professional development provided pursuant to
21 this section by June 30, 2028.

22 **SECTION 5.(e)** The Department of Public Instruction shall report to the Joint
23 Legislative Education Oversight Committee by December 15, 2028, on the following:

- 24 (1) The number of modules delivered by the Friday Institute and implemented in
25 public school units.
26 (2) Educator participation in modules, based on metrics available to the
27 Department.
28 (3) Any recommended updates to the professional learning provided pursuant to
29 this section.
30 (4) Any additional supports needed for continuing implementation.

31
32 **PART VI. EFFECTIVE DATE**

33 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
34 law.