

**House File 2546 - Introduced**

HOUSE FILE 2546  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 2114)

**A BILL FOR**

1 An Act relating to minors using the internet, including  
2 social media and internet safety instruction and education  
3 requirements in public schools and liability for publication  
4 of obscene material available to minors on the internet.  
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

SOCIAL MEDIA AND INTERNET SAFETY EDUCATION

Section 1. Section 256.11, Code 2024, is amended by adding the following new subsection:

NEW SUBSECTION. 5B. *a.* For purpose of this subsection, "*social media*" means a form of interactive electronic communication through an internet website or application by which a user creates a service-specific identifying user profile to connect with other users of the internet website or application for the purpose of communicating and sharing information, ideas, news, stories, opinions, images, videos, and other content.

*b.* (1) The department shall prepare and offer a curriculum, including instructional materials, for the instruction of social media safety for students in grades six through twelve. Such instructional materials must be published on the department's and each school district's internet sites. Each school district must notify parents or guardians that such instructional materials are available on the department's and each school district's internet sites.

(2) The department shall periodically update the department's curriculum to reflect changes in social media use, emergent technologies, and new threats to students using social media platforms.

*c.* (1) The social media instruction must include but need not be limited to all of the following:

(a) Time management and healthy behaviors on social media.

(b) The negative effects of social media on mental health, including addiction.

(c) The distribution of information on social media.

(d) How social media manipulates behavior.

(e) The permanency of sharing materials online.

(f) How to maintain personal security and identify cyberbullying, predatory behavior, and human trafficking on the internet.

1 (g) How to report suspicious behavior encountered on the  
2 internet to appropriate authorities.

3 (2) The social media safety instruction must include  
4 how to safely use social media, including but not limited  
5 to maintaining personal security, preventing oversharing of  
6 personal information, identifying predatory behavior, and  
7 reporting suspicious behavior.

8 (3) The social media safety instruction may include the  
9 benefits of social media use. Such instruction may only  
10 include career and resume building for future academic or  
11 employment opportunities, sharing information with familiar  
12 family and friends, and safely connecting with other users with  
13 like interests.

14 (4) Parents or guardians of a child shall be given the  
15 ability to opt the child out of such instruction.

16 d. (1) The department and school districts shall prohibit  
17 student access to social media platforms through the use  
18 of internet access provided by the school district, except  
19 when expressly directed by a teacher solely for educational  
20 purposes.

21 (2) The department and school districts shall provide and  
22 adopt an internet safety policy for student access to the  
23 internet provided by the school district which does all of the  
24 following:

25 (a) Limits access by students to only age-appropriate  
26 subject matter and materials on the internet.

27 (b) Protects the safety and security of students when  
28 using electronic mail, chat rooms, and other forms of direct  
29 electronic communications.

30 (c) Prohibits access by students to data or information,  
31 including hacking, and other unlawful online activities by  
32 students.

33 (d) Prevents access to internet sites, web applications, or  
34 software that does not protect against the disclosure, use, or  
35 dissemination of students' personal information.

1 e. The state board shall adopt rules to administer this  
2 subsection.

3 f. This subsection shall not apply to nonpublic schools.

4 DIVISION II

5 DISTRIBUTION OF OBSCENE MATERIAL TO MINORS ON THE INTERNET

6 Sec. 2. NEW SECTION. 554H.1 **Publication and distribution of**  
7 **obscene material to minors on the internet.**

8 1. For purposes of this chapter:

9 a. "*Interactive computer service*" means the same as that  
10 term is defined in 47 U.S.C. §230.

11 b. "*Obscene material*" means the same as defined in section  
12 728.1, subsection 5.

13 2. Any commercial entity that knowingly or intentionally  
14 publishes or distributes obscene material to minors on the  
15 internet from a website that contains a substantial portion of  
16 such material shall verify that any person attempting to access  
17 obscene material is not a minor through the use of any of the  
18 following:

19 a. A commercially available database that is regularly used  
20 by businesses or governmental entities for the purpose of age  
21 and identity verification.

22 b. Another commercially reasonable method of age and  
23 identity verification.

24 3. Any commercial entity that violates the provisions of  
25 this section shall be subject to civil liability for damages  
26 resulting from a minor's access to obscene material and  
27 reasonable attorney fees and costs.

28 4. This section shall not be construed to impose civil  
29 liability on a provider or user of an interactive computer  
30 service on the internet.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with  
33 the explanation's substance by the members of the general assembly.

34 This bill relates to minors using the internet, including  
35 social media and internet safety instruction and education

1 requirements in public schools and liability for publication of  
2 obscene material available to minors on the internet.

3 DIVISION I — SOCIAL MEDIA AND INTERNET SAFETY EDUCATION.

4 This division of the bill requires the department of education  
5 to create and offer a curriculum for instruction on social  
6 media safety for student in grades 6 through 12. The  
7 curriculum must include but is not limited to: (1) time  
8 management and healthy behaviors on social media, (2) education  
9 on the negative effects on mental health social media can  
10 produce, (3) the distribution of information on social media,  
11 (4) how social media manipulates behavior, (5) the permanency  
12 of sharing materials online, (6) how to maintain personal  
13 security and identify cyberbullying, predatory behavior, and  
14 human trafficking, and (7) how to report suspicious behavior.  
15 The curriculum may also include the benefits of social media  
16 use. Parents or guardians are allowed to opt a child out of  
17 such curriculum.

18 The bill provides that the department and school districts  
19 shall prohibit student access to social media platforms through  
20 the use of internet access supplied by the school district,  
21 except for educational purposes.

22 The bill requires the department and school district to  
23 adopt an internet safety policy that does all of the following:  
24 (1) limits access by students to only age-appropriate  
25 materials, (2) protects the safety and security of students  
26 when using forms of direct electronic communication, (3)  
27 prohibits access by students to data or information, and  
28 (4) prevents access to internet sites, web applications, or  
29 software that does not protected against disclosure, use, or  
30 dissemination of students' personal information.

31 The division of the bill does not apply to nonpublic schools.

32 DIVISION II — DISTRIBUTION OF OBSCENE MATERIAL TO  
33 MINORS. This division of the bill creates civil liability for  
34 commercial entities who publish or distribute material harmful  
35 to minors on the internet. The bill provides any commercial

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1 entity that knowingly or intentionally publishes or distributes  
2 obscene material to minors on the internet from a website  
3 that contains a substantial portion of such material shall be  
4 held civilly liable if the entity fails to perform reasonable  
5 age verification methods to verify the age of individuals  
6 attempting to access the material. Any commercial entity that  
7 is found in violation shall be civilly liable to an individual  
8 for damages resulting from a minor's accessing the material,  
9 including court costs and reasonable attorney fees as ordered  
10 by the court. The bill does not impose civil liability on  
11 a provider or user of an interactive computer service on the  
12 internet.