

Date of Hearing: June 9, 2026

Fiscal: No

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

SB 1247 (Padilla) – As Amended April 23, 2026

SENATE VOTE: 39-0

SUBJECT: Social media platforms: child influencers

SYNOPSIS

Child stars have historically faced unique challenges in accessing their hard-won wages, leading California to pass groundbreaking legislation such as Coogan’s Law, which requires 15 percent of the minor’s earnings to be held in trust, to protect minors’ earnings from parents and caregivers. However, the rise of mommy blogs and child influencers, bolstered by social media platforms, has allowed a new generation of families to earn money through promotional deals with brands and viewer engagement without the protections afforded by Coogan’s Law. SB 764 (Padilla, Ch. 611, Stats. 2024) attempted to close this loophole by requiring that vloggers who collect a certain amount of income from vlogs featuring minors set aside a portion of the proceeds for the featured child.

This bill builds upon SB 764 by allowing child influencers, upon reaching adulthood, to request that their vlogger parent or guardian delete or edit paid content featuring them as minors. Social media platforms must provide a mechanism for child influencers to submit such requests. Vloggers who fail to follow through on the request are subject to civil actions by the child influencer.

This bill is author-sponsored and supported by child and privacy rights advocates such as the American Academy of Pediatrics, Quit Clicking Kids, and Oakland Privacy. The bill is opposed by the Civil Justice Association of California.

If passed by this Committee, the bill will next be re-referred to the Judiciary Committee.

EXISTING LAW:

- 1) Provides, under “Coogan’s Law,” that the parent or guardian of a minor who enters into a contract for artistic or creative services, including online content creation, or for participating in or playing a sport, is not entitled to the minor’s earnings when specified conditions are met. (Fam. Code §§ 6750-6753.)
- 2) Defines the following relevant terms:
 - a. “Content” means statements or comments made by users and media that are created, posted, shared, or otherwise interacted with by users on an internet-based service or application, but does not include media put on a service or application exclusively for the purpose of cloud storage, transmitting files, or file collaboration.

- b. “Family” means a group of persons related by blood or marriage, including civil partnerships, or whose close relationship with each other is considered equivalent to a family relationship by the individuals.
 - c. “Online platform” means any public-facing internet website, web application, or digital application, including a mobile application, and includes a social media platform, advertising network, mobile operating system, search engine, email service, or internet access service.
 - d. “Vlog” means content shared on an online platform in exchange for compensation.
 - e. “Vlogger” means a parent, legal guardian, or family residing in California that creates image or video content that is performed in California in exchange for compensation, but does not include any person under 18 years of age who produces their own content.
 - f. “Vlogging” means the act of sharing content on an online platform in exchange for compensation. (Fam. Code § 6650.)
- 3) Provides that, when at least 30 percent of a vlogger’s compensated content includes the likeness, name, or photograph of a minor, the vlogger must compensate the minor for their appearance in the content pursuant to a prescribed compensation formula, and the moneys must be held in trust for the minor until they reach the age of majority or are emancipated. (Fam. Code §§ 6651-6653.)
- 4) Provides that, if a vlogger knows or should have known that they violated the provisions of 3), the minor appearing in the content may commence an action to enforce the requirements of 3) and may obtain actual damages, punitive damages, and attorney’s fees and costs. (Fam. Code § 6654.)
- 5) Provides that 3) does not apply to a contract for vlogging services between a parent or guardian and a minor if the court has approved the contract pursuant to Coogan’s law. (Fam. Code § 6656.)
- 6) Defines “social media platform” as a public or semipublic internet-based service or application that has users in California and that meets both of the following criteria:
- a. A substantial function of the service or application is to connect users in order to allow users to interact socially with each other within the service or application; email or direct messaging services alone are insufficient to satisfy this criterion.
 - b. The service or application allows users to do all of the following: (1) construct a public or semipublic profile for purposes of signing into and using the service or application; (2) populate a list of other users with whom an individual shares a social connection within the system; and (3) create or post content viewable by other users, including, but not limited to, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users. (Bus. & Prof. Code § 22675(f).)

THIS BILL:

- 1) Defines the following terms:
 - a. “Child influencer” means a person who is at least 18 years of age who is featured as a minor in paid content on a social media platform.
 - b. “Paid content” means image or video content shared on a social media platform by a vlogger for which the vlogger receives compensation.
 - c. A “vlogger” means a person who both is a parent, legal guardian, or family member of a child influencer who shared images or video content featuring that child influencer constituting at least 30 percent of the person’s content shared on social media platforms and the person received compensation for sharing the content featuring the child influencer.
- 2) Requires a social media platform to provide a clear and conspicuous mechanism by which a child influencer can request a vlogger to delete or edit paid content if the content meets the following standards:
 - a. The paid content is adequately identified by the child influencer so that the social media platform is able to notify the vlogger to remove the paid content from the social media platform.
 - b. The paid content features the child influencer as a minor.
- 3) Requires that if a social media platform does not provide a mechanism that enables the child influencer to submit a request directly to the vlogger, the social media platform must notify the vlogger of the request within three business days of its receipt.
- 4) Mandates that a vlogger must delete the paid content or edit the paid content in such a way that the child influencer is no longer featured in the paid content within ten business days of receiving a notice or direct request to delete or edit the paid content.
- 5) Provides that a child influencer may bring a civil action against a vlogger who violates the bill for all of the following:
 - a. Actual damages.
 - b. Statutory damages up to \$3,000 for each day that a vlogger is in violation of the bill.
 - c. Injunctive relief.
 - d. Reasonable attorney’s fees and costs.
- 6) Requires a court, in an action under 5), to consider all of the following:
 - a. Emotional harm or substantial embarrassment the paid content causes the child influencer.
 - b. Increased risk to the child influencer of harassment or compromised safety.
 - c. Loss of control of personal information.

d. Harm to future opportunities.

COMMENTS:

1) **Author's statement.** According to the author:

Children featured in family videos lose the ability to control their image at a young age and face privacy and security concerns growing up in the public eye. SB 1247 would give children who were monetized online the ability to exert privacy rights by giving child influencers the ability to delete content featuring them as minors once they reach adulthood.

2) **Background.** Social media has shifted how many of us engage with the world, serving as an important avenue for connection, commerce, and even job prospects. As millions of people dedicate hours to scrolling social media, the market for influencers – people who amass thousands of followers to sell or promote paid content to – has skyrocketed. The influencer industry is worth approximately \$250 billion according to Forbes, a number that is forecasted to nearly double by 2027.¹ Mr. Beast, for example, a YouTube vlogger who pulls elaborate stunts and challenges, has collected over 634 million followers with his videos, generating approximately \$85 billion in earnings and making him both the most followed person on social media and one of the wealthiest influencers.²

Children, many of whom are the intended audiences for these influencers, can be drawn to these potentially lucrative careers. A 2019 poll conducted by Harris Polls on behalf of Lego found that one-third of children surveyed between the ages of eight and 12 aspire to be a vlogger or YouTuber when they grow up, likely due in part to the increased exposure to vloggers and influencers on common platforms like YouTube.³ These numbers may have only increased in recent years, as a 2023 Morning Consult survey of people aged 13 to 26 found that over half (57 percent) want to be influencers.

However, young influencers face particular challenges online, especially if they begin producing content as minors. For one, social media can have negative impacts on developing minds, leading to body image issues and negative self-image. Additionally, child labor laws do not apply to influencers and vloggers, who often work around the clock producing videos and content. Child influencers are also at risk for privacy violations, as being raised in a generation where everyone has a camera in their back pocket with access to the internet can lead to a near incessant stream of content. As noted by a 2022 *Wired* article:

[T]hose of us who were introduced to social media during adulthood were still able to carve out our online presence from scratch, whether it be as an anonymous lurker on Reddit or a brazen oversharer on Instagram. The next generation are not afforded this freedom of choice; they simply have to lie in utero and pray that the first thing they see upon exiting isn't the

¹ Danielle Chemtob, "Forbes Daily: The \$250 Billion Influencer Economy Is Booming," *Forbes*, (Oct. 28, 2024), <https://www.forbes.com/sites/daniellechemtob/2024/10/28/forbes-daily-the-250-billion-influencer-economy-is-booming/>.

² Zola Hasan, A. York, & S. Bertoni. "Forbes Top Creators 2025," *Forbes*, (Aug. 18, 2025), <https://www.forbes.com/sites/stevenbertoni/2025/06/16/forbes-top-creators-2025/>.

³ Yelena Dzhanova, "Forget law school, these kids want to be a YouTube star," *CNBC News*, (Aug. 3, 2019),

glare of a smartphone camera lens, set to an ear-splitting shriek of, “Don’t forget to like and subscribe!”⁴

Young girls interested in being influencers may be at even greater risk due to potential predators who may be drawn to their content and, in extreme cases, may attempt to purchase or blackmail parents and the young girls into releasing child sexual abuse material (CSAM). This was the case for Elissa, a mom who has been managing her tween daughter’s Instagram account of over 100,000 followers since she was 11 years old. In 2023, Elissa started receiving concerning messages demanding CSAM content of her daughter:

The account’s risks became apparent last spring when the person messaging her threatened to report her to the police and others unless she completed “a small task.” When she did not respond, the person emailed the girl’s school, saying Elissa sold “naughty” pictures to pedophiles.

Days later, the girl tearfully explained to her mother that school officials had questioned her about the Instagram account. They showed her images that her mother had posted — one of the girl in hot pants and fishnets, another in a leotard and sweatshirt.

Elissa had reported the blackmail to the local sheriff, but school officials only dropped the matter after an emotional interrogation of the girl.⁵

The constant deluge of men interacting with young girl influencers, many of whom are involved in dance and gymnastics where the outfits are often form-fitting and more revealing than typical clothing, can significantly impact these girls’ self-image, leading them to assign their worth largely to the responses they get to their photos and body.

Kaelyn, whose daughter is now 17, said she worried that a childhood spent sporting bikinis online for adult men had scarred her.

“She’s written herself off and decided that the only way she’s going to have a future is to make a mint on OnlyFans,” she said, referring to a website that allows users to sell adult content to subscribers. “She has way more than that to offer.”⁶

Additionally, some children may find themselves acting as influencers without their consent due to the rise of “mommy bloggers”: parents who post about their children and their families for views and advertising deals. These parents often share personal stories and tips about childrearing, ranging from what to eat while pregnant to how to potty train and discipline misbehaving children, often detailing intimate details of the child’s life for viewership and engagement. One such blogger, Ruby Franke, ran a successful YouTube channel called 8 Passengers that chronicled the lives of her and her husband and their six children in Utah. Despite gathering millions of subscribers, Franke’s parenting style received heavy criticism after she posted videos where she admitted to taking extreme disciplinary measures, including taking

⁴ Ellen Walker, “Nothing Is Protecting Child Influencers From Exploitation,” *Wired*, (Aug. 25, 2022), <https://www.wired.com/story/child-influencers-exploitation-legal-protection/>.

⁵ Jennifer Valentino-DeVries & M. Keller, “A Marketplace of Girl Influencers Managed by Moms and Stalked by Men,” *The New York Times*, (Feb. 22, 2024), <https://www.nytimes.com/2024/02/22/us/instagram-child-influencers.html>.

⁶ *Ibid.*

away her then-15-year-old son's bed and forcing him to sleep on a beanbag for months, refusing to deliver her six year-old's lunch that she forgot to pack to school, and requiring her children perform manual tasks outside for hours without shoes.⁷ Following her 12-year-old's son escape from their home in search for food and medical attention, Franke was arrested and pleaded guilty in 2023 to four counts of aggravated child abuse, a sentence that may result in up to 30 years in prison.⁸

3) Laws protecting child influencers. In the aftermath of the abuse allegations, Franke's eldest, Shari Franke, has spoken out against family vloggers and the harm it can inflict on young children, claiming that "there's no ethical way to do it."⁹ According to Shari, the constant pressures of family vlogging often felt like an intrusion of privacy, recounting one incident when she was 18 and her mother insisted on filming her bra-shopping experience for viewers.¹⁰ In 2024, Shari testified in front of the Utah legislature about her experiences as a child influencer, stating:

Most child influencers would probably tell you they have full control over what is posted; but the reality is that their parents bribe and shame them into posting their most vulnerable moments.

[...]

We cannot give consent to our parents to post our lives. In any other context, it is understood that children cannot consent, but for some reason, people think family vlogging is different.¹¹

In response to Shari's testimony, Utah enacted House Bill (HB) 322 which established greater protections for child influencers. Among the provisions of HB 322, parents or guardians of minors who earn more than \$20,000 annually must establish a separate trust for the child that holds a portion of the minor's earnings until they reach adulthood. Additionally, HB 322 established the right of child influencers to request that footage of them as a minor be deleted or edited out of vlogs once they turn 18.

California has more robust protections for child actors and influencers than most other states. In 1939, California enacted the famous Coogan Law, named after child actor Jackie Coogan. Coogan was discovered in 1919 by Charlie Chaplin and became a household name after starring in Chaplin's film, *The Kid*.¹² Despite his fame, Coogan discovered as a young adult that his father, who had since passed, had legally squandered most of his earnings, leaving Coogan penniless. In response, the California legislature passed Coogan's law, which requires that 15 percent of a minor's earnings from entertainment work be placed in a blocked trust account, often referred to as a "Coogan account." However, loopholes in the statute resulted in similar

⁷ Tyler Piccotti, "The Story of Ruby Franke's Chilling Spiral from Popular 'Momfluencer' to Convicted Felon," *Biography*, (Dec. 29, 2025), <https://www.biography.com/crime/a65924884/ruby-franke-story-and-conviction>.

⁸ *Ibid.*

⁹ Carly Tagen-Dye and C. Pelisek, "Why Shari Franke Is Speaking Out Against Family Vlogging After Surviving Mom's Abuse: 'No Ethical Way to Do It'," *People*, (Jan. 4, 2025), <https://people.com/why-shari-franke-is-speaking-out-against-family-vlogging-8768838>.

¹⁰ *Ibid.*

¹¹ Katie Kindelan, "Ruby Franke's daughter speaks out to lawmakers on family vlogging dangers," *ABC News*, (Oct. 17, 2024), <https://abcnews.com/GMA/Family/ruby-frankes-daughter-speaks-lawmakers-family-vlogging-dangers/story?id=114904176>.

¹² SAG-AFTRA, "Coogan Law," <https://www.sagaftra.org/membership-benefits/young-performers/coogan-law>.

financial abuses for child actors such as Shirley Temple, Macaulay Culkin, Lee Aaker, and Gary Coleman – all of whose parents left the actors with a fraction of their earnings.¹³ These protections applied only in employment settings and did not extend to children who are directly monetized by their families on social media..

To address these gaps in protections for child influencers, SB 764 (Padilla, Ch. 611, Stats. 2024) required vlogger parents or guardians that film content with minors to maintain records detailing the compensation generated from vlogs to be provided to the minor monthly. Additionally, vloggers who earn more than \$15,000 annually are required to set aside specified portions of their gross earnings in a secure fund for the minor based on the percentage of compensated content in which the minor is featured. SB 764 also provided child influencers with a private right to action against the vlogger who knowingly violates these provisions.

4) This bill allows child influencers to request paid content of them as a minor be deleted or edited by the vlog poster. SB 1247 builds upon SB 764 by allowing child influencers the right to request footage of them as a minor be deleted. Functionally similar to Utah’s child influencer bill, SB 1247 allows child influencers to request that paid content featuring them as a minor be deleted or edited out by the vlogger parents or guardians. The bill requires social media platforms to provide a clear and conspicuous mechanism for child influencers to request that paid content of them be deleted or edited in such a way that the minor is no longer featured. If a mechanism does not send the deletion request to the vlogger directly, the social media platform must notify the vlogger of the request within three business days. Upon receiving the deletion request, the vlogger will then have ten days to delete or edit the paid content. SB 1247 also provides a private right of action for child influencers against the vlogger to pursue actual damages, statutory damages for \$3,000 for each day that the vlogger is in violation, injunctive relief, and reasonable attorney’s fees and costs.

ARGUMENTS IN SUPPORT: Quit Clicking Kids write in support:

California’s previous SB 764 ensured that a percentage of this profit was maintained for a child in escrow, following the precedent set by California’s groundbreaking Coogan laws. However, child influencers also face a loss of privacy and related risks. Scholar Charlotte Yates lists five central consequences of this loss: 1) Identity theft; 2) Digital kidnapping; 3) Exposure to child predators; 4) Emotional trauma; and 5) Social isolation. These and other risks have been noted by a wide variety of scholars.

In particular, one risk to note is that of a lasting digital footprint: children cannot consent to their name, image, or likeness being used online, and having a publicly accessible profile that catalogues their childhood may come back to haunt them. Imagine if everyone could access, at any time, every mistake and meltdown from your childhood— including your friends, colleagues, and superiors. Children deserve the chance to regain control over their digital record.

The American Academy of Pediatrics, supporters of the bill, write:

Unlike traditional child performers, however, many child influencers have historically lacked clear legal protections regarding privacy, autonomy, and control over their digital identity.

¹³ *Phillips v. Bank of America, N.A.* (2015) 236 Cal.App.4th 217, 225, citations omitted.

California appropriately addressed financial protections through SB 764 (Padilla, 2024), which extended Coogan Law-style protections to child influencers. SB 1247 builds on that progress by addressing another critical issue: a young adult's right to reclaim control over deeply personal content shared online during childhood.

The harms associated with involuntary online exposure can be significant and long-lasting. The Senate Judiciary Committee analysis for SB 1247 notes that children featured in family vlogs may face embarrassment, harassment, compromised safety, identity theft concerns, and damage to future educational or employment opportunities. Public testimony supporting the bill has also highlighted situations where intimate medical information, developmental milestones, and deeply personal childhood experiences were permanently shared online without the child's meaningful consent.

These concerns are particularly important in the context of the broader youth mental health crisis. Research consistently shows that many adolescents report negative effects from social media exposure, including impacts on self-esteem, sleep, anxiety, and emotional well-being. National survey data show that nearly one-third of teens believe social media negatively affects people their age, while many parents report concerns about anxiety and depression linked to social media use. Young people deserve the opportunity, upon reaching adulthood, to decide whether content created about them during childhood should remain permanently online.

Oakland Privacy write in support:

The children of Momfluencers are inevitably featured in this content, but in many cases they are too young to consent to their starring roles. And in many others, the coercion present in family situations or a lack of understanding of later consequences to all this online visibility may make what seemed non-problematic at the age of 8 seem extremely problematic at the age of 18, or 35 for that matter.

One would hope that, in most cases, a parent or guardian would respond generously to a desire by an adult child to remove such content because it is interfering with job or professional efforts, university applications or is simply a source of embarrassment or chagrin. That likely happens with no need to rely on state statute.

But not all families are the same, and unfortunately when money is at stake, not all parents and guardians can be relied on to do the right thing. The long history of "stage parents" in Hollywood is a case in point.¹⁴ Senate Bill 1247 posits that when an adult is literally unable to get a parent or guardian to take down posts featuring the adult as a child which were financially remunerative to the parent or guardian, that the adult has some recourse for their wishes to be fulfilled.

ARGUMENTS IN OPPOSITION: In opposition to the bill, the Civil Justice Association of California argues:

SB 1247 also creates a new private right of action, allowing a child influencer to bring a civil action against a parent, legal guardian, or family member for violating the bill's provisions.

¹⁴ <https://abcnews.com/Entertainment/lohans-john-phillips-joe-jackson-top-list-worst/story?id=9068114>.

The bill would impose penalties of a set \$3,000 per day for each day of noncompliance. CJAC is concerned about the creation of a private right of action in this manner, as such claims can be readily brought and, when paired with significant statutory penalties, may invite abusive litigation and further burden already strained courts without providing a commensurate public benefit.

REGISTERED SUPPORT / OPPOSITION:

Support

American Academy of Pediatrics, California
Oakland Privacy
Quit Clicking Kids

Oppose

Civil Justice Association of California (CJAC)

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