

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

HOUSE BILL 1016

By: McCane

AS INTRODUCED

An Act relating to labor; providing definitions; requiring compensation for minors appearing in Internet content; requiring certain records be kept; requiring certain trust account be kept for minor; permitting civil action; permitting the Attorney General to enforce act; requiring content removal; providing age exception; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 90 of Title 40, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Content creation" means content shared on an online platform in exchange for compensation;
2. "Content creator" means an individual or individuals eighteen (18) years of age or older, including family members, who create video content performed in Oklahoma in exchange for compensation, and includes any proprietorship, partnership, company,

1 or other corporate entity assuming the name or identity of a
2 particular individual or individuals, or family members, for the
3 purpose of that content creator. Content creator does not include a
4 person under the age of eighteen (18) who produces their own video
5 content; and

6 3. "Online platform" means any public-facing website, web
7 application, or digital application, including a mobile application.
8 Online platform includes a social network, advertising network,
9 mobile operating system, search engine, email service, monetization
10 platform to sell digital services, streaming services, paid
11 subscription, or Internet access service.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 90.1 of Title 40, unless there
14 is created a duplication in numbering, reads as follows:

15 A. A minor is considered engaged in the work of content
16 creation when the following criteria are met at any time during the
17 previous twelve-month period:

18 1. At least thirty percent (30%) of the content creator's
19 compensated video content produced within a thirty-day period
20 included the likeness, name, or photograph of the minor. Content
21 percentage is measured by the percentage of time the likeness, name,
22 or photograph of the minor visually appears or is the subject of an
23 oral narrative in a video segment as compared to the total length of
24 the segment; and
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1 2. The number of views received per video segment on any online
2 platform met the online platform's threshold for generating
3 compensation or the content creator received actual compensation for
4 video content equal to or greater than ten cents (\$0.10) per view.

5 B. All video content creators whose content features a minor
6 engaged in the work of content creation shall maintain the following
7 records and retain the records until the minor reaches the age of
8 twenty-one (21):

9 1. The name and documentary proof of the age of the minor
10 engaged in the work of content creation;

11 2. The amount of content creation that generated compensation
12 as described in subsection A of this section during the reporting
13 period;

14 3. The total number of minutes of content creation for which
15 the content creator received compensation during the reporting
16 period;

17 4. The total number of minutes a minor was featured in content
18 creation during the reporting period;

19 5. The total compensation generated from content creation
20 featuring a minor during the reporting period; and

21 6. The amount deposited into the trust account for the benefit
22 of the minor engaged in the work of content creation as required by
23 Section 3 of this act.

1 C. The records required by this section must be readily
2 accessible to the minor for review. The content creator shall
3 provide notice to the minor of the existence of the records.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 90.2 of Title 40, unless there
6 is created a duplication in numbering, reads as follows:

7 A. A minor who is engaged in the work of content creation
8 consistent with this act must be compensated by the content creator.
9 The content creator must set aside gross earnings on the video
10 content that includes the likeness, name, or photograph of the minor
11 in a trust account to be preserved for the benefit of the minor
12 until the minor reaches the age of majority, according to the
13 following distribution:

14 1. If only one minor meets the content threshold described in
15 subsection A of Section 2 of this act, the percentage of total gross
16 earnings on any video segment, including the likeness, name, or
17 photograph of the minor that is equal to or greater than half of the
18 content percentage that includes the minor as described in
19 subsection A of Section 2 of this act; or

20 2. If more than one minor meets the content threshold described
21 in subsection A of Section 2 of this act and a video segment
22 includes more than one of those minors, the percentage described in
23 paragraph 1 of this subsection for all minors in any segment must be
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1 equally divided between the minors regardless of differences in
2 percentage of content provided by the individual minors.

3 B. A trust account required under this act must, at a minimum,
4 provide that:

5 1. The money in the account is available only to the minor
6 engaged in the work of content creation;

7 2. The account is held by a bank or trust company, as those
8 terms are defined in Section 102 of Title 6 of the Oklahoma
9 Statutes;

10 3. The money in the account becomes available to the minor
11 engaged in the work of content creation upon the minor attaining the
12 age of eighteen (18) years or upon a declaration that the minor is
13 emancipated; and

14 4. That the account meets the requirements of the Uniform
15 Transfers to Minors Act in Title 58 of the Oklahoma Statutes.

16 C. Content containing the likeness of a child must be deleted
17 and removed from any online platform when the request is made by a
18 minor age thirteen (13) or older, or an adult, whose likeness
19 appears in the content. The request shall be in writing through
20 mail or an electronic communication. The content must be deleted
21 and removed from the online platform immediately, and in any
22 instance no longer than seven (7) days after the written request is
23 made.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 90.3 of Title 40, unless there
3 is created a duplication in numbering, reads as follows:

4 A. If a content creator knowingly or recklessly violates this
5 act, a minor satisfying the criteria described in subsection A of
6 Section 2 of this act may commence a civil action to enforce the
7 provisions of this act regarding the trust account. In any action
8 brought in accordance with this act, the court may award the
9 following damages:

- 10 1. Actual damages;
- 11 2. Punitive damages; and
- 12 3. The costs of the action, including attorney fees and
13 litigation costs.

14 B. This act does not affect a right or remedy available under
15 any other law.

16 C. Nothing in this act shall be interpreted to have any effect
17 on a party that is neither the content creator nor the minor who
18 engaged in the work of content creation.

19 SECTION 5. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 90.4 of Title 40, unless there
21 is created a duplication in numbering, reads as follows:

22 If a content creator whose content features minors engaged in
23 the work of content creation fails to maintain the records as
24 provided in Section 2 of this act, the minor may commence a civil
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1 action against the content creator for damages and to enforce this
2 act.

3 SECTION 6. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 90.5 of Title 40, unless there
5 is created a duplication in numbering, reads as follows:

6 A minor compensated under this act is exempt from the minimum
7 age provisions of Section 71 of Title 40 of the Oklahoma Statutes.

8 SECTION 7. This act shall become effective November 1, 2025.

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