
HOUSE BILL 2400

State of Washington

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2026 Regular Session

By Representatives Reeves, Walen, Callan, Zahn, Ramel, Pollet, and Bernbaum

Read first time 01/13/26. Referred to Committee on Consumer Protection & Business.

1 AN ACT Relating to social media content creation; adding a new
2 chapter to Title 19 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The definitions in this section apply
5 throughout this chapter unless the context clearly requires
6 otherwise.

7 (1) "Content creator" means an individual who creates, posts,
8 shares, or otherwise interacts with digital content on a social media
9 service. Content creators include, but are not limited to, vloggers,
10 podcasters, social media influencers, and streamers.

11 (2) "Compensated social media video content" means video content
12 shared on a social media service:

13 (a) That meets the social media service's threshold for providing
14 compensation to the vlogger; or

15 (b) In relation to which a third-party advertiser provided
16 compensation to the vlogger.

17 (3) "Compensation" means any money, property, product, virtual
18 currency or item, service, income, gross proceeds of sales, fees,
19 commissions, royalties, dividends, other emoluments however
20 designated, and anything of value whatsoever.

21 (4) "Department" means the department of revenue.

1 (5) (a) "Social media service" means a public-facing website or
2 application that:

3 (i) Displays content that is primarily generated by account
4 holders and not by the social media company;

5 (ii) Permits an individual to register as an account holder and
6 create a profile that is made visible to the general public or a set
7 of other users defined by the account holder;

8 (iii) Connects account holders to allow users to interact
9 socially with each other within the website or application;

10 (iv) Makes available to each account holder a list or lists of
11 other account holders with whom the account holder shares a
12 connection within the system; and

13 (v) Allows account holders to post content viewable by other
14 users.

15 (b) "Social media service" does not include:

16 (i) Email;

17 (ii) Cloud storage; or

18 (iii) Document viewing, sharing, or collaboration services.

19 (6) "Substantial nexus" has the same meaning as in RCW 82.04.067.

20 (7) "Third-party advertiser" means any person including any
21 proprietorship, partnership, company, or other corporate entity that
22 has a contractual relationship with and provides compensation to a
23 vlogger in relation to advertising a product or service.

24 (8) "Vlogger" means a person who creates compensated social media
25 video content and includes any proprietorship, partnership, company,
26 or other corporate entity assuming the name or identity of a
27 particular individual or family for the purposes of that content
28 creation. "Vlogger" does not include any person under the age of 18
29 who produces their own content.

30 NEW SECTION. **Sec. 2.** (1) A vlogger meeting the criteria under
31 subsection (2) of this section is deemed to be engaged in business
32 activity and must register with the department under RCW 82.32.030.

33 (2) This section applies to a vlogger with a substantial nexus
34 with Washington who, within the previous 12-month period, received a
35 total of \$12,000 or more in compensation from compensated social
36 media video content.

37 (3) For purposes of applying this section, compensation must be
38 determined without any deduction on account of any costs, interest,

1 discount, taxes, or any other expense whatsoever paid or accrued and
2 without any deduction on account of losses.

3 (4) A violation of this section is punishable as provided in
4 section 7 of this act.

5 NEW SECTION. **Sec. 3.** (1) A social media service or any third-
6 party advertiser with a substantial nexus with Washington shall
7 establish a trust account for the benefit of a minor child of a
8 vlogger when the minor child's likeness, name, or photograph is
9 present in a video segment published by the vlogger and the social
10 media service or third-party advertiser compensates the vlogger in
11 relation to the video segment. The social media service or third-
12 party advertiser shall fund the trust account in accordance with
13 subsection (2) of this section. The funds in a trust account must be
14 preserved for the benefit of the minor, made available to the former
15 minor upon reaching age 18, and paid into an account of the former
16 minor's choosing upon request.

17 (2) A social media service and a third-party advertiser must set
18 aside an amount of compensation in a trust account as provided in
19 this section. For any video segment that includes the likeness, name,
20 or photograph of the vlogger's minor child, the social media service
21 or third-party advertiser must withhold a pro rata percentage of the
22 total compensation the social media service or third-party advertiser
23 would otherwise provide to the vlogger in relation to the video
24 segment and deposit the withheld funds in the minor's trust account.
25 For the purpose of this section, "pro rata percentage" means an
26 amount equal to the percent of time the vlogger's minor child
27 appeared or was referenced in a video segment.

28 (3) (a) Where only one minor child's likeness, name, or photograph
29 is included in a vlogger's video segment, the percentage of total
30 compensation on any video segment including the likeness, name, or
31 photograph of the minor child that must be deposited in the minor's
32 trust account is equal to the amount provided in subsection (2) of
33 this section.

34 (b) Where more than one minor child's likeness, name, or
35 photograph is included in a vlogger's video segment, the compensation
36 with respect to that video segment must be equally divided between
37 the minor children according to subsection (2) of this section,
38 regardless of differences in percentage of content provided by the
39 individual children.

1 (4) A violation of this section is punishable as provided in
2 section 7 of this act.

3 NEW SECTION. **Sec. 4.** Beginning April 1, 2027, and by April 1st
4 of each year thereafter, a social media service with a substantial
5 nexus with Washington must submit a report with the following
6 information to the department:

7 (1) The total number of accounts of content creators on the
8 social media service;

9 (2) The total number of accounts of content creators on the
10 social media service who are located in Washington;

11 (3) The total number of accounts of content creators on the
12 social media service who meet the social media service's threshold
13 for providing compensation;

14 (4) The total number of accounts of content creators on the
15 social media service who meet the social media service's threshold
16 for providing compensation who are located in Washington;

17 (5) The total number of accounts of content creators on the
18 social media service who meet the social media service's threshold
19 for providing compensation, are located in Washington, and are under
20 age 18;

21 (6) The total number of accounts of content creators on the
22 social media service who are vloggers who include their minor
23 children in compensated social media video content;

24 (7) The total number of accounts of content creators on the
25 social media service who are vloggers located in Washington who
26 include their minor children in compensated social media video
27 content;

28 (8) The total number of video segments in the preceding year for
29 which compensation was provided to a vlogger posted by vloggers who
30 include their minor children in compensated social media video
31 content;

32 (9) The total amount of revenue received by the social media
33 service in the preceding year from advertising related to content
34 published by all content creators on the platform;

35 (10) The total amount of revenue received by the social media
36 service in the preceding year from advertising related to content
37 published by vloggers who include their minor children in compensated
38 social media video content;

1 (11) The total amount of revenue received by the social media
2 service in the preceding year from advertising related to content
3 published by vloggers located in Washington who include their minor
4 children in compensated social media video content; and

5 (12) An explanation of any limitations on accurately providing
6 the information identified in this section.

7 NEW SECTION. **Sec. 5.** (1) Upon the age of 18 and until an
8 individual reaches age 23, an individual may request the permanent
9 deletion of any specified video segment, audio segment, image, text,
10 or other post that includes the likeness, name, or photograph of the
11 individual taken or recorded at the time the individual was under the
12 age of 18, from any social media service on which it was published or
13 appears, if the video segment, audio segment, image, text, or other
14 post was monetized on any social media service. A request by an
15 individual under this section must include a link to, or a digital
16 copy of, the video segment, audio segment, image, text, or other post
17 to which the request applies.

18 (2) Within 30 days of receiving a request under this section, a
19 social media service must take all reasonable steps to permanently
20 delete the specified video segment, audio segment, image, text, or
21 other post containing the requestor's childhood likeness, name, or
22 photograph, or comply with subsection (3) of this section.

23 (3) As an alternative to deletion, a social media service may
24 remove or obscure the requesting individual's childhood likeness,
25 name, or photograph from the specified video segment, audio segment,
26 image, text, or other post.

27 (4) After a request is submitted under this section, a social
28 media service must continually monitor content on its platform and
29 take all reasonable steps to permanently delete, or comply with
30 subsection (3) of this section, with respect to the video segment,
31 audio segment, image, text, or other post to which a request was
32 timely submitted under subsection (1) of this section if the video
33 segment, audio segment, image, text, or other post is published again
34 by any person at any time. A social media service shall comply with
35 this subsection (4) within 30 days of a video segment, audio segment,
36 image, text, or other post being published again by any person.

37 (5) A violation of this section is punishable as provided in
38 section 7 of this act.

1 NEW SECTION. **Sec. 6.** (1) Social media services with a
2 substantial nexus with Washington must make information available to
3 users regarding the registration requirement of section 2 of this
4 act, the rights of minor children of vloggers to compensation under
5 section 3 of this act, and the rights of individuals related to
6 content removal under section 5 of this act.

7 (2) A violation of this section is punishable as provided in
8 section 7 of this act.

9 NEW SECTION. **Sec. 7.** (1) A violation of section 2 of this act
10 is punishable by a civil penalty of \$1,000, enforceable by the
11 department or the attorney general.

12 (2)(a) A violation of section 3 of this act is enforceable
13 through a civil cause of action in district or superior court,
14 subject to the jurisdictional limit of district courts in RCW
15 3.66.020, by an individual in whose benefit a trust account was or
16 should have been established pursuant to section 3 of this act. Upon
17 finding a violation of section 3 of this act, a court may award
18 actual damages or impose a statutory penalty, whichever is greater,
19 to be awarded to the harmed individual, in addition to their costs of
20 the suit, and a reasonable attorney's fee. A court may also provide
21 injunctive relief and any other relief the court finds just and
22 equitable to enforce section 3 of this act.

23 (b) Actual damages for a violation of section 3 of this act is
24 the amount of compensation a social media service or third-party
25 advertiser should have deposited to an individual's trust account
26 pursuant to section 3 of this act, plus a reasonable amount of
27 interest to be determined by the court.

28 (c) Statutory damages for a violation of section 3 of this act
29 are:

- 30 (i) \$50,000 for a failure to establish a trust account; and
31 (ii) \$50,000 for each video that includes the likeness, name, or
32 photograph of the vlogger's minor child visually or as the subject of
33 an oral narrative in a video segment for which a trust account
34 deposit was required pursuant to section 3 of this act but not made.

35 (3) A violation of section 4 of this act is punishable by a civil
36 penalty of \$1,000, enforceable by the department or the attorney
37 general.

38 (4)(a) A violation of section 5 of this act is enforceable
39 through a civil cause of action in district or superior court,

1 subject to the jurisdictional limit of district courts in RCW
2 3.66.020, by an individual who submitted a timely request under
3 section 5 of this act. Upon finding a violation of section 5 of this
4 act, a court may impose a statutory penalty, to be awarded to the
5 harmed individual, in addition to their costs of the suit, and a
6 reasonable attorney's fee. A court may also provide injunctive relief
7 and any other relief the court finds just and equitable to enforce
8 section 5 of this act.

9 (b) The statutory penalty for a violation of section 5 of this
10 act is \$10,000 per violation. Each video segment, audio segment,
11 image, text, or other post to which a request applies is a separate
12 violation and penalty.

13 (5) A violation of section 6 of this act is punishable by a civil
14 penalty of \$5,000, enforceable by the department or the attorney
15 general.

16 NEW SECTION. **Sec. 8.** If any provision of this act or its
17 application to any person or circumstance is held invalid, the
18 remainder of the act or the application of the provision to other
19 persons or circumstances is not affected.

20 NEW SECTION. **Sec. 9.** Sections 1 through 7 of this act
21 constitute a new chapter in Title 19 RCW.

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