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Standing Committees
Transportation, Ranking Member;
Behavioral Health;
Finance;
Government Oversight;
Public Health Policy;
Economic & Workforce Development

Before the House Civil Justice Committee

House Bill 376 – The Kid Influencer Protection Act

Sponsor testimony provided by Representative Michele Grim

May 7, 2024

Chairman Hillyer, Vice Chair Mathews, Ranking Member Isaacsohn and members of the Civil Justice Committee thank you so much for the opportunity to provide sponsor testimony for House Bill 376, The Kid Influencer Protection Act. I'd like to extend my sincerest thanks to my joint-sponsor Representative Lauren McNally who has been a true legislative partner through this process thus far, providing her expertise and knowledge.

I'd also like to thank the countless advocates who have come forward since the introduction of this legislation and media coverage that followed. Many former child influencers and actors have taken this opportunity to speak about the true cost of living a childhood under the spotlight. No child should have to grow up knowing you carry the responsibility of financial success or hardship for your family.

The Kid Influencer Protection Act puts needed protections in place that Ohio children need. As the world changes, our laws must change with it. As my joint sponsor explained, these children are putting in hours of labor. They often do not see a dime of compensation for this work. HB 376 would establish guidelines so that adult vloggers who feature minors in their content are responsible for setting aside a certain amount of funds for child influencers to access once they turn 18. These funds would be held in a trust. The amount would be determined by a "minimum contribution formula".

This minimum contribution is **one-half of the percentage of the time the likeness, name, or photograph of a vlogging minor was featured in a vlog multiplied by the gross earning for that vlog in a calendar year**. Additionally, once a minor reaches the age of 18, they may request the removal of any vlog that includes their image or likeness. Online platforms must take all reasonable steps to comply with these requests.

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Many would then ask what qualifies content as being child influencer content vs. Representative McNally simply posting a video of her daughter's dance recital?

Adult vloggers, which are most often the parents in these scenarios, are required to create a trust for a child **when they are featured in 30% of social media content over a month, and that content is monetized.** This guidance works to regulate actual child influencing, and not parents sharing photos with family and friends.

The mental health impacts of early exposure to fame cannot be under stated – that is why the second component of this bill is so essential. **At the age of 18 these former child influencers can request the removal of any of their images from social media platforms.** Children, who are not able to understand, or consent, have some of their most embarrassing and upsetting moments filmed and uploaded for clicks by the person they should trust the most – Mom or Dad.

Home becomes the workplace, and nothing is off limits. Former child influencers have reported that getting their first menstrual period or going on their first date was recorded as entertainment for millions of strangers.

If the simple mention of that makes you uncomfortable, imagine trying to move towards adulthood with this type of digital footprint hanging over you, that you have no power to control.

The Kid Influencer Protection Act works to provide child influencers with the protections and dignity they are entitled to as laborers in the state of Ohio. Just because this is a relatively new industry does not mean we should turn our backs on the children who need financial protections now. At one point it was common for children to work for hours on end in factories, with virtually no protections, and the law had to evolve then as well. The Kid Influencer Protection Act simply represents another evolution of that child labor law.

Thank you again to Chairman Hillyer, Vice Chair Mathews, Ranking Member Isaacsohn and members of the Civil Justice Committee for your time. Representative McNally and I are more than happy to take any questions you may have.