

House Advances Children's Privacy Bills

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Last week, the House Energy and Commerce Committee ("House") advanced the [Kids Online Safety Act](#) (H.R. 7891) ("KOSA") and the [Children and Teen's Online Privacy Protection Act](#) (H.R. 7890) ("COPPA 2.0").

According to *Bloomberg Law*, since the [Senate's passage of KOSA](#) on July 30, 2024, children's online safety proponents pressured House Republican leaders to endorse the bill, which requires social media companies to take steps to mitigate potential harms to children, including with respect to content that promotes violence, eating disorders and sexual exploitation.

Some claim that the passage of KOSA would lead to a stifling of First Amendment free speech protections and increased online surveillance. The House faced disagreements regarding the bill and Republican leadership reportedly shared private concerns about its potential passage. Some Democrats took the position that measures in the bill could affect online expression and negatively impact marginalized communities such as LGBTQ+ youth. In contrast, supporters of the bill sought to refute these First Amendment claims by arguing that KOSA will create a "duty of care" for companies to control the *design*, rather than the content, of their platforms.

Many states have passed their own laws designed to protect children's privacy and safety, and some local officials are concerned that federal legislation may override these protections. With that being said, KOSA and COPPA 2.0 were approved by a voice vote, and it is unclear how many individual members actually voted or supported each proposal. Additional updates may be in store for both bills before they are finalized.

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