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THE MARYLAND HOUSE OF DELEGATES ANNAPOLIS, MARYLAND 21401

Testimony of Delegate Jazz Lewis on HB645– Social Media Platforms - Vloggers and Video Content Featuring Minor

Chair Wilson, Vice Chair Crosby, and members of the Economic Matters Committee,

For the record, I am Delegate Jazz Lewis, and I am thrilled to have the opportunity to present House Bill 645. In short, this bill sets out to protect children who are featured on monetized social media channels from financial exploitation. This bill also protects them from being excessively worked to produce content on monetized accounts and, finally, provides them the standing once they reach the age of maturity, 18, to request the removal of content featuring their face, voice, and likeness that they don't approve of from monetized social media platforms.

This bill sets out to provide common sense guardrails for an industry that has exploded in value and in its prevalence. The influencer economy is inescapable and it is daunting in its scale, generating billions of dollars in revenue yearly.¹ Much of this value is generated on family video blogs, also known as vlogs, which heavily depend on Children for their content.² Despite their labor, the children featured in these vlogs are not entitled to any of the revenue that their name, image, and likeness generate on these accounts. Under this new law, those managing these accounts must allocate a portion of their revenue to a trust fund for children regularly featured in monetized content. These trusts would be set aside for those children to control when they turn 18, ensuring that some of the revenue generated by their labor will still exist when they are old enough to have a say over their body and likeness. This is the same thing that we do for child actors who are on TV and in movies, but the influencer industry is so new that child influencers do not get the same protections as child actors when they undoubtedly should.

This bill proposes to impose restrictions on the number of hours a child influencer can work for monetized accounts. The cap would be set at 8 hours, similar to any other industry that employs

¹ West, C. (2023, October 26). 22 influencer marketing statistics to guide your brand's strategy in 2023. Retrieved February 7, 2024, from Sprout Social website: <https://sproutsocial.com/insights/influencer-marketing-statistics/>

² The Boy King of YouTube (Published 2022). (2024). The New York Times. Retrieved from <https://www.nytimes.com/2022/01/05/magazine/ryan-kaji-youtube.html>

children. Additionally, the bill would allow former child influencers to request social media companies to remove content featuring them from before they turned 18, if requested. This provision would enable former child influencers, once they turn 18, to reclaim their identity and rebuild their lives without having to deal with content online that they did not produce or post. It would provide them with an opportunity to regain some of the privacy that was taken away from them.

This bill is one about preventing child exploitation in an industry built on the work of children. We have seen examples of those who are featured on these high-profile and very public accounts being exploited and even abused by family members, all under the guise of producing content that is streamed across social media. One of the first examples of this we saw is one from Maryland. The channel called “DaddyOFive” where the parents would film cruel pranks on their own children on camera. These so-called “pranks” amounted to abuse, and the parents lost custody of those children subjected to this abuse. This is an example from Frederick, Maryland, and the account where these videos were posted had over 700,000 subscribers at its peak.

This bill is just one step forward to reform a potentially exploitative industry and protect children who are taken for granted and even abused by those who should be looking out for their wellbeing.

Thank you and for these reasons I urge a favorable report.