

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 1709 Lowenthal – As Amended April 14, 2026

As Proposed to be Amended

SUBJECT: COVERED PLATFORMS: AGE RESTRICTION: E-SAFETY ADVISORY COMMISSION

KEY ISSUE: SHOULD ONLINE PLATFORMS THAT EMPLOY ADDICTIVE FEEDS ALLOW CHILDREN UNDER THE AGE OF 16 TO HAVE USER ACCOUNTS?

SYNOPSIS

Children today spend more time online than any generation before them—but the internet was not built with them in mind. While minors increasingly rely on digital platforms for education, entertainment, and socialization, they are routinely exposed to harms including exploitative content, manipulative design features, and addictive engagement mechanisms. Parents do their best to monitor their children’s technological habits, but the ever-pervasiveness of mobile devices and the internet means that often, parents are outmatched. Recent efforts to limit cell phones at school have been shown to improve academic performance and enhance social connectedness amongst students. But as soon as children leave the schoolhouse door, the addictive feeds of internet platforms draw children right back in.

This bill responds to the mounting concerns that social media platforms, with addictive features and feeds, can cause real substantial harm to young people. To protect children from these harms, this bill prohibits covered platforms from allowing children under the age of 16 to have user accounts on their platforms. This bill also establishes an e-Service Safety Advisory Commission to further study, implement, enforce, and report on online safety issues.

This bill is co-sponsored by the California Commission on the Status of Women & Girls and Common Sense Media. It is supported by child and online safety advocacy organizations. It is opposed by ACLU California Action, LGBT advocacy organizations, and tech industry groups. This bill was approved by the Assembly Committee on Privacy and Consumer Protection, where it passed by a vote of 13 to one. The author will amend the bill in this Committee; the amendments are reflected in the analysis.

SUMMARY: Prohibits online platforms that utilize addictive feeds from allowing users under the age of 16 on to the platform, and establishes an e-Safety Advisory Commission. Specifically, **this bill:**

- 1) Makes various findings and declarations, including:
 - a) The State of California has a compelling interest in protecting children and adolescents from products and environments that are intentionally designed to exploit developmental vulnerabilities and reinforce compulsive use behaviors;

- b) Establishing a minimum age requirement for social media use is a reasonable and evidence-based measure to reduce exposure to addictive digital environments during critical stages of neurological and psychological development;
 - c) The creation of the eSafety Advisory Commission is necessary to provide ongoing oversight, research, and enforcement related to digital platform safety, including addressing emerging risks associated with addictive design and ensuring age-appropriate protections for minors.
- 2) Prohibits a covered platform from allowing a user who is under 16 years of age to create or maintain an account on the covered platform.
 - 3) Requires a covered platform to implement reasonable measures to prevent a user under 16 years of age from accessing or using accounts on the platform.
 - 4) Requires covered platforms to verify the age of a user pursuant to the Digital Age Assurance Act.
 - 5) Requires a covered platform to delete the account of a user under 16 years of age and any personal information associated with the user of the account.
 - 6) Requires personal information collected for age assurance to be:
 - a) Used solely for age-related eligibility determinations;
 - b) Retained only for the minimum period necessary to complete the verification process;
 - c) Not used for advertising, profiling, or algorithmic recommendation purposes.
 - 7) Requires a covered platform to implement reasonable security procedures and practices to protect age assurance data from unauthorized access, use, or disclosure.
 - 8) Authorizes the Attorney General, in consultation with the e-Safety Advisory Commission, to adopt regulations to implement and enforce this bill and to alter the scope of “covered platform.”
 - 9) Authorizes the Attorney General or local public prosecutor to enforce this bill and provides the following penalties for a covered platform that violates this bill:
 - a) Up to twenty-five thousand dollars (\$25,000) per affected minor for a negligent violation;
or
 - b) Up to fifty thousand dollars (\$50,000) per affected minor for an intentional violation.
 - 10) Establishes the e-Safety Advisory Commission within the Department of Justice.
 - 11) Directs the e-Safety Advisory Commission to advise the Attorney General on:
 - a) The enforcement of this bill;

- b) The state of age assurance and age verification technologies, including their effectiveness, privacy implications, accuracy, and feasibility for implementation by covered entities;
 - c) Covered entity compliance with the state's online safety laws;
 - d) Feedback from social media users, parents of minors, and online safety and children's safety organizations regarding the implementation of the state's online safety laws;
 - e) The differential impact of online age restrictions on various groups, including youth of different ages, backgrounds, and identities;
 - f) Proposed and enacted online safety laws in other jurisdictions;
 - g) Harmful design features in covered entities and their impacts on youth health and well-being;
 - h) Safety practices of covered entities to protect children.
- 12) Requires the e-Safety Advisory Commission to annually submit to the Legislature and the Governor a report that includes:
- a) The commission's activities;
 - b) Compliance rates among covered entities;
 - c) Enforcement actions taken and proposed statutory changes;
 - d) Recommendations for legislative changes to enhance the protection of minors online.
- 13) Defines the following terms:
- a) "Addictive feature" means a psychologically exploitative feature intended to maximize engagement that foreseeably leads to compulsive use, including, but not limited to, notifications, addictive feeds, endless scrolls, autoplay, and their functional equivalents, including any feature that learns from user information or behavior in order to prolong engagement with a particular internet website, online service, online application, or mobile application.
 - b) "Addictive feed" means an internet website, online service, online application, or mobile application, or a portion thereof, in which multiple pieces of media generated or shared by users are, either concurrently or sequentially, recommended, selected, or prioritized for display to a user based, in whole or in part, on information provided by the user, or otherwise associated with the user or the user's device, unless any of the following conditions are met:
 - i) The information is not persistently associated with the user or user's device and does not concern the user's previous interactions with media generated or shared by others;
 - ii) The information consists of search terms that are not persistently associated with the user or user's device;

- iii) The information consists of user-selected privacy or accessibility settings, technical information concerning the user's device, or device communications or signals concerning whether the user is a minor;
 - iv) The user expressly and unambiguously requested the specific media or media by the author, creator, or poster of the media, or the blocking, prioritization, or deprioritization of that media, provided that the media is not recommended, selected, or prioritized for display based, in whole or in part, on other information associated with the user or the user's device, except as otherwise permitted by this chapter and, if the media is audio or video content, is not automatically played;
 - v) The media consists of direct, private communications between users;
 - vi) The media recommended, selected, or prioritized for display is exclusively the next media in a preexisting sequence from the same author, creator, poster, or source and, if the media is audio or video content, is not automatically played;
 - vii) The recommendation, selection, or prioritization of the media is necessary to comply with state or federal law.
- c) "Commission" means the e-Safety Advisory Commission established pursuant to this chapter.
 - d) "Covered entity" means a person that provides online services subject to age verification requirements under state or federal law.
 - e) "Covered platform" means, subject to regulations adopted pursuant to this chapter, an internet website, online service, online application, or mobile application, including, but not limited to, a social media platform, that offers users or provides users with an addictive feed as a significant part of the service provided by that internet website, online service, online application, or mobile application. Platforms that are limited to commercial transactions, customer reviews, or cloud storage are not included.
 - f) "Minimum age" means 16 years of age.
 - g) "User" means a natural person who resides in the state and accesses or seeks to create an account on a covered platform.
- 14) Specifies that provisions of this bill are severable, and that if any provision of this bill or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

EXISTING LAW:

- 1) Defines "social media platform" as a public or semipublic internet-based service or application that has users in California and that meets both of the following criteria:
 - a) A substantial function of the service or application is to connect users in order to allow users to interact socially with each other within the service or application (email or direct messaging services do not meet these criteria on those functions alone.)

- b) The service or application allows users to construct a public or semipublic profile for purposes of signing into and using the service or application, populate a list of other users with whom an individual shares a social connection within the system, and create or post content viewable by other users, including, but not limited to, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users. (Business and Professions Code Section 22675 (f).)
- 2) Defines “personal information” as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information includes, but is not limited to, the following if it identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household:
- a) Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers;
 - b) Characteristics of protected classifications under California or federal law;
 - c) Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies;
 - d) Biometric information;
 - e) Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer’s interaction with an internet website application, or advertisement;
 - f) Geolocation data;
 - g) Audio, electronic, visual, thermal, olfactory, or similar information;
 - h) Professional or employment-related information;
 - i) Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act;
 - j) Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes;
 - k) Sensitive personal information. (Civil Code Section 1798.140.)
- 3) Defines “personal information” as any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account

number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. “Personal information” does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records. (Civil Code Section 1798.80 (e).)

- 4) Establishes the Digital Age Assurance Act, which establishes a device-based age verification system in which parents who allow their children to be the primary user of a device can enter a non-identifying age-bracket signal that operating systems and application stores must send to application developers. (Civil Code Section 1798.500 *et seq.*)
- 5) Provides that the government shall make no law abridging the freedom of speech, or of the press. (U.S. Constitution, Amendments I, applied to the states by Amendment XIV.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: Children today spend more time online than any generation before them—but the internet was not built with them in mind. While minors increasingly rely on digital platforms for education, entertainment, and socialization, they are routinely exposed to harms including exploitative content, manipulative design features, and addictive engagement mechanisms.

Parents do their best to monitor their children’s technological habits, but the ever-pervasiveness of mobile devices and the internet means that often, parents are outmatched. Recent efforts to limit cell phones at school have shown to improve academic performance and enhance social connectedness amongst students. But when not at school, the addictive feeds of internet platforms can still draw children back in.

The author writes in support of this bill:

AB 1709 is a commonsense measure to protect children from social media platforms designed to maximize engagement through addictive features like infinite scroll, autoplay, constant notifications, and algorithm-driven feeds. Research continues to show links between excessive social media use and rising rates of anxiety, depression, sleep disruption, and low self-esteem, with young people especially vulnerable during critical stages of brain development. This bill sets a clear minimum age of 16 for covered platforms and requires meaningful age assurance so companies, not families alone, share responsibility for keeping children safe.

AB 1709 also creates the e-Safety Advisory Commission under the Attorney General to help oversee implementation, measure effectiveness, and advise on emerging online risks. This bill is not about speech or content, it is about harmful product design and protecting public health. California has long led the nation on consumer safety, and AB 1709 ensures we do the same for children growing up in today’s digital world.

The Kids Aren’t Alright. The proliferation of digital technologies has significantly transformed the landscape of youth interaction, education, and entertainment. While these advancements offer numerous benefits, they have also introduced a spectrum of risks that disproportionately affect minors.

Exposure to Inappropriate Content. Exposure to inappropriate or harmful content by minors is not a new cultural anxiety, but rather the latest iteration of a long-standing societal concern about

the influence of media on youth. From Elvis Presley’s “gyrating hips” in the 1950s to the moral panic over Marilyn Manson’s lyrics in the 1990s, to controversies over *Dungeons & Dragons* and violent video games like *Mortal Kombat* and *Grand Theft Auto* in the 1990s and early 2000s, American culture has long wrestled with moral panics over youth exposure to “inappropriate content.” These episodes—each in their time criticized as corrupting influences—reflect an enduring societal impulse to shield children from potentially harmful media. Yet while history offers no shortage of examples, the proliferation of internet-based platforms and algorithmic targeting has transformed an old concern into an exponentially more potent threat. This is not merely a case of “the same song in a different key”—the scale, speed, and sophistication of digital engagement with minors today is without historical parallel.

Unlike past controversies that were often limited to specific media channels or required parental purchase or access (e.g., buying a CD, renting a video game), today’s minors can access sexually explicit, violent, or otherwise developmentally inappropriate content instantly and anonymously, often through platforms specifically designed to maximize engagement and time-on-site. Online pornography, violent imagery, drug-related content, and pro-eating-disorder forums are widely accessible—often without intentional searching. The rise of deepfake and AI-generated sexually explicit content has only magnified the risk that minors may be targeted, depicted, or desensitized.

Mental Health and Addictive Use Patterns. The prior U.S. Surgeon General has declared youth mental health a national emergency, identifying social media as a significant contributing factor. Adolescents who spend more than three hours per day on social media double their risk of experiencing symptoms of anxiety and depression. (Dr. Vivek Murthy, *Surgeon General: Why I’m Calling for a Warning Label on Social Media Platforms*, N.Y. Times (Jun. 17, 2024) available at: <https://www.nytimes.com/2024/06/17/opinion/social-media-health-warning.html>.) Despite these risks, the average adolescent use exceeds 4.5 hours of daily time online. (*Id.*) Design features such as push notifications, auto-play, infinite scroll, and algorithmic engagement loops have been shown to foster excessive use, trigger addiction-like responses in adolescents, and disrupt sleep cycles. (*Id.* Burhan & Moradzadeh, *Neurotransmitter Dopamine and its Role in the Development of Social Media Addiction* 11 *Journal of Neurology & Neurophysiology* 507 (2020), available at: <https://www.iomcworld.org/open-access/neurotransmitter-dopamine-da-and-its-role-in-the-development-of-social-mediaaddiction.pdf>.)

Internal research from social media companies corroborates these findings. Meta’s own documents indicate that Instagram use worsens body image issues for one in three teenage girls, with a disturbing subset of teens attributing suicidal thoughts to their social media use. Teens report feeling worse about themselves due to social comparison—a phenomenon that is often amplified through platform design. (Alex Hern, ‘*Never get high on your own supply*’ – why social media bosses don’t use social media, *The Guardian* (Jan. 23, 2018) available at: <https://www.theguardian.com/media/2018/jan/23/never-get-high-on-your-own-supply-why-social-media-bosses-dont-use-social-media>.)

Bullying and Harassment. According to the Surgeon General’s advisory, and corroborating internal platform data, approximately two-thirds of adolescents frequently encounter hate-based or harassing content online. Nearly 75 percent of youth report that platforms perform poorly at preventing online bullying. (Alhaji et al., *Cyberbullying, Mental Health, and Violence in Adolescents and Associations With Sex and Race: Data From the 2015 Youth Risk Behavior Survey*, *Global pediatric health* (2019), available at:

<https://journals.sagepub.com/doi/10.1177/2333794X19868887>; Vogels, *Teens and Cyberbullying*, Pew Research Center: Internet, Science & Tech (2022), available at: <https://www.pewresearch.org/internet/2022/12/15/teens-and-cyberbullying-2022/>.) Girls and LGBTQ+ youth are disproportionately affected, with rates of online sexual harassment particularly high among adolescent girls. Platform policies and moderation practices often fail to prevent repeat exposure to harmful content, while lax privacy settings facilitate unwanted contact from adult strangers.

California's Actions. In recent years, California has enacted several laws to address the challenges and potential harms of social media to children. However, some of those efforts have been, if not blocked, at least put on hold by the courts.

AB 2273 (2022). Known as the California Age-Appropriate Design Code Act (AADC), it requires businesses that provide online services, products, or features likely to be accessed by children to comply with specified standards. (Chap. 320, Stats. 2022.) Those standards include setting the default privacy setting to the most protective; providing terms of service, policies, and standards in clear language; prohibiting the use of dark patterns; and restriction on data usage. The AADC also requires covered businesses to complete a Data Protection Impact Assessment before offering services to children. (*Ibid.*)

NetChoice, an internet trade association that includes Google, Meta, and X, challenged the AADC in court. In *NetChoice, LLC v. Bonta* (2026) 170 F.4th 744, both the district and appellate courts enjoined AB 2273 on the grounds that its requirements—such as compelled age estimation, data protection impact assessments (DPIAs), and design justifications—constituted content-based regulations of protected speech, and failed strict scrutiny. AB 2246 (Wicks, 2026) would remedy the unconstitutional portions of the AADC and will be heard the same day as this bill in the Judiciary Committee.

SB 976 (2024). Known as the Protecting Our Kids from Social Media Addiction Act, it prohibits internet platforms from providing users that are minors with an addictive feed, without parental consent. (Chap. 321, Stats. 2024.) The Act places additional restrictions on notifications, like counts, and privacy settings. The Act also requires internet platforms to disclose the number of minor users of its service, including the number that have received parental consent to utilize an addictive feed.

NetChoice challenged this Act in court as well. Although litigation is ongoing, in *NetChoice, LLC v. Bonta* (2025) 152 F.4th 1002, the 9th Circuit held that the prohibition on showing likes or feedback on posts to minors was a content-based restriction and thus failed strict scrutiny. The Court held that the requirement minors' accounts default to private mode was content-neutral and narrowly-tailored enough to support the State's efforts to protect minors' mental health. The Court did not rule on the Act's age-verification requirements, since the Act was not yet ripe, as it will not go into effect until 2027.

AB 56 (2025). Enacted as the Social Media Warning Law, which, beginning in 2027, will require covered platforms to display a daily warning, and after extended use, about the potential harms of social media to younger users. (Chap. 671, Stats. 2025.)

AB 1043 (2025). Known as the Digital Age Assurance Act (DAAA), it requires operating system providers to enable an age verification signal, beginning in 2027. (Chap. 675, Stats. 2025.) If enabled, this signal would be sent to developers and anonymously provide the developers with

the user's age bracket. The developer would be required to use that signal as the indicator of the user's age.

Florida's Effort. In *Comput. & Commc'ns Industry Ass'n v. Uthmeier*, the Eleventh Circuit Court of Appeals upheld a Florida law that prohibits social media platforms that utilize specific addictive features. ((11th Cir. Nov. 25, 2025, No. 25-11881) 2025 LX 577701.) The specific addictive features, as stated in the law, are (1) infinite scrolling; (2) push notifications that alert the user about activity on the user's account; (3) personal interactive metrics that indicate other users' reaction to, sharing of, or reposting of content; (4) auto-play video; and (5) live-streaming or the ability to broadcast live video content in real-time. (501.1736, Fla. Stat.)

In its opinion, the Court determined that Florida's law is content-neutral because the Florida's law definition of "social media platform" and "addictive features" make no reference to the type of content involved, just the form of expression. Since the Court determined Florida's law was content-neutral, it applied intermediate scrutiny. Intermediate scrutiny requires that a law is (1) "grounded in a substantial governmental interest, and (2) the incidental restriction on speech is no broader than necessary to further that interest." (*Comput. & Commc'ns Industry Ass'n v. Uthmeier, supra*, 2025 U.S. App. LEXIS 30966 at p. 14.) The Court concluded that Florida has a substantial government interest in "regulating young minors' use of platforms employing addictive features." (*Ibid.*) The Court further found that the law is no broader than necessary to further the government interest, since it did not block children from accessing social media altogether, but instead just on platforms that use the specified addictive features. (*Id.* at p. 16.)

This bill does two main things: (1) prohibits covered platforms from allowing minors under the age of 16 to create or utilize user accounts on the platform and (2) establishes the e-Safety Advisory Commission within the Department of Justice.

Covered platform age restriction. This bill's definition of a "covered platform" is inclusive of social media platforms but not limited to them. The key component, under this bill, of a covered platform is that it provides users with an "addictive feed." An addictive feed is one in which multiple pieces of media are prioritized or recommended for display to a user based on information either provided by the user or associated with the user's device. The bill includes a list of ways a feed can be exempted from the definition of "addictive." Therefore, this bill does not prohibit users under the age of 16 from using social media. It only prohibits the use of platforms that utilize an addictive feed. In theory, a platform could create youth-oriented accounts that remove the addictive feed component and would not be prohibited under this bill.

In tandem with the prohibition on accounts for users under the age of 16, this bill requires covered platforms to verify the age of users, pursuant to the DAAA. (Civil Code Section 1798.500 *et seq.*) Covered platforms must also delete any accounts of users under 16 years of age and may only use personal information collected for age assurance for limited means. For any violation of this chapter, an Attorney General or local public prosecutor may bring a civil action against the violating platform.

e-Safety Advisory Commission. This bill also establishes an e-Safety Advisory Commission, which will advise the Attorney General on implementation and enforcement, the effectiveness of age verification, compliance, feedback from users, parents, and online safety organizations, and several other topics. The e-Safety Advisory Commission may consult with the Attorney General

regarding the adoption of regulations for the purpose of protecting minors online. Lastly, the e-Safety Advisory Commission will submit an annual report to the Governor and Legislature.

The First Amendment: Content-Neutral or Content-Based? The main legal argument against this bill is that it will violate minors' First Amendment rights. When it comes to the regulation of speech, the crucial question is whether the restriction in question is content-based or content-neutral. If a law attempts to regulate the content of speech, then the law is presumed unconstitutional, and must survive "strict scrutiny." (*Reed v. Town of Gilbert* (2015) 576 U.S. 155, 163.) On the other hand, content-neutral laws are only subject to "intermediate scrutiny" which is a lower standard to clear. (*City of Austin v. Reagan Nat'l Adver. of Austin, LLC* (2022) 596 U.S. 61, 76.)

Likely Content-Neutral. From the recent decisions discussed above, this bill is more aligned with statutes upheld as content-neutral bill. While a Committee analysis can never predict the holding of a court, the prohibitions on speech are focused on the form of expression, not the content of what is being expressed. This bill uses very similar definitions as the Florida law, both of which focus on addictive feeds and the platforms that provide those feeds. Concurring with the Assembly Committee on Privacy and Consumer Protection analysis, the case raised by the opposition, *Brown v. Entm't Merchs. Ass'n* (2011), does not apply to this situation. (564 U.S. 786.) In that case, the restriction the government was attempting to implement was to restrict violent video games. That restriction is clearly content-based, since it does not apply to all video games, just those that express violent content. But in this situation, the restrictions are not on the content of any individual posts, image, or video, they are restrictions on the methods to which that content is shared.

Intermediate Scrutiny. If viewed as a content-neutral restriction, as the case law generally indicates this bill should be viewed, then any courts will apply intermediate scrutiny. As stated above, intermediate scrutiny requires the restriction (1) "grounded in a substantial governmental interest, and (2) the incidental restriction on speech is no broader than necessary to further that interest." (*Comput. & Commc'ns Industry Ass'n v. Uthmeier, supra*, 2025 U.S. App. LEXIS 30966 at p. *14.) Here, the substantial government interest is clearly identified in the bill language:

The State of California has a compelling interest in protecting children and adolescents from products and environments that are intentionally designed to exploit developmental vulnerabilities and reinforce compulsive behaviors.

As discussed above, recent court decisions have found substantially similar government interests to meet the required standard. The second requirement, that the restriction on speech be no broader than necessary, is met here, just the same as it was for the Florida law. Since this bill does not ban children under the age of 16 from using all social media, and just targets the platforms that include addictive feeds, the restriction is no broader than necessary. If this was an outright ban for children under 16, and the bill provided no specific clarification of the features or aspect of the platforms that it was attempting to regulate, then a court would likely find the restriction was overbroad. But that is not the case here, and this bill would likely survive a First Amendment challenge.

Author's Amendments. As now in print, this bill includes an enforcement provision that allows for the Attorney General, or a local public prosecutor, to bring a civil action to enforce the bill. However, there are currently no stated amounts for the knowing and negligent violations. Thus,

the author has asked to include specific dollar amounts for the civil penalties. To accomplish this, the author proposes to amend the bill as follows:

On page 7, line 25-26, change to “Up to fifty thousand dollars (\$50,000) per affected minor for a knowing violation.”

On page 7, line 27-28, change to “Up to twenty-five thousand dollars (\$25,000) per affected minor for a negligent violation.”

ARGUMENTS IN SUPPORT: This bill is co-sponsored by California Commission on the Status of Women and Girls (CCSWG) and Common Sense Media, and supported by children’s safety and online safety advocacy organizations. CCSWG write in support:

For nearly 60 years, CCSWG has advocated for the rights of women and girls, working to eliminate systemic inequities designed to impact more than 19.6 million residents of the state of California. Our mission encompasses promoting equality and justice through research, policy development, education, outreach, and strategic partnerships.

As the emergence of new technologies continue to shape our society, it remains critical that California put in place safeguards that protect younger girls and young users generally from harm. AB 1709 ensures platforms take reasonable steps to keep users under 16 years of age from maintaining accounts before it is developmentally appropriate for their age and before they receive the literacy and tools to safely navigate these online spaces.

Common Sense Media write in support:

Social media platforms are designed to maximize engagement through features like infinite scroll, algorithmic feeds, and persistent notifications. Our research, along with a growing body of independent studies, shows that these features exploit developmental vulnerabilities in younger adolescents, contributing to compulsive use and making it difficult for children to disengage.

Heavy social media use among youth has been linked to increased rates of anxiety, depression, sleep disruption, and reduced attention span. Adolescents who spend more than three hours per day on social media face significantly higher risks of poor mental health outcomes.

Current safeguards are insufficient. Age restrictions today rely largely on self reported information and are easily bypassed. AB 1709 creates a meaningful standard by placing responsibility on platforms to prevent access by users under 16.

As co sponsors, we believe this bill strikes the right balance between protecting young people and creating a clear, enforceable expectation for industry.

ARGUMENTS IN OPPOSITION: This bill is opposed by civil rights advocacy organizations, LGBT advocacy organizations, and technology industry groups. ACLU California Action write in opposition:

Age minimum social media bans, such as those proposed in AB 1709 pose significant risks to free expression and youth well-being. AB 1709’s removal of anonymity is especially

concerning. Courts and civil liberties groups have repeatedly emphasized that anonymity is a core component of free speech, and mandatory age verification systems inevitably reverse that protection for all users, not just minors. In Massachusetts, for example, advocacy groups warned that age verification requirements would “kill anonymity online for all users regardless of age” and force adults to submit biometric data simply to prove they are over 16. (Katie Lannan, *Mass. House passes bill to ban kids under 14 from social media*, GBH (Apr. 8, 2016) available at: <https://www.wgbh.org/news/politics/2026-04-08/mass-house-passes-bill-to-ban-kids-under-14-from-social-media>.)

Broad bans on social media access for minors under 16 restrict far more than specific harmful behaviors they cut young people off from the primary communication and community spaces of modern life. Courts across multiple states have struck down similar laws for this reason. Judges in Georgia, Florida, and Utah found that such bans “curb the speech rights of youth” and impose “immense, potentially intrusive burdens” on everyone, including adults. (Xillion, *The Harms of Social Media Restrictions and Bans for Minors*, NYRA (Apr. 3, 2026) available at: <https://www.youthrights.org/the-harms-of-social-media-restrictions-and-bans-for-minors/>.) These rulings underscore a consistent message: while protecting children is important, sweeping prohibitions on lawful online participation violate constitutional rights.

A coalition of organizations, including the Trevor Project, LGBT Tech, Electronic Frontier Foundation, and others, in opposition, write:

The undersigned organizations write today in strong opposition to A.B. 1709, which would prohibit all Californians under the age of 16 from accessing social media platforms. The bill violates young people’s First Amendment rights to speak and get information online. And in the process, the bill also burdens adults’ free speech rights, inhibits people’s rights to anonymity online, and jeopardizes everyone’s privacy and data security. It also removes power from parents and young people to decide for themselves whether to use social media and jeopardizes young people’s wellbeing. Lawmakers must not sacrifice their constituents’ First Amendment and privacy rights, and should instead be working on constitutional measures to help young people use the internet safely.

Banning Youth From Social Media is Unconstitutional

First, there is no “kid exception” to the First Amendment. Just like adults, young people enjoy First Amendment rights to speak and to access speech on social media. Indeed, courts across the country have struck down laws banning young people from social media, ruling that the laws violate both young people’s and adults’ First Amendment rights. And the Supreme Court has repeatedly struck down laws that restrict minors’ speech or impose parental-permission requirements on non-sexual content. Banning young people entirely from social media is an extreme measure that doesn’t match the actual risks of online engagement. And California does not have a valid interest in overriding parents’ and children’s rights to decide for themselves how to use social media.

REGISTERED SUPPORT / OPPOSITION:

Support

California Commission on the Status of Women and Girls (co-sponsor)
Common Sense Media (co-sponsor)

Anxious Generation

California Initiative for Technology & Democracy, a Project of California Common CAUSE

Children's Advocacy Institute, University of San Diego School of Law (if amended)

Mothers Against Media Addiction

Organization for Social Media Safety

Transparency Coalition.ai

Opposition

AAPI Equity Alliance

ACLU California Action

Advocates for Youth

Chamber of Progress

Children's Online Safety and Privacy Research (COSPR)

Civil Justice Association of California (CJAC)

Colage

Computer and Communications Industry Association

EducateUS

Electronic Frontier Foundation

Fight for the Future

If/when/how: Lawyering for Reproductive Justice

Internet.works

LGBT Tech

Netchoice

Oakland Privacy

Secular Education Association

Siecus: Sex Ed for Social Change

Technet

The Source LGBT+ Center

The Trevor Project

Woodhull Freedom Foundation

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