

ASSEMBLY THIRD READING
AB 1709 (Lowenthal, et al.)
As Amended April 23, 2026
Majority vote

SUMMARY

Prohibits social media accounts that use addictive feeds for youth under age 16 and creates an e-Safety Advisory Commission.

Major Provisions

- 1) Defines:
 - a) "Covered platform" using language that is virtually identical to the definition of "addictive internet-based service or application" and "addictive feed" from the Protecting Our Kids from Social Media Addiction Act, as set forth above.
 - b) "Addictive feature" as a psychologically exploitative feature intended to maximize engagement that foreseeably leads to compulsive use. Such features may include 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.
 - c) "User" as a natural person who resides in the state and accesses or seeks to create an account on a covered platform.
- 2) Prohibits a covered platform from permitting 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 users under 16 years of age from accessing or using accounts on the covered platform.
- 4) Requires a covered platform to request a signal with respect to a particular user from an operating system provider or a covered application store pursuant to the Digital Age Assurance Act, and to comply with any applicable regulations adopted by the Attorney General. Requires that any personal information collected for age assurance under the bill must be used solely for that purpose, retained for the minimum period necessary to complete verification, and not used for advertising, profiling, or algorithmic recommendation purposes.
- 5) Requires a covered platform to delete the account of a user under the age of 16, along with any associated personal information.
- 6) Authorizes the Attorney General, in consultation with the e-Safety Advisory Commission, to adopt regulations to alter the scope of "covered platform" if the Attorney General determines that doing so is necessary to ensure that "covered platform" applies to internet websites, online services, online applications, or mobile applications that make addictive features available to users under 16 years of age.

- 7) Provides for enforcement by the Attorney General or a local public prosecutor for specified civil penalties. Authorizes a court to consider the size of the covered platform, the severity and duration of the violation, and the covered platform's good faith efforts to comply with the bill.
- 8) Establishes the e-Safety Advisory Commission within the Office of the Attorney General.
- 9) Requires a member of the commission to meet specified criteria and provides that members serve up to two four-year terms at the pleasure of their appointing authority.
- 10) Requires the commission to advise the Attorney General on various issues in connection with the implementation and enforcement of the bill and online safety laws, and to issue a yearly report to the Legislature that, among other things, includes recommendations for legislative changes to enhance protection of minors online.

COMMENTS

Background. In December 2025, spurred in part by Jonathan Haidt's *The Anxious Generation* and a body of research indicating that platforms can be addictive and harmful to teen mental health, Australia enacted the world's first national age limit on social media, prohibiting users under age 16 from having social media accounts. The ban applies to specific platforms, including Facebook, Instagram, Snapchat, TikTok, X, YouTube, and Reddit. This led to the termination of 4.7 million accounts held by 2.5 million children between the ages of 8 and 15. Since then, several other countries including Indonesia, France, Denmark, Spain, Germany, Greece, and Malaysia have enacted or are currently considering age limits, typically at age 15 or 16. This bill would add California to the growing list of jurisdictions across the world that are taking steps to keep young teens off social media. Specifically, the bill would require covered platforms – based on the "addictive internet-based service or application" definition from the Protecting Our Kids from Social Media Addiction Act (SB 976, Skinner; Ch. 321, Stats. 2024) – to prevent minors under age 16 from having accounts, using the device-based age verification system created by the Digital Age Assurance Act (AB 1043, Wicks; Ch. 675, Stats. 2025). Notably, the bill does not apply to platforms with chronological feeds. Nor does it prevent minors from accessing social media to find information and resources; it simply prohibits them from having a personalized account. To remain evergreen, the bill authorizes the Attorney General to adopt regulations to alter the scope of covered platforms if the Attorney General determines that doing so is necessary to ensure that the bill applies to services and applications that make addictive features available to users under 16 years of age. To help advise the Attorney General on implementation, enforcement, and other online safety matters, the bill would provide for the creation of an e-Safety Advisory Commission within the Office of the Attorney General.

According to the Author

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 to ensure consumer safety, and AB 1709 ensures we do the same for children growing up in today's digital world.

Arguments in Support

The Organization for Social Media Safety, a co-sponsor of the bill, writes:

By establishing a minimum age requirement, AB 1709 is a reasonable, evidence-based response to a well-documented problem. Younger adolescents should not be expected to navigate products engineered to capture and hold their attention during a critical stage of development, where the available evidence clearly and convincingly shows both the serious harms of these products and long-standing internal awareness by the companies themselves.

Arguments in Opposition

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

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.

FISCAL COMMENTS

According to the Appropriations Committee:

- 1) Significant ongoing General Fund costs to the Department of Justice (DOJ) to (a) develop and adopt regulations implementing the bill, including regulations to alter the scope of "covered platform" to keep pace with evolving platform features; (b) bring civil enforcement actions against covered platforms; (c) provide staff and operational support to the e-Safety Advisory Commission, including coordinating commission meetings, supporting the commission's research and policy work, and producing the annual report; and (d) coordinate with operating system providers, covered application stores, and developers under the Digital Age Assurance Act framework. Costs are likely to be substantial given the scope of the regulatory undertaking, the complexity of "covered platform" line-drawing, and the breadth of the commission's advisory duties. The bill authorizes civil penalties of up to \$50,000 per affected minor for knowing violations and up to \$25,000 per affected minor for negligent violations. To the extent enforcement actions result in penalties, those would offset enforcement costs. DOJ is unable to provide an estimate of costs at this time.
- 2) Significant ongoing General Fund costs to DOJ for the e-Safety Advisory Commission, including member compensation (if any), administrative support, research and analytical

capacity, and annual reporting. The Commission's responsibilities — covering age assurance technology, compliance monitoring, stakeholder feedback, comparative analysis of out-of-state online safety laws, and harmful design features — require sustained staff and contracted research support. DOJ is unable to provide an estimate of costs at this time.

VOTES

ASM PRIVACY AND CONSUMER PROTECTION: 13-1-1

YES: Bauer-Kahan, Aguiar-Curry, Bryan, DeMaio, Hoover, Irwin, Lowenthal, McKinnor, Ortega, Patterson, Petrie-Norris, Ward, Wicks

NO: Macedo

ABS, ABST OR NV: Wilson

ASM JUDICIARY: 10-0-2

YES: Kalra, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Stefani, Zbur

ABS, ABST OR NV: Macedo, Sanchez

ASM APPROPRIATIONS: 13-1-1

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Tangipa

ABS, ABST OR NV: Ta

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