

SENATE PRIVACY, DIGITAL TECHNOLOGIES, AND CONSUMER PROTECTION COMMITTEE
Senator Christopher Cabaldon, Chair
2025-2026 Regular Session

AB 1709 (Lowenthal)
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SUBJECT

Covered platforms: age restriction: e-Safety Advisory Commission

DIGEST

This bill prohibits “covered platforms” that provide addictive feeds from allowing users under the age of 16 to create or maintain an account. The Attorney General (AG) may adopt regulations, as provided. The bill establishes the e-Safety Advisory Commission to advise the AG on, among other things, implementation and enforcement.

EXECUTIVE SUMMARY

Since its inception, social media has exploded in popularity. People around the world use social media to connect with like-minded others, find various resources, and entertain themselves. However, these benefits did not come without a heavy price: a price that is felt the most by children. Youth mental health problems are skyrocketing, while digital consumption only increases. Social media use has been linked to increasing depression, anxiety, suicidality, eating disorders, and countless other harmful effects.

Following the lead of Australia and a growing number of other jurisdictions, this bill prohibits “covered platforms,” including social media platforms and other online services that provide users “addictive feeds,” from allowing children under 16 years of age to create or maintain accounts and requires the platforms to verify users’ ages pursuant to the Digital Age Assurance Act. The AG is authorized to promulgate necessary regulations and to alter the scope of what is considered a “covered platform,” as necessary. The bill also stands up the e-Safety Advisory Commission to provide guidance to the AG in implementation and enforcement.

The bill is sponsored by the Organization for Social Media Safety and the California Commission on the Status of Women and Girls. It is supported by a variety of groups, including the California Initiative for Technology & Democracy and the Los Angeles

County Sheriff's Department. The bill is opposed by a wide variety of groups, including Chamber of Progress and the Trevor Project. Should the bill pass out of this Committee, it will next be heard by the Senate Judiciary Committee.

PROPOSED CHANGES TO THE LAW

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 to allow users to interact socially with each other within the service or application. A service or application that provides email or direct messaging services is considered to meet this criterion based on that function alone.
 - b) The service or application allows users to do all the following:
 - i) Construct a public or semipublic profile for purposes of signing into and using the service or application.
 - ii) Populate a list of other users with whom an individual shares a social connection within the system.
 - iii) 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. (Bus. & Prof. Code § 22675(f).)
- 2) Establishes the Protecting Our Kids from Social Media Addiction Act, prohibits an operator of an addictive internet-based service or application, including a social media platform, from providing an addictive feed, as defined, to a minor user. (Health & Saf. Code § 27000 et seq.)
- 3) Defines "addictive feed" as 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, alone or in combination with one another:
 - a) 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.
 - b) The information consists of search terms that are not persistently associated with the user or user's device.
 - c) 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.

- d) 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 such 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, in the case of audio or video content, is not automatically played.
 - e) The media consists of direct, private communications between users.
 - f) 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, in the case of audio or video content, is not automatically played.
 - g) The recommendation, selection, or prioritization of the media is necessary to comply with the act. (Health & Saf. Code § 27000.5(a).)
- 4) Requires, for purposes of the Protecting Our Kids from Social Media Addiction Act, the Attorney General to adopt regulations regarding age assurance by January 1, 2027. (Health & Saf. Code § 27006(b).)
 - 5) 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. (Civ. Code § 1798.500 et seq.)

This bill:

- 1) 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 a 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
 - 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) "Covered platform" means, subject to regulations, a website, online service, online application, or mobile application, including a social media platform that offers or provides users with an addictive feed as a significant part of the service provided. Provides that a "covered platform" does not include the following:
- i. A website, online service, online application, or mobile application for which interactions between users are limited to commercial transactions or to consumer reviews of products, sellers, services, events, or places, or any combination thereof.
 - ii. A website, online service, online application, or mobile application that operates a feed for the primary purpose of cloud storage.
- 2) Prohibits a covered platform from permitting a user under the age of 16 to create or maintain an account. It requires a covered platform to implement reasonable measures to prevent users under the age of 16 from accessing or using accounts.
- 3) Requires a covered platform to verify the age of a user pursuant to the Digital Age Assurance Act, subject to regulation by the AG. Requires personal information collected for age assurance to be all of the following:
- a) Used solely for age-related eligibility determinations.
 - b) Retained only for the minimum period necessary to complete a verification process.
 - c) Not used for advertising, profiling, or algorithmic recommendation purposes.
- 4) Requires a covered platform to implement reasonable security practices to protect age assurance data.

- 5) Provides that the AG may, in consultation with the e-Safety Commission, adopt regulations to implement and enforce these provisions.
- 6) Provides that the AG may alter the scope of “covered platform” if they determine that doing so is necessary to ensure that a “covered platform” applies to websites, online services, online applications, or mobile applications that make addictive features available to users under the age of 16.
- 7) Provides that a covered platform that violates the above provisions shall be subject to a civil penalty, brought only by the AG or a local public prosecutor, of up to \$50,000 per affected minor for a knowing violation and \$25,000 per affected minor for a negligent violation. Requires a court to consider the size of a covered platform, the severity and duration of the violation, and the platform’s good faith efforts to comply when assessing a civil penalty.
- 8) Establishes the e-Safety Advisory Commission within the Department of Justice.
- 9) Requires a member of the commission to meet all of the following criteria:
 - a) Be free of direct and indirect external influence and not seek or take instructions from another.
 - b) Not take an action or engage in an occupation, whether gainful or not, that is incompatible with the member’s duties.
 - c) Not, either at the time of appointment or during the member’s term, have a financial interest in an entity subject to regulation by the commission.
 - d) Serve at the pleasure of the appointing authority for a maximum of eight consecutive years.
- 10) Requires the commission to advise the AG on the following:
 - a) The implementation and enforcement of the above provisions.
 - b) The state of age assurance and age verification technologies.
 - c) Covered entity compliance with California’s online safety laws.
 - d) Feedback from social media users, parents of minors, and online safety and children’s safety organizations regarding implementation of California’s online safety laws.
 - e) The differential impact of online age restrictions on various groups.
 - 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.
- 11) Requires the commission to report to the Legislature and Governor all of the following:
 - 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 protections of minors online.

12) Includes a severability clause.

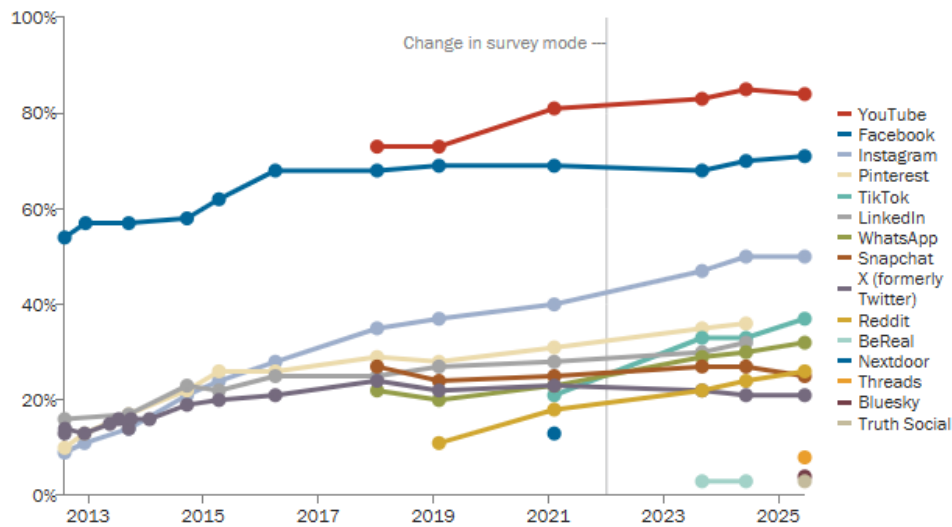
COMMENTS

1. The rise of social media and the decline of youth health

Since the social media website, MySpace, first reached one million active monthly users in 2004, social media has only continued to grow.¹ Today, there are countless social media platforms, and the giants include Facebook, Instagram, TikTok, Snapchat, YouTube, X, and Reddit. Each one of these platforms, based on statistics from 2025,² are estimated to have over 500 million monthly active users. A select few platforms, like Instagram, have reached over 3 billion monthly active users. As demonstrated by The Pew Research Center, adults use many forms of social media:

Which social media platforms are most popular

% of U.S. adults who say they ever use ...



¹ Esteban Ortiz-Ospina. *The Rise of Social Media*. Our World in Data (2019), <https://ourworldindata.org/rise-of-social-media>. All internet citations are current as of June 15, 2026.

² *Most Popular Social Networks Worldwide as of October 2025, by Number of Monthly Active Users (2025)* Statista, <https://www.statista.com/statistics/272014/global-social-networks-ranked-by-number-of-users/?srsltid=AfmBOooEqF59LTTgjrthHVD7ft-pjux9hnRFLDgKAUuJm1AMDvXWlpl2k>.

The same surveys demonstrate that, of the age groups surveyed, the one that has used social media platforms the most is adults aged 18-29.³ When narrowing the scope to youth social media usage, up to 95 percent of youth between the ages of 13 and 17 report using a social media platform.⁴ Research has shown that amongst American teenagers, YouTube, Instagram, and Snapchat are the most popular social media sites, and 45 percent of teenagers stated that they are “online almost constantly.”⁵ Many social media platforms have policies that restrict access to those over the age of 13; however, nearly 40 percent of children aged 8 to 12 use social media.⁶

In 2023, the Office of the Surgeon General published an advisory on social media and youth mental health. The advisory primarily focused on two consequences of social media: harmful content and problematic use. To address the former, the Surgeon General notes:

Despite social media providing a sense of community for some, a systematic review of more than two dozen studies found that some social media platforms show live depictions of self-harm acts like partial asphyxiation, leading to seizures, and cutting, leading to significant bleeding. Further, these studies found that discussing or showing this content can normalize such behaviors, including through the formation of suicide pacts and posting of self-harm models for others to follow.⁷

Violent content is just one of many forms of harmful content on social media. One scoping review focused on examining the relationship between social media usage, body image, and eating disorders across young people indicated that social media use led to body image concerns, disordered eating behaviors, clinical/subclinical eating disorders, and poor mental health.⁸ Youth frequently experience cyberbullying on social media platforms, and one study notes that 71 percent of participants report that

³ *Social Media Fact Sheet*, (November 20, 2025) Pew Research Center, <https://www.pewresearch.org/internet/fact-sheet/social-media/>.

⁴ *Social Media and Youth Mental Health: The U.S. Surgeon General's Advisory* (2023) Office of the Surgeon General, <https://www.hhs.gov/surgeongeneral/reports-and-publications/youth-mental-health/social-media/index.html>.

⁵ Zaheer Hussain and Mark D Griffiths, *Problematic Social Networking Site Use and Comorbid Psychiatric Disorders: A Systematic Review of Recent Large-Scale Studies*.” (December 14, 2018) *Frontiers in psychiatry* vol. 9 686, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6302102/pdf/fpsyrt-09-00686.pdf>.

⁶ *Social Media and Youth Mental Health* (2023) Office of the Surgeon General, <https://www.ncbi.nlm.nih.gov/books/NBK594759/>.

⁷ *Ibid.*

⁸ Alexandra Dane and Komal Bhatia, *The social media diet: A scoping review to investigate the association between social media, body image and eating disorders amongst young people* (March 22, 2023) *PLOS Global Public Health* 3(3), <https://journals.plos.org/globalpublichealth/article?id=10.1371/journal.pgph.0001091>.

platforms do not do enough to prevent it.⁹ Like other forms of harmful content, cyberbullying on social media has a strong correlation with adverse mental health outcomes.¹⁰

As it relates to problematic use, the Surgeon General's advisory notes:

Excessive and problematic social media use, such as compulsive or uncontrollable use, has been linked to sleep problems, attention problems, and feelings of exclusion among adolescents. Sleep is essential for the healthy development of adolescents. A systematic review of 42 studies on the effects of excessive social media use found a consistent relationship between social media use and poor sleep quality, reduced sleep duration, sleep difficulties, and depression among youth. Poor sleep has been linked to altered neurological development in adolescent brains, depressive symptoms, and suicidal thoughts and behaviors. On a typical weekday, nearly 1-in-3 adolescents report using screen media until midnight or later. While screen media use encompasses various digital activities, social media applications are the most commonly used applications by adolescents.

In a recent narrative review of multiple studies, problematic social media use has also been linked to both self-reported and diagnosed attention-deficit/ hyperactivity disorder (ADHD) in adolescents, although more research is necessary to understand whether one causes the other. A longitudinal prospective study of adolescents without ADHD symptoms at the beginning of the study found that, over a 2-year follow-up, high-frequency use of digital media, with social media as one of the most common activities, was associated with a modest yet statistically significant increased odds of developing ADHD symptoms (OR 1.10; 95% CI, 1.05-1.15). Additionally, social media-induced fear of missing out, or "the pervasive apprehension that others might be having rewarding experiences from which one is absent," has been associated with depression, anxiety, and neuroticism.¹¹

Likewise, a meta-analysis of research on social networking site (SNS) use concluded that the studies supported an association between problematic SNS use and psychiatric

⁹ Raphael Cohen-Almagor, *Social Responsibility on the Internet: Addressing the Challenge of Cyberbullying* (2018) Aggression and Violent Behavior (39),

<https://www.sciencedirect.com/science/article/abs/pii/S1359178917301200>.

¹⁰ Geraldine Ray et al., *Cyberbullying on Social Media: Definitions, Prevalence, and Impact Challenges* (December 19, 2024) *Journal of Cybersecurity*,

<https://academic.oup.com/cybersecurity/article/10/1/tyae026/7928395>.

¹¹ See fn. 6.

disorder symptoms, particularly in adolescents.¹² The study found most associations were with depression and anxiety.

As pointed out by the Wall Street Journal reporting, the companies' employees are aware of the dangers:

A Facebook Inc. team had a blunt message for senior executives. The company's algorithms weren't bringing people together. They were driving people apart.

"Our algorithms exploit the human brain's attraction to divisiveness," read a slide from a 2018 presentation. "If left unchecked," it warned, Facebook would feed users "more and more divisive content in an effort to gain user attention & increase time on the platform."

That presentation went to the heart of a question dogging Facebook almost since its founding: Does its platform aggravate polarization and tribal behavior? The answer it found, in some cases, was yes.¹³

A New York Times article on leadership at Facebook elaborates:

To achieve its record-setting growth, [Facebook] had continued building on its core technology, making business decisions based on how many hours of the day people spent on Facebook and how many times a day they returned. Facebook's algorithms didn't measure if the magnetic force pulling them back to Facebook was the habit of wishing a friend happy birthday, or a rabbit hole of conspiracies and misinformation.

Facebook's problems were features, not bugs.¹⁴

A series of startling revelations unfolded after a Facebook whistle-blower, Frances Haugen, began sharing internal documents. The Wall Street Journal published many of the findings, including research that showed the effect on children's self-image:

¹² Zaheer Hussain and Mark D Griffiths, *Problematic Social Networking Site Use and Comorbid Psychiatric Disorders: A Systematic Review of Recent Large-Scale Studies.*"

(December 14, 2018) *Frontiers in psychiatry* vol. 9 686,

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6302102/pdf/fpsy-09-00686.pdf>.

¹³ Jeff Horowitz & Deepa Seetharaman, *Facebook Executives Shut Down Efforts to Make the Site Less Divisive* (May 26, 2020) *Wall Street Journal*, <https://www.wsj.com/articles/facebook-knows-it-encourages-division-top-executives-nixed-solutions-11590507499>.

¹⁴ Sheera Frenkel & Cecilia Kang, *Mark Zuckerberg and Sheryl Sandberg's Partnership Did Not Survive Trump* (July 8, 2021) *The New York Times*, <https://www.nytimes.com/2021/07/08/business/mark-zuckerberg-sheryl-sandberg-facebook.html>.

[R]esearchers inside Instagram, which is owned by Facebook Inc., were studying this kind of experience and asking whether it was part of a broader phenomenon. Their findings confirmed some serious problems.

“Thirty-two percent of teen girls said that when they felt bad about their bodies, Instagram made them feel worse,” the researchers said in a March 2020 slide presentation posted to Facebook’s internal message board, reviewed by The Wall Street Journal. “Comparisons on Instagram can change how young women view and describe themselves.”

For the past three years, Facebook has been conducting studies into how its photo-sharing app affects its millions of young users. Repeatedly, the company’s researchers found that Instagram is harmful for a sizable percentage of them, most notably teenage girls.

“We make body image issues worse for one in three teen girls,” said one slide from 2019, summarizing research about teen girls who experience the issues.

“Teens blame Instagram for increases in the rate of anxiety and depression,” said another slide. “This reaction was unprompted and consistent across all groups.”

Among teens who reported suicidal thoughts, 13% of British users and 6% of American users traced the desire to kill themselves to Instagram, one presentation showed.

Expanding its base of young users is vital to the company’s more than \$100 billion in annual revenue, and it doesn’t want to jeopardize their engagement with the platform.

More than 40% of Instagram’s users are 22 years old and younger, and about 22 million teens log onto Instagram in the U.S. each day . . .¹⁵

The released documents from Instagram make clear that “Facebook is acutely aware that the products and systems central to its business success routinely fail”:

The features that Instagram identifies as most harmful to teens appear to be at the platform’s core.

¹⁵ Georgia Wells et al., *Facebook Knows Instagram Is Toxic for Teen Girls, Company Documents Show* (September 14, 2021) The Wall Street Journal, https://www.wsj.com/articles/facebook-knows-instagram-is-toxic-for-teen-girls-company-documents-show-11631620739?mod=article_inline.

The tendency to share only the best moments, a pressure to look perfect and an addictive product can send teens spiraling toward eating disorders, an unhealthy sense of their own bodies and depression, March 2020 internal research states. It warns that the Explore page, which serves users photos and videos curated by an algorithm, can send users deep into content that can be harmful.

“Aspects of Instagram exacerbate each other to create a perfect storm,” the research states.¹⁶

The referenced documents revealed that Facebook’s own internal research found “1 in 8 of its users reported compulsive social media use that interfered with their sleep, work, and relationships – what the social media platform calls ‘problematic use’ but is more commonly known as ‘internet addiction.’”¹⁷

There are various features of social media that are believed to contribute to excessive social media use and preoccupation and attendant mental health issues in children, and that are repeatedly highlighted as the most problematic for users, especially children. They are pinpointed by academic research,¹⁸ and lawsuits brought by most states’ Attorneys General,¹⁹ as the core of the problem. These include the display of “likes” and other feedback on posted media that drive minors’ unhealthy comparisons to others and their obsessive usage. In addition, the constant notifications that are sent to users nudge them back onto a platform throughout the day and night to seek the next hit of dopamine. The biggest and most central of them all is the algorithmic feeds that are fueled by a user’s own information and inferences drawn from their past behavior and data collected from other sources. While these features can effectively serve up content curated for a user’s personal tastes and create social connections among users, it is these types of features that are most concerning to advocates for reform. The addictive features of online sites and services are the target of this bill.

2. Other countries have had enough

On December 10, 2025, Australia became the first country in the world to implement a nationwide ban on children under the age of 16 from having social media accounts. The move emerged from heightened concerns over the impact of social media on youth

¹⁶ *Ibid.*

¹⁷ Kim Lyons, *Facebook reportedly is aware of the level of ‘problematic use’ among its users* (November 6, 2021) The Verge, www.theverge.com/2021/11/6/22766935/facebook-meta-aware-problematic-use-addiction-wellbeing.

¹⁸ Kirsten Weir, *Social media brings benefits and risks to teens. Here’s how psychology can help identify a path forward* (September 1, 2023) American Psychological Association, <https://www.apa.org/monitor/2023/09/protecting-teens-on-social-media>.

¹⁹ Matt Richtel, *Is Social Media Addictive? Here’s What the Science Says* (October 25, 2023) The New York Times, <https://www.nytimes.com/2023/10/25/health/social-media-addiction.html>.

health. It received widespread support from parents, with 77 percent of Australians supporting the ban at the time of its passage.²⁰ The ban applied to Facebook, Instagram, Kick, Reddit, Snapchat, Threads, TikTok, X, YouTube, and Twitch.²¹

Early results from this policy shift have been mixed. According to a YouGov poll, 43 percent of parents with children under the age of 16 noticed more in-person social interactions, with 38 percent noting an improved relationship with their child.²² Similarly, a study by the Family Online Safety Institute (FOSI) found that, following the ban, both parents' and youth's confidence increased in the ban's ability to protect mental health and well-being, soaring from 42 percent to 62 percent and 33 percent to 58 percent, respectively.²³ However, Australian children are finding ways to circumvent the ban, with one survey noting that 31 percent of parents claim their child still has access to one or more social media accounts. When narrowed to Instagram, Snapchat, and TikTok, that number surges to 70 percent.²⁴ The same FOSI report that found increased confidence in mental health protections also found that there was reduced confidence in the ban's ability to reduce children's screen time.²⁵

Nevertheless, since Australia has banned social media for users under 16, other countries have swiftly followed suit:

DENMARK

Denmark said in November it would ban social media for children under 15, while parents could provide access to certain platforms to kids down to the age of 13.

FRANCE

France's National Assembly in January approved legislation to ban children under 15 from social media amid growing concerns about online

²⁰ *Support for under-16 social media ban soars to 77% among Australians* (November 25, 2024) YouGov, <https://yougov.com/articles/51000-support-for-under-16-social-media-ban-soars-to-77-among-australians>.

²¹ *Social media ban for children under 16 starts in Australia* (June 10, 2026) NPR, <https://www.npr.org/2025/12/10/nx-s1-5639694/social-media-ban-children-australia>.

²² *New YouGov research shows cautious optimism as Australians assess impact of under-16 social media ban* (March 16, 2026) YouGov, <https://yougov.com/articles/54334-new-yougov-research-shows-cautious-optimism-as-australians-assess-impact-of-under-16-social-media-ban>.

²³ Alanna Powers-O'Brien, *Australian Children's and Parents' Perceptions of the Recent Social Media Ban* (June 8, 2026) Family Online Safety Institute, <https://fosi.org/research/australian-childrens-and-parents-perceptions-of-the-recent-social-media-ban/>.

²⁴ Josh Butler, *Two-thirds of under-16s with accounts of Instagram, Snapchat or TikTok kept access despite ban* (March 31, 2026) The Guardian, <https://www.theguardian.com/australia-news/2026/mar/31/meta-tiktok-snapchat-google-under-investigation-australia-social-media-ban>.

²⁵ Alanna Powers-O'Brien, *Australian Children's and Parents' Perceptions of the Recent Social Media Ban* (June 8, 2026) Family Online Safety Institute, <https://fosi.org/research/australian-childrens-and-parents-perceptions-of-the-recent-social-media-ban/>.

bullying and mental health risks. The bill needs to pass through the Senate before a final vote in the lower house.

GERMANY

Minors aged 13 to 16 are allowed to use social media only if their parents provide consent. Child protection advocates say controls are insufficient.

GREECE

Greece is “very close” to announcing a social media ban for children under 15, a senior government source told Reuters on February 3...

ITALY

Children under 14 need parental consent to sign up for social media accounts, while no consent is required above that age.

MALAYSIA

Malaysia has begun barring those under 16 from registering accounts on social media platforms, its communications regulator said on June 1.

NORWAY

The Norwegian government in 2024 proposed raising the age at which children can consent to the terms required to use social media to 15 from 13, although parents would still be permitted to sign off on their behalf if they are under the age limit.

The government has also begun work on legislation to set an absolute minimum age limit of 15 for social media use.

POLAND

Poland’s ruling party is preparing new legislation to ban social media for children under 15 and to hold platforms responsible for age verification, it said on February 27.

SLOVENIA

Slovenia is drafting a law that would prohibit children under 15 from accessing social media, Deputy Prime Minister Matej Arcon said on February 6.

SPAIN

Spain will push ahead with new rules to make social networks and AI safer despite intense lobbying from the tech industry, Digital Transformation Minister Oscar Lopez told Reuters in May.

Prime Minister Pedro Sanchez had said in February that Spain would ban access to social media for minors under 16, with platforms required to implement age verification systems.

SWEDEN

Sweden should introduce a minimum age of 15 for the use of social media, a government-appointed commission recommended on June 2.

A ban can be formulated in a way that the platforms would be responsible for age verification, investigator Lisa Englund Krafft told a news conference with Social Affairs and Public Health Minister Jakob Forssmed.

TURKEY

Turkey's parliament on April 24 passed legislation banning the use of social media by children under 15 and introducing new rules for digital platforms, including game software companies.²⁶

This trend is not limited to foreign nations, as multiple states in America are also currently considering a ban on social media or have already passed one. For instance, Florida, in 2024, prohibits social media platforms with addictive features from offering accounts to children under the age of 14.²⁷ While the law is currently under litigation, the Eleventh Circuit recently denied an attempt to block the ban.²⁸

3. California has entered the chat

Taking the lead from these other jurisdictions, this bill prohibits “covered platforms” from allowing children under 16 years of age from creating or maintaining accounts on their platforms.

A “covered platform” is a website, online service, online application, or mobile application, including a social media platform, that offers or provides users with an addictive feed as a significant part of the service. “Addictive feed” involves multiple pieces of media generated or shared by users that 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.

²⁶ *From Australia to Europe, countries move to curb children’s social media access* (June 8, 2026) Reuters, <https://www.reuters.com/legal/government/australia-europe-countries-move-curb-childrens-social-media-access-2026-06-08/>. Emphasis in original.

²⁷ Jay Waagmeester, *TikTok is not complying with social media law restricting minors, state says* (June 15, 2026) Florida Phoenix, <https://floridaphoenix.com/2026/06/15/tiktok-is-not-complying-with-social-media-law-restricting-minors-state-says/>.

²⁸ *Comput. & Commc’ns Industry Ass’n v. Uthmeier* (11th Cir. Nov. 25, 2025, No. 25-11881) 2025 LX 577701.

Covered platforms are required to implement reasonable measures to prevent children under 16 from accessing or using accounts and to verify the age of any users in accordance with the recently enacted Digital Age Assurance Act. Any accounts belonging to such minors must be deleted, as must any personal information associated with the account or collected as part of their age assurance efforts.

The bill also establishes the e-Safety Advisory Commission within the Department of Justice, which is tasked with advising the AG on implementation and enforcement, as well as other issues relevant to covered platforms and minor users. The Commission is required to report annually to the Legislature about its activities, compliance rates by covered platforms, enforcement actions taken, and proposed changes to the law.

For their part, the AG is authorized to adopt regulations as needed and is specifically granted the power to alter the scope of what is considered a “covered platform.” The AG, along with local public prosecutors, are authorized to bring civil actions against covered platforms in violation seeking civil penalties of up to \$25,000 for negligent violations and up to double that for knowing violations.

According to the author:

AB 1709 would establish a state-wide minimum age requirement for users to create or maintain accounts on social media platforms that use addictive feeds as a significant part of the service provided by their platform. This bill is grounded in a substantial and growing body of research showing that early and unrestricted access to social media can harm children’s mental health, cognitive development, and overall well-being. Children under 16 face heightened risks online, including compulsive use patterns, exposure to harmful content, and negative mental health outcomes. These risks are not incidental but are closely tied to how modern social media platforms are designed. Many platforms rely on algorithmically driven feeds that prioritize engagement, often by delivering highly stimulating or emotionally charged content. This design encourages prolonged use and can foster addictive behaviors, particularly in younger users whose self-regulation skills and executive functioning are still developing.

AB 1709 addresses these well researched and proven harms by establishing clear, enforceable minimum age of 16 for social media use. By requiring platforms to implement meaningful age verification and prevention measures, the bill shifts responsibility from individual users to the companies that control access and design. This approach aims to reduce early exposure to addictive platform features during a key

developmental window and to encourage safer, age-appropriate digital environments.

4. Legal landscape

The Legislature has introduced a multitude of bills over the years to address the harms of social media. In addition, a number of lawsuits have been brought against the major platforms seeking to hold them accountable for the harms they have caused. However, federal statutory and constitutional law have posed significant obstacles in navigating this space at the state legislative level and in the courts. These hurdles include Section 230 of the Communications Decency Act, 47 U.S.C. § 230, and the First Amendment to the United States Constitution.

a. *Section 230*

Section 230 does not apply to the *users* of social media (or the internet generally), but rather applies to the *platforms themselves*. In the early 1990s, prior to the enactment of Section 230, two trial court orders – one in the United States District Court for the Southern District of New York, and New York state court – suggested that internet platforms could be held liable for allegedly defamatory statements made by the platforms’ users if the platforms engaged in any sort of content moderation (e.g., filtering out offensive material).²⁹ In response, two federal legislators and members of the burgeoning internet industry crafted a law that would give internet platforms immunity from liability for users’ statements, even if they might have reason to know that statements might be false, defamatory, or otherwise actionable.³⁰ The result – Section 230 – was relatively uncontroversial at the time, in part because of the relative novelty of the internet and in part because Section 230 was incorporated into a much more controversial internet regulation scheme that was the subject of greater debate.³¹

The crux of Section 230 is laid out in two parts. The first provides that “[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.”³² The second provides a safe harbor for content moderation, by stating that no provider or user shall

²⁹ See *Cubby, Inc. v. Compuserve, Inc.* (S.D.N.Y. 1991) 776 F.Supp. 135, 141; *Stratton Oakmont v. Prodigy Servs. Co.* (N.Y. Sup. Ct., May 26, 1995) 1995 N.Y. Misc. LEXIS 229, *10-14. These opinions relied on case law developed in the context of other media, such as whether bookstores and libraries could be held liable for distributing defamatory material when they had no reason to know the material was defamatory. (See *Cubby, Inc.*, 776 F. Supp. at p. 139; *Smith v. California* (1959) 361 U.S. 147, 152-153.)

³⁰ Kosseff, *The Twenty-Six Words That Created The Internet* (2019) pp. 57-65.

³¹ *Id.* at pp. 68-73. Section 230 was added to the Communications Decency Act of 1996 (title 5 of the Telecommunications Act of 1996, Pub. L. 104-104, 110 Stat. 56), which would have imposed criminal liability on internet platforms if they did not take steps to prevent minors from obtaining “obscene or indecent” material online. The Supreme Court invalidated the CDA, except for Section 230, on the basis that it violated the First Amendment. (See *Reno v. ACLU* (1997) 521 U.S. 844, 874.)

³² *Id.*, § 230(c)(1).

be held liable because of good-faith efforts to restrict access to material that is “obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected.”³³

Together, these two provisions give platforms immunity from any civil or criminal liability that could be incurred by user statements, while explicitly authorizing platforms to engage in their own content moderation without risking that immunity. Section 230 specifies that “[n]o cause of action may be brought and no liability may be imposed under any State law that is inconsistent with this section.”³⁴ Courts have applied Section 230 in a vast range of cases to immunize internet platforms from “virtually all suits arising from third-party content.”³⁵

The Ninth Circuit Court of Appeals in *Barnes v. Yahoo!, Inc.* (9th Cir. 2009) 570 F.3d 1096, 1100-01 established a three-part test for assessing the immunities of Section 230 on claims against platforms: “[I]t appears that subsection (c)(1) only protects from liability (1) a provider or user of an interactive computer service (2) whom a plaintiff seeks to treat, under a state law cause of action, as a publisher or speaker (3) of information provided by another information content provider.”

b. The First Amendment

The First Amendment, as applied to the states through the Fourteenth Amendment, prohibits Congress or the states from passing any law “abridging the freedom of speech.”³⁶ “[A]s a general matter, the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.”³⁷ However, while the amendment is written in absolute terms, the courts have created a handful of narrow exceptions to the First Amendment’s protections, including “true threats,”³⁸ “fighting words,”³⁹ incitement to imminent lawless action,⁴⁰ defamation,⁴¹ and obscenity.⁴² Expression on the internet is given the same measure of protection granted to in-person speech or statements published in a physical medium.⁴³

³³ *Id.*, § 230(c)(1) & (2).

³⁴ *Id.*, § 230(e)(1) & (3).

³⁵ Koseff, *supra*, fn. 13, at pp. 94-95; see, e.g., *Doe v. MySpace Inc.* (5th Cir. 2008) 528 F.3d 413, 421-422; *Carfano v. Metrosplash.com, Inc.* (9th Cir. 2003) 339 F.3d 1119, 1125; *Zeran v. America Online, Inc.* (4th Cir. 1997) 129 F.3d 327, 333-334.

³⁶ U.S. Const., 1st & 14th amends.

³⁷ *Ashcroft v. American Civil Liberties Union* (2002) 535 U.S. 564, 573.

³⁸ *Snyder v. Phelps* (2011) 562 U.S. 443, 452.

³⁹ *Cohen v. California* (1971) 403 U.S. 15, 20.

⁴⁰ *Virginia v. Black* (2003) 538 U.S. 343, 359.

⁴¹ *R.A.V. v. St. Paul* (1992) 505 U.S. 377, 383.

⁴² *Ibid.*

⁴³ *Reno v. ACLU* (1997) 521 U.S. 844, 870.

A constitutional challenge to a restriction on speech is generally analyzed under one of two frameworks, depending on whether the courts deem it to be “content neutral” or “content based,” i.e., targeting a particular type of speech. A law is content neutral when it “serves purposes unrelated to the content of the expression.”⁴⁴ On the other hand, a law is content based when the proscribed speech is “defined solely on the basis of the content of the suppressed speech.”⁴⁵

If a law is determined to be content neutral, it will be subject to intermediate scrutiny, which requires that the law “be ‘narrowly tailored to serve a significant government interest.’”⁴⁶ In other words, the law “‘need not be the least restrictive or least intrusive means of’ serving the government’s interests,” but “‘may not regulate expression in such a manner that a substantial portion of the burden on speech does not serve to advance its goals.’”⁴⁷

If a restriction on speech is determined to be content based, it will be subject to strict scrutiny.⁴⁸ A restriction is content based “if it require[s] ‘enforcement authorities’ to ‘examine the content of the message that is conveyed to determine whether’ a violation has occurred.”⁴⁹ Content-based restrictions subject to strict scrutiny are “presumptively unconstitutional.”⁵⁰ A restriction can survive strict scrutiny only if it uses the least-restrictive means available to achieve a compelling government purpose.⁵¹

c. Signs of progress in the courts

Existing negligence law has always applied to social media platforms, and as seen in cases such as *Lemmon*, platforms can be held liable for the injuries they negligently cause without triggering Section 230 preemption.

Recently, several high-profile cases have been filed against some of the biggest social media platforms, alleging their negligence caused harm to children. One such case in Los Angeles focused not on the content present on the platforms but on the “defective design” of the platforms that caused the children’s harm, including the use of features such as infinite scroll, constant notifications, autoplaying videos, and beauty filters:

A California jury ... found that Meta and Google were to blame for the depression and anxiety of a woman who compulsively used social media

⁴⁴ *Ward v. Rock Against Racism* (1989) 491 U.S. 781, 791.

⁴⁵ *FCC v. League of Women Voters* (1984) 468 U.S. 364, 383.

⁴⁶ *Packingham v. North Carolina* (2017) 582 U.S. 98, 105.

⁴⁷ *McCullen v. Coakley* (2014) 573 U.S. 464, 486 (*McCullen*).

⁴⁸ *Id.* at p. 478.

⁴⁹ *Id.* at p. 479.

⁵⁰ *Reed v. Town of Gilbert* (2015) 135 S.Ct. 2218, 2226 (*Reed*).

⁵¹ *United States v. Playboy Entertainment Group* (2000) 529 U.S. 803, 813.

as a small child, awarding her \$6 million in a rare verdict holding Silicon Valley accountable for its role in fueling a youth mental health crisis.

The jurors concluded that Meta and Google should pay the woman \$3 million in compensatory damages and an additional \$3 million in punitive damages, with Meta on the hook for 70% of that amount.

While the financial punishment is miniscule for companies each worth trillions of dollars, the decision is still consequential. It represents the first time a jury has found that social media apps should be treated as defective products for being engineered to exploit the developing brains of kids and teenagers.⁵²

A separate trial in New Mexico also resulted in a verdict against Meta, ordering it to pay extensive damages for “failing to protect young users from child predators on Instagram and Facebook. The New Mexico jury found Meta responsible for misleading consumers about the safety of its platforms, declaring that the tech company had flouted state consumer protection laws.”⁵³

As this bill does not target the content on these platforms, but rather the features provided, it is unlikely to trigger Section 230 issues. However, a number of First Amendment concerns with the current bill have been raised.

Reason Foundation writes:

While the goal of Assembly Bill 1709 (AB 1709) to protect children online is well-intentioned, its categorical ban on users under 16 and the associated compliance burdens would violate the First Amendment and create several unintended consequences that undermine parental choice and family autonomy.

AB 1709 would impose a broad restriction on minors’ access to social media, which means banning access to constitutionally protected online speech. This is a direct violation of the First Amendment. Social media is a forum for expression, association, education, news, political participation, and community engagement. A law that would broadly exclude an entire class of minors from those spaces, regardless of whether their parents choose to allow them online, is an unconstitutional burden on protected speech.

⁵² Bobby Allyn, *Jury finds Meta and Google negligent in social media harms trial* (March 25, 2026) NPR, <https://www.npr.org/2026/03/25/nx-s1-5746125/meta-youtube-social-media-trial-verdict>.

⁵³ *Ibid.*

AB 1709 would also displace parental judgment with a one-size-fits-all law. Parents are better positioned to decide whether, when, and how their children should use online platforms. A blanket statutory ban would remove that discretion and replace family choice with state compulsion, even though many families already rely on tools that allow them to supervise and limit use in more tailored ways.

Well-known constitutional scholar Erwin Chemerinsky recently weighed in on the First Amendment implications of the bill in an op-ed:

Banning those under 16 from having access to social media is at odds with the fundamental premise of the First Amendment. Furthermore, age verification laws not only restrict access by children, but also for adults who are unable or unwilling to link their government identification to their online activity. The Supreme Court's 2011 decision in *Brown v. Entertainment Merchants Association* is particularly important: The case concerned the constitutionality of a California law that made it a crime to sell or rent violent video games to minors under 18 without parental consent. Like bans on access to social media, the California law and similar ones in other states were motivated by studies showing a link between playing violent video games and harmful behavior. And video games, like social media, are designed to be addictive and to keep people playing.

In a 7-2 decision, the court declared the California law unconstitutional, in violation of the First Amendment. Justice Antonin Scalia wrote the opinion for the court and rejected the state's argument that states have great latitude in regulating the speech of children. "(Minors) are entitled to a significant measure of First Amendment protection, and only in relatively narrow and well-defined circumstances may government bar public dissemination of protected materials to them," Scalia wrote. This same reasoning dooms the constitutionality of AB 1709. Children have First Amendment rights, and the government cannot deny access without meeting a strict requirement of proving that the medium causes harm and that there is no other way to prevent it. California would not be the first state to try and restrict access by minors to social media. In December 2025, a federal district court in Louisiana declared unconstitutional a law requiring age verification for access to social media. Similarly, last year, a federal court declared unconstitutional the Arkansas Social Media Safety Act, which requires all users to verify their age and imposes a parental-consent requirement for minors creating accounts.

Last summer, the Supreme Court allowed to go into effect a Mississippi law, HB 1126, that mandated age verification for all users on social media

sites and requires platforms to prevent minors from accessing harmful material. There was no opinion of the court, but Justice Brett Kavanaugh wrote a brief concurring opinion saying that “the Mississippi law is likely unconstitutional,” though he agreed with not enjoining the law at this stage. It is also questionable whether AB 1709 could succeed in its goals. As new media have developed, there has been a recognition of how the speech on them can harm children and a call for government action to protect them.⁵⁴

Writing in opposition, Oakland Privacy echoes the legal assessment:

AB 1709 will almost inevitably place California in a long legal process whose outcome is uncertain. Young people do have First Amendment rights and while there is a balancing act that will be in play in the courts, it is extremely unclear that a broadside ban will hold up. That kind of lengthy litigation is not only expensive, but means that whatever benefits the bill hopes to deliver to younger Californians won’t be effective any time soon or possibly ever. We would respectfully offer that regulation aimed at specific negative features and practices of social media companies may deliver more results more expeditiously.

In response, the author’s office asserts:

AB 1709 is aimed at addressing the kinds of features these platforms use. Specifically, the design and provision of addictive product features to minors, and not speech or content. Recent cases and ongoing litigation have made clear that these laws are grounded in product safety and consumer protection, similar to regulations on other harmful or addictive products. The policy does not restrict viewpoints or categories of lawful speech.

This policy is not content-based or viewpoint-based. It addresses structural product features, such as infinite scroll, algorithmic design, and engagement-maximizing design, that are engineered to be addictive for minors. Courts and recent litigation have increasingly recognized these design features, not speech, as the part of these platforms causing the harm.

The Eleventh Circuit Court of Appeals, in a 2-1 decision, denied an attempt to block Florida’s ban on accounts for kids under 14, finding the law was content neutral and likely to survive intermediate scrutiny. Like

⁵⁴ Erwin Chemerinsky, *A well-intentioned California social media bill is unconstitutional* (June 10, 2026) Sacramento Bee, <https://www.sacbee.com/opinion/article316048947.html>.

this bill, Florida's law focuses on platforms with addictive features. The court stated that neither the "definition of 'social media platform' nor of 'addictive features' makes any reference to the type of content involved".

It should be noted that the Florida bill referenced above is more narrowly tailored than the present approach in a few ways. That law, Florida Statute § 501.1736, applies only to "social media platforms," which definition requires a certain level of usage by a proportion of the child users in addition to the deployment of addictive features. The law does prohibit accounts for children, but is limited to those under 14. Children who are 14 or 15 years of age are still allowed access with parental consent. Therefore, in certain respects, the law takes a narrower approach.

Arguably, there is no discounting the significant government interest in protecting children from online harms. The question then is whether the approach envisioned by this bill is narrowly tailored to serve that interest. Here, the definition of "covered platform" includes any website, application, or online service that provides or offers an addictive feed as a significant part of the service provided. Children must be kept from establishing accounts on such platforms. Therefore, a child is prohibited from accessing a platform even if the platform is able to successfully wall off a version of its service for children that does not include an addictive feed, if it still provides adults and children 16 years or older with a service that includes such a feed. The author may wish to consider more narrowly focusing the prohibition on the provision of addictive feeds to children under 16.

As stated above, should the bill get out of this Committee, it will next be heard in the Senate Judiciary Committee.

5. Additional stakeholder positions

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

Addictive design is central to the public-safety problem AB 1709 addresses. The harms described above are amplified when platforms use engagement-maximizing design to keep children on social media platforms longer, repeatedly re-engage them after they try to leave, and move them from one interaction to the next with little friction.

As summarized above, longer time spent on social media is associated with increased exposure to cyberbullying; adolescents who spend more than three hours per day on social media face double the risk of poor mental health outcomes; and OFSMS's research with UCLA has found a significant negative correlation between average daily hours on social media and life satisfaction among students. The same design dynamics also increase the scope and impact of acute harms by creating more

repeated opportunities for children to encounter drug sales, sextortion, sexual exploitation, dangerous challenges, self-harm content, and disordered-eating content. AB 1709 targets this product architecture that turns discrete risks into persistent, amplified, predictable harms to children.

Some have suggested that California could achieve the same public-safety objective by simply making addictive features “voluntary,” through opt-ins, settings, or family-by-family parental choice. But that approach misunderstands the market trap families face. Social media is not an ordinary consumer product used by a child in isolation; it is a social environment whose pressure and value are created by the fact that a child’s peers interact through the platform. When parents or caregivers try to set limits alone, teens may experience deprivation, parent-child conflict can increase, evasion becomes more prevalent, ultimately forcing families into a no-win tradeoff between protecting a child from addictive design and social deprivation. Likewise, a voluntary, family-by-family opt-out approach would leave families who opt out to bear social costs alone, while platforms retain the same incentives to maximize engagement in a way that poses severe risk to California’s youth.

That is why AB 1709 must establish a uniform baseline.

Common Sense Media writes in support:

Children are uniquely vulnerable to manipulative design features engineered to maximize compulsive engagement. Features like infinite scroll, autoplay, and algorithmic feeds are intentionally engineered to maximize compulsive engagement among young users and adolescents underdeveloped executive function makes them especially susceptible to these “dopamine-driven” reinforcement systems. Peer-reviewed research continues to link problematic social media use to anxiety, depression, sleep disruption, diminished attention, and impaired cognitive control.

AB 1709 responds directly to these harms by requiring platforms to take meaningful steps to prevent under-16 access, ensure deletion of under-age accounts and associated data, and limit the use of age-assurance information to privacy-protective purposes. The bill also establishes an e-Safety Advisory Commission within the Department of Justice to guide implementation and enforcement – an essential structure for ensuring accountability and consistency across platforms.

A coalition of advocacy groups, including LGBT Tech and the Electronic Frontier Foundation, writes in strong opposition to the bill:

For LGBTQ+ youth in particular, social media provides an essential lifeline of support. A 2025 survey by The Trevor Project revealed that most LGBTQ+ young people agreed that they go online to connect with people because it is difficult finding others to relate to and connect with in their daily lives. Compared to their cisgender peers, trans and non-binary youth were more likely to agree that they go online to find others because it is hard to make in-person connections (79% vs. 65%), and because they feel they can be their complete selves online (78% vs. 64%).

The harms of a total social media ban like A.B. 1709 are further magnified for other members of marginalized groups, including young people who are rural, homeschooled, in foster care, have a disability, or are living in an unsupportive or abusive home. Additionally, social media can be a very useful tool for adolescents to obtain factual and scientifically accurate information about a wide array of topics, including sexuality and gender identities. These resources can be particularly crucial for young people living in places where open discussions of sexuality are restricted. Finally, adolescents also face increasing obstacles to information on sex, reproductive health, and abortion services. Studies have shown that social media is the primary information source for that population.

SUPPORT

Organization for Social Media Safety (co-sponsor)
California Commission on the Status of Women and Girls (co-sponsor)
American Academy of Pediatrics, California
California Catholic Conference
Common Sense Media
California Initiative for Technology & Democracy, a Project of California Common
CAUSE
Los Angeles County Sheriff's Department

OPPOSITION

Advocates for Youth
Chamber of Progress
Children's Online Safety and Privacy Research (COSPR)
Civil Justice Association of California
Colage
Computer and Communications Industry Association
Educateus

Electronic Frontier Foundation
Fight for the Future
Gen-z for Change
If/when/how: Lawyering for Reproductive Justice
Internet.works
Lawyers for Good Government
LGBT Tech
Netchoice
Oakland Privacy
Secular Education Association
Siecus: Sex Ed for Social Change
Technet
The Nexus of Privacy
The Trevor Project
Woodhull Freedom Foundation

RELATED LEGISLATION

AB 1856 (Wicks, 2026) amends the Digital Age Assurance Act to address multi-user/family-account scenarios and expands its scope to create a parallel age-signal framework for browsers and certain websites that are otherwise required by law to verify users' ages. AB 1856 is set to be heard in this Committee the same day as this bill.

AB 2 (Lowenthal, 2025) increases the penalties that can be sought against a social media platform, as defined, if the platform fails to exercise ordinary care or skill and injures a child. AB 2 is currently in the Senate Judiciary Committee.

SB 976 (Skinner, Ch. 321, Stats. 2024) prohibited operators of "internet-based services or applications" from providing "addictive feeds," as those terms are defined, to minors without parental consent and from sending notifications to minors at night and during school hours without parental consent, as provided. SB 976 required operators to make available to parents a series of protective measures for controlling access to and features of the platform for their children. It also required reporting on data regarding children on their platforms, as specified. The bill remains in effect despite ongoing litigation.⁵⁵

AB 3172 (Lowenthal, 2024) was largely identical to this bill but took amendments that narrowed the enforcement to public prosecutors and raised the standard of liability to knowingly and willfully. AB 3172 died on the Senate Floor.

AB 1394 (Wicks, Ch. 579, Stats. 2023) required social media platforms to provide a reporting mechanism for suspected child sexual abuse material and requires them to

⁵⁵ *NetChoice, LLC v. Bonta* (9th Cir. 2025) 152 F.4th 1002, 1025.

permanently block the material, as provided. It also prohibits platforms from knowingly facilitating, aiding, or abetting minor's commercial sexual exploitation.

SB 1056 (Umberg, Ch. 881, Stats. 2022) required a social media platform, as defined, to clearly and conspicuously state whether it has a mechanism for reporting violent posts, as defined; and allows a person who is the target, or who believes they are the target, of a violent post to seek an injunction to have the violent post removed.

AB 587 (Gabriel, Ch. 269, Stats. 2022) required social media companies, as defined, to post their terms of service and report certain information to the Attorney General on a quarterly basis.

AB 1628 (Ramos, Ch. 432, Stats. 2022) required a social media platform, as defined, that operates in this state to create and publicly post a policy statement including specified information pertaining to the use of the platform to illegally distribute controlled substances, until January 1, 2028.

AB 2273 (Wicks, Ch. 320, Stats. 2022) established the California Age-Appropriate Design Code Act, placing a series of obligations and restrictions on businesses that provide online services, products, or features likely to be accessed by children. This includes a prohibition on using the personal information of any child in a way that the business knows or has reason to know is materially detrimental to the physical health, mental health, or well-being of a child. It also requires these businesses to "[e]stimate the age of child users with a reasonable level of certainty appropriate to the risks that arise from the data management practices of the business or apply the privacy and data protections afforded to children to all consumers."

AB 2408 (Cunningham, 2022) would have prohibited a social media platform from using a design, feature, or affordance that the platform knew, or which by the exercise of reasonable care it should have known, causes child users to become addicted to the platform. AB 2408 died in the Senate Appropriations Committee.

PRIOR VOTES:

Assembly Floor (Ayes 76, Noes 0)

Assembly Appropriations Committee (Ayes 13, Noes 1)

Assembly Judiciary Committee (Ayes 10, Noes 0)

Assembly Privacy and Consumer Protection Committee (Ayes 13, Noes 1)
