
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1709 (Lowenthal) - Covered platforms: age restriction: e-Safety Advisory Commission

Version: July 9, 2026

Policy Vote: P., D.T., & C.P. 7 - 0, JUD.
13 - 0

Urgency: No

Mandate: No

Hearing Date: August 3, 2026

Consultant: Bob Franzosa

Bill Summary: 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.

Fiscal Impact: Major costs to the Department of Justice, including enforcing the social media ban provisions and rulemaking. (General Fund)

Significant to major costs annually to establish an e-Safety Advisory Commission. Costs may vary widely by year depending on workload. The establishment of such a commission may result in conflicts with AG enforcement and litigation efforts. (General Fund)

Potentially significant costs to the courts to adjudicate new penalties depending on violations that may be unique to every platform. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

Background: A covered platform is 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 feature as a significant part of the service provided by that internet website, online service, online application, or mobile application. Covered platforms provide a forum for user-generated content, such as Facebook, Instagram, TikTok or YouTube.

Proposed Law: Establishes the e-Safety Advisory Commission within DOJ.

- 2) 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.
- 3) 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 the state'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.

The provisions of this bill may be enforced by a civil action brought only by the Attorney General, or a local public prosecutor. A covered platform that violates this chapter shall be subject to a civil penalty of the following:

- 1) Up to \$50,000 per affected minor for a knowing violation.
- 2) Up to \$25,000 per affected minor for a negligent violation.

In assessing a civil penalty under this section, a court shall 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 this chapter.