

CONCURRENCE IN SENATE AMENDMENTS

AB 1709 (Lowenthal, et al.)

As Amended August 28, 2026

Majority vote

SUMMARY

Prohibits covered platforms from providing addictive features, as defined, to users under age 16. Authorizes the Attorney General to adopt implementing regulations. Establishes the e-Safety Advisory Commission within the office of the Attorney General to provide advice and recommendations to state government regarding specified online safety matters.

Senate Amendments

- 1) Recast "covered platform" to mean a platform that offers or provides users with an addictive feature, defined to include an addictive feed, autoplay, or any other feature defined in regulations adopted by the Attorney General.
- 2) Require platforms to engage in age assurance under AB 1043 (Wicks) Chapter 675, Statutes of 2025) before providing an addictive feature to a user. If the platform is unable to verify age pursuant to AB 1043, require platforms to rely on age determination made pursuant to SB 976 (Skinner) Chapter 321, Statutes of 2024).
- 3) Allow covered platforms to permit users under age 16 if the platform does not provide a user with an addictive feature.
- 4) Require that the membership of the e-Safety Advisory Commission includes members with relevant expertise, including in pediatrics, psychology, technology, civil society, advocacy on behalf of marginalized youth, academic or research in specified areas, and K-12 education. At least one member of the Commission must have experience working on LGBTQ+ civil rights or statewide public policy related to LGBTQ+ youth.
- 5) Grants four Commission appointments to the Governor, and one each to the Speaker of the Assembly, President Pro Tempore of the Senate, and Attorney General.

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 prohibit covered platforms from providing addictive features – including autoplay and "addictive feeds" based on the definition from the Protecting Our Kids from Social Media Addiction Act (SB 976, Skinner;

Ch. 321, Stats. 2024) – to users under age 16, using the device-based age verification system created by the Digital Age Assurance Act (AB 1043, Wicks; Ch. 675, Stats. 2025).

To remain evergreen, the bill authorizes the Attorney General to adopt regulations to alter the scope of "addictive features" or "covered platforms" to continue to ensure proper scoping consistent with the purposes of protecting minors from platforms that use addictive features. To help advise state government on matters relating to online safety, 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 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.

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.

Arguments in Support

The Organization for Social Media Safety writes:

AB 1709 is aimed at the mechanics of addictive platform design, not protected speech or online content. AB 1709 draws the correct public-safety line: children under 16 should not have to choose between social participation and exposure to addictive, compulsive-use design.

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 industry groups, including Technet, write:

To be clear, our companies recognize the impacts their platforms can have and are committed to being part of the solution. However, social media is one factor, and any "solution" that ignores the scientific research, the individualized nature of mental health and the many other stressors impacting young people today, like

academic pressure, school safety, socio-economic challenges, and substance abuse, is not actually responsive to this complex problem.

Against this backdrop, AB 1709 applies a blunt, one-size-fits-all restriction to a highly individualized issue. If passed and signed, this bill completely cuts off access, while the research instead identifies use patterns, individual vulnerability, and context as the relevant risk factors. The bill would eliminate the benefits that many teens find in social media and sever youth in marginalized communities from their online communities.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

- 1) Major costs to the Department of Justice, including enforcing the social media ban provisions and rulemaking. (General Fund)
- 2) Significant to major costs annually to establish an e-Safety Advisory Commission. Costs may vary widely by year depending on workload. (General Fund)
- 3) 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).

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

ASSEMBLY FLOOR: 76-0-4

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly,

Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Zbur, Rivas
ABS, ABST OR NV: Bains, Quirk-Silva, Celeste Rodriguez, Wilson

UPDATED

VERSION: August 28, 2026

CONSULTANT: Josh Tosney / P. & C.P. / (916) 319-2200

FN: 0004557