
THIRD READING

Bill No: AB 56
Author: Bauer-Kahan (D) and Wicks (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 7/1/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Niello

SENATE HEALTH COMMITTEE: 10-0, 7/16/25

AYES: Menjivar, Valladares, Durazo, Gonzalez, Limón, Padilla, Richardson,
Rubio, Weber Pierson, Wiener

NO VOTE RECORDED: Grove

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 50-0, 5/29/25 - See last page for vote

SUBJECT: Social media: warning labels

SOURCE: Attorney General Rob Bonta

DIGEST: This bill requires covered platforms to clearly display warning labels about the harms associated with social media when users, who are not reasonably determined to be adults, enter the platform and after extended use, as provided.

Senate Floor Amendments of 9/5/25 narrow the scope by only requiring the relevant warnings to be provided if the platform has not reasonably determined that the user is an adult.

ANALYSIS:

Existing constitutional law provides a right to free speech and expression. (United States Constitution (U.S. Const.), 1st amend; California Constitution Article (Cal. Const., art) 1, § 2.)

Existing state 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. A service or application that provides email or direct messaging services shall not be considered to meet this criterion on the basis of that function alone.
 - b) The service or application allows users to do all of 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.
(Business and Professions (Bus. & Prof.) Code § 22675(e).)
- 2) Establishes the Protecting Our Kids from Social Media Addiction Act, which prohibits an operator of an addictive internet-based service or application from providing an addictive feed to a user unless they have actual knowledge that the user is not a minor or the operator has obtained parental consent. (Health and Safety (Health & Saf.) Code § 27000 et seq.)

This bill:

- 1) Establishes the Social Media Warning Law.

- 2) Requires a covered platform, for each calendar day in which a user uses the platform, to display a black box warning to the user when the user initially accesses the platform. The warning shall be displayed clearly and continuously for a duration of at least 10 seconds, unless the user affirmatively dismisses the warning by clicking on a conspicuous “X” icon. The warning shall be displayed in a manner that occupies at least 25% of the screen or window that the user is using to access the social media platform. However, the platform is not required to display the warning if it has reasonably determined that the user is over 17 years of age.
- 3) Requires a covered platform to display the black box warning after three hours of cumulative active use in a given day and thereafter at least once per hour of cumulative active use. The warning shall be displayed clearly and continuously for a duration of at least 30 seconds, without providing the ability to bypass or click through the warning, in a manner that occupies at least 75% of the screen or window that the user is using to access the platform. However, the platform is not required to display the warning if it has reasonably determined that the user is over 17 years of age.
- 4) Provides that the black box warning consist of the following text displayed clearly, conspicuously, and legibly in black text on a white background:

“The Surgeon General has warned that while social media may have benefits for some young users, social media is associated with significant mental health harms and has not been proven safe for young users.”
- 5) Provides that the provision of the notice required by this section or a user affirmatively dismissing the notice does not waive, release, otherwise limit, or serve as a defense to, any claim, including claims premised on failure to warn, other than a claim premised on a violation hereof.
- 6) Defines “covered platform” the same as “addictive internet-based service or application,” as that term is defined in paragraph (1) of subdivision (b) of Section 27000.5 of the Health and Safety Code, except as provided.
- 7) Clarifies that it shall not be interpreted to serve as a basis for a private right of action.
- 8) Includes a severability clause. Becomes operative on January 1, 2027.

Background

In 2005, five percent of adults in the United States used social media. In just six years, that number jumped to half of all Americans. Today, over 70% of adults use at least one social media platform. Facebook alone is used by 69% of adults, and 70% of those adults say they use the platform on a daily basis. However, this explosion is not limited to adults. Survey data found that overall screen use among teens and tweens increased by 17% from 2019 to 2021, with the number of hours spent online spiking sharply during the pandemic. A recent survey found almost 40% of tweens stated that they use social media and estimates from 2018 put the number of teens on the sites at over 70%.

Given the reach of social media and the increasing role they play in many children's lives, concerns have arisen over the connection between social media usage and mental health, drug use, and other self-harming conduct. The former U.S. Surgeon General Vivek Murthy has called for warning labels on social media platforms given the harms posed. This bill requires such labels on "covered platforms," as defined, in the form and manner specified. However, the platform is not required to display the warnings if it has reasonably determined that the user is over 17 years of age.

This bill is sponsored by Attorney General Rob Bonta. It is supported by a variety of groups, including the California Medical Association and Common Sense Media. This bill is opposed by a variety of industry associations, including Technet. For a more thorough discussion of this bill, please see the Senate Judiciary Committee analysis.

Comments

The effects of social media on our mental health and what should and can be done about it are pressing policy and societal questions that have become increasingly urgent. Evidence shows that engagement on social media has a clear effect on our emotions. Former U.S Surgeon General Vivek Murthy assesses these issues:

In these digital public spaces, which [are] privately owned and tend to be run for profit, there can be tension between what's best for the technology company and what's best for the individual user or for society. Business models are often built around maximizing user engagement as opposed to safeguarding users' health and ensuring that users engage with one another in safe and healthy ways. This

translates to technology companies focusing on maximizing time spent, not time well spent.¹

Warning the public about the harms of social media. United States Surgeon General Vivek Murthy testified before the United States Senate Committee on Finance in 2022 on what he termed a “crisis of loneliness and hopelessness” and identified the key factors driving this for young people:

The recent ubiquity of technology platforms, especially social media platforms, has had harmful effects on many children. Though undoubtedly a benefit to our lives in important ways, these platforms have also exacerbated feelings of isolation and futility for some youth. They’ve reduced time for positive in-person activities, pitted kids against each other, reinforced negative behaviors like bullying and exclusion, impeded healthy habits, and undermined the safe and supportive environments kids need to thrive.

This increase in social media use has also contributed to a bombardment of messages that undermine this generation’s sense of self-worth – messages that tell our kids with greater frequency and volume than ever before that they’re not good looking enough, not popular enough, not smart enough, not rich enough.²

Last year, he went further, calling for a warning label on social media platforms:

The mental health crisis among young people is an emergency — and social media has emerged as an important contributor. Adolescents who spend more than three hours a day on social media face double the risk of anxiety and depression symptoms, and the average daily use in this age group, as of the summer of 2023, was 4.8 hours. Additionally, nearly half of adolescents say social media makes them feel worse about their bodies.

It is time to require a surgeon general’s warning label on social media platforms, stating that social media is associated with significant mental health harms for adolescents. A surgeon general’s warning

¹ Vivek H. Murthy, *Protecting Youth Mental Health: The U.S. Surgeon General’s Advisory* (2021) U.S. Dept. of Health & Human Services, <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>.

² *Statement of Vice Admiral Vivek H. Murthy* (February 8, 2022) United States Senate Committee on Finance, <https://www.finance.senate.gov/download/020822-murthy-testimony>.

label, which requires congressional action, would regularly remind parents and adolescents that social media has not been proved safe. Evidence from tobacco studies show that warning labels can increase awareness and change behavior. When asked if a warning from the surgeon general would prompt them to limit or monitor their children's social media use, 76 percent of people in one recent survey of Latino parents said yes.³

This bill carries out that call and requires the following warning, for certain users of covered platforms, to be displayed clearly, conspicuously, and legibly in black text on a white background:

“The Surgeon General has warned that while social media may have benefits for some young users, social media is associated with significant mental health harms and has not been proven safe for young users.”

According to the author:

We are in the midst of a global mental health crisis. In the last decade or so, young people around the world, have experienced a dramatic spike rates of depression, anxiety, self-harm, and suicide. The crisis is real, urgent, and getting worse. Mounting evidence shows that online addiction in children is a widespread problem, with troubling implications for their mental health and well-being. More time on social media tends to be correlated with depression, anxiety, eating disorders, and interference with daily life, including establishing healthy sleep patterns. With AB 56 we're responding to the U.S. Surgeon General Vivek Murthy's call that all users of social media be warned about the risks associated with heavy social media use. This education is critical for both children and parents alike.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

- The Department of Justice (DOJ) reports a fiscal impact of \$600,000 or less (General Fund, Unfair Competition Law Fund) DOJ notes that

³ Vivek H. Murthy, *Surgeon General: Why I'm Calling for a Warning Label on Social Media Platforms* (June 17, 2024) The New York Times, <https://www.nytimes.com/2024/06/17/opinion/social-media-health-warning.html>.

implementation of this bill will be dependent upon the appropriation of funds. The DOJ will be unable to absorb the costs to comply with or implement the requirements of this bill within existing budgeted resources. DOJ reports that its Government Law Section (GLS), within the Civil Law Division anticipates an increase in workload due to potential legal challenges upon the enactment of AB 56. To address the increase in workload, GLS will require the following resources in each fiscal year: FY 2025-26: 175 hours of a Deputy Attorney General (DAG) and \$10,000 for external consultant experts and witnesses; FY 2026-27: 200 hours of a DAG and \$20,000 for external consultant experts and witnesses; and, FY 2027-28: 150 hours of a DAG. The DOJ further notes that the Consumer Protection Section (CPS) within the Public Rights Division anticipates increased workloads in enforcing AB 56 beginning on January 1, 2026, and ongoing. The workload includes investigating and prosecuting violations of not adhering to AB 56. The Section will require 1.0 Deputy Attorney General, 1.0 Legal Secretary and \$150,000 in external consultants, which will have an impact to the Unfair Competition Law Fund.

SUPPORT: (Verified 9/8/25)

Attorney General Rob Bonta (Source)
California Initiative for Technology and Democracy
California Medical Association
California School Nurses Organization
Children's Advocacy Institute
Common Sense Media
County Behavioral Health Directors Association
Former Surgeon General of California, Dr. Nadine Burke Harris
Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma Counties
Organization for Social Media Safety
Public Health Advocates

OPPOSITION: (Verified 9/8/25)

Calbroadband
California Chamber of Commerce
Computer & Communications Industry Association
Electronic Frontier Foundation
Internet Works
Technet

ARGUMENTS IN SUPPORT: The California Medical Association writes:

Mounting evidence shows that online addiction in children is a widespread problem, with troubling implications for their mental health and well-being. As the United States Surgeon General has reported, recent evidence has identified “reasons for concern” about social media usage by children and adolescents. This evidence includes a study concluding that the risk of poor mental health outcomes doubles for children and adolescents who use social media at least three hours a day and research finding that social media usage is linked to a variety of negative health outcomes, including low self-esteem and disordered eating, for adolescent girls.

Approximately 95 percent of 13 to 17-year-olds, inclusive, say that they use at least one social media platform, and more than one-third report using social media almost constantly. More time on social media tends to be correlated with depression, anxiety, eating disorders, susceptibility to addiction, and interference with daily life, including learning. Heavier usage of social media also leads to less healthy sleep patterns and sleep quality, which can in turn exacerbate both physical and mental health problems. Social media companies are not transparent about these harms.

Social media warning labels are an equitable, effective, and transparent way to ensure public health information gets to the public.

ARGUMENTS IN OPPOSITION: Internet Works writes:

AB 56 also places a disproportionate burden on productive and vulnerable users—students, researchers, entrepreneurs, and people with disabilities — many of whom rely on these platforms for outreach, learning, accessibility, and income. For these users, interruptions translate to barriers. The economic impact would be significant on small and mid-size platforms, especially those with relatively low user engagement or use for specific, limited purposes, such as commercial activity. Many online platforms provide critical infrastructure for job searching, marketing, and customer service. A default delay — even once — can mean lost productivity, lower customer conversion, and real financial losses, particularly for time-sensitive tasks.

AYES: Addis, Aguiar-Curry, Ahrens, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Connolly, Dixon, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Blanca Rubio, Schiavo, Schultz, Stefani, Wallis, Wicks, Zbur, Rivas

NO VOTE RECORDED: Alanis, Alvarez, Bains, Bryan, Castillo, Chen, Davies, DeMaio, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Krell, Lackey, Macedo, Nguyen, Patterson, Rogers, Sanchez, Sharp-Collins, Solache, Soria, Ta, Tangipa, Valencia, Ward, Wilson

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113
9/8/25 21:05:54

**** END ****