

AG Chronicles: October 2024

October 10, 2024

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AG Chronicles: a monthly newsletter breaking down State Attorneys General consumer protection issues and highlighting news from the states.

Attorney General Challenges and Considerations in Consumer Protection Enforcement

Thursday, October 17, 2024, at 1:00 p.m. ET

Join Kelley Drye's State Attorneys General Ad Law team in our upcoming webinar led by Chair [Paul Singer](#) and Special Counsel [Abby Stempson](#) and [Beth Chun](#). This month's esteemed guest is [Fran Oleen](#), the Deputy Attorney General of the Public Protection Division from the state of Kansas. Deputy Oleen will discuss challenges, considerations, and opportunities related to consumer protection. She will focus on Kansas consumer protection laws, cryptocurrency, website age verification, and other matters.

Register [Here](#).

IN THE NEWS AND LATEST UPDATES

Texas AG Sues TikTok in First Lawsuit Brought Under SCOPE Act

Earlier this week, we described Texas's new youth privacy law, the Securing Children Online Through Parental Empowerment (SCOPE) Act, and previewed that the Texas Attorney General is likely to use it to target social media platforms. And we were correct: yesterday, Texas sued TikTok under the SCOPE Act for allegedly "exploiting Texas children and failing to prioritize minors' online safety and privacy." The lawsuit is the first alleging violations of the SCOPE Act.

The SCOPE Act in Focus—What You Should Know About Texas's Partially-Blocked Youth Privacy Statute

As we've [discussed previously](#), youth privacy continues to be an enforcement priority for many state attorneys general across the country, and Texas is no exception. In 2023, Texas passed the Securing Children Online Through Parental Empowerment (SCOPE) Act, which was designed to broadly prevent Texas children from accessing certain "harmful" content through social media platforms. But, on August 30, 2024, the Western District of Texas blocked some key aspects of the law—just days before the statute was set to go into effect on September 1, 2024. Below we describe the SCOPE Act's requirements, which parts of the statute were affected by the court's injunction, and what companies should be aware of moving forward.

State AGs take Action in Class Actions

As we [previously discussed](#), the Class Action Fairness Act (CAFA) requires that notice be given to state attorneys general (State AGs or AGs) about proposed class action settlements, enabling them to review the terms and raise any concerns if they believe the settlement might negatively impact their state's residents. This creates a crucial role for State AGs in the class action settlement approval process, and in relatively rare instances they may act by filing amicus briefs to share their concerns with the court.

California Updates Its Automatic Renewal Law (Again)

Automatic renewals continue to be a big priority for state regulators. When companies work to develop strategies to comply with the growing patchwork of specific state laws in this area, they often start by looking at California, since that state has some of the most stringent requirements in the country. California has been a moving target, though, as it has imposed specific requirements in [2010](#), [2017](#), and [2021](#). That target will soon move again, after Governor Newsom signed a new law that will start adding more requirements next year.

The Eyes of Texas are on AI: Generative AI Settlement Reached

We have [frequently written](#) on AGs interest in AI. In what [Texas calls](#) the “first-of-its-kind healthcare generative AI” settlement, the state resolved its investigation into Pieces Technologies’ alleged misleading statements about accuracy of products deployed in major hospitals. Pieces claimed the product “summarizes, charts, and drafts clinical notes for your doctors and nurses...so they don’t have to.” The company further claimed accuracy of a <1 per 100,000 “severe hallucination rate,” a “phenomena of generative AI products creating an output that is incorrect or misleading.” Texas found this to be “likely inaccurate” and alleged these representations “may have violated the DTPA.”

Attorneys General Support Social Media Warning Labels

42 state attorneys general joined forces in a bipartisan National Association of Attorneys General (NAAG) [letter to Congress](#), backing the United States Surgeon General’s [recent call](#) for Congress to require a surgeon general’s warning label on social media platforms.

N.A.A.G. 2024 Presidential Initiative Summit Wrap Up

Last week we attended the National Association of Attorneys General 2024 Presidential Initiative Summit in Portland Oregon, titled “America’s Youth: AGs Looking Out for the Next Generation.” Attorney General Ellen Rosenblum of Oregon is the current N.A.A.G. President and the host of the Summit. Topics covered in this conference included a discussion of the impacts on youth of social media, influencers, substances, financial literacy, artificial intelligence, and gaming and how AGs can help address these subjects through outreach, education, and enforcement. During many of these panels, AGs and other speakers engaged with youth themselves in discussions to better understand their perspectives.

Click [here](#) to read more News and Latest Updates.

NEWS FROM THE STATES

Arkansas

[Attorney General Griffin announces lawsuit against Google, Youtube, and parent company Alphabet](#)

California

[Attorney General Bonta's Sponsored Bill to Protect Children from Social Media Addiction, Adverse Health Effects, Signed into Law](#)

[Attorney General Bonta Sues ExxonMobil for Deceiving the Public on Recyclability of Plastic Products](#)

[Attorney General Bonta Secures Preliminary Injunction Against MV Realty, Benefiting Nearly 1,500 Homeowners](#)

Connecticut

[Attorney General Tong to Convene National Forum on Plastics](#)

District of Columbia

[Attorney General Schwalb Announces Home Renovation Company Curbio Will Pay \\$7.5 Million to Consumers & DC](#)

Massachusetts

[AG Campbell Leads Multistate Effort To Protect Consumers From Harmful Practices Of Predatory Paycheck Advance Services](#)

Pennsylvania

[AG Henry Files Suit Against Pittsburgh-Based Robotics Toy Company that Failed to Fulfill Orders from Customers](#)

Utah

[Protecting Utahns Against Real Estate Workshop Scam](#)

Washington

[Climate Pledge Arena to pay \\$477K in penalties, refunds as a result of AG Ferguson's hidden fee investigation](#)

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