

# Florida Sues Snap Using New Social Media Law and Old UDAP Theories

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Florida Attorney General James Uthmeier [sued](#) Snap, Inc., the operator of the social media platform Snapchat, this week for violations of Florida's HB 3 (§§ 501.1736-.1738, Fla. Stat. (2024)) and the Florida Deceptive and Unfair Trade Practices Act (FDUTPA). The complaint alleges that Snapchat is a covered social media company under HB 3 because the app features allegedly addictive features that unfairly harm its users. The suit further asserts that Snap has violated that statute by permitting 13-15 year olds to obtain accounts inappropriately.

HB 3 was introduced in 2024 and is one of a [dozen](#) similar laws around the country aiming to restrict social media access (and its alleged harm) to children. Like many of the other such statutes, free speech advocates have criticized the Florida statute and have moved to enjoin its enforcement. To date, these efforts have been unsuccessful, with the lawsuit challenging the statute being [dismissed](#) in March 2025 (with leave to amend). On the other hand, a few similar laws in other states, such as [Arkansas](#), have been enjoined.

## HB 3 Violations

According to the complaint, the Florida Legislature passed HB 3 in response to a Surgeon General's [advisory](#) regarding youth mental health that warned in part of addictive features used by social media platforms. In turn, HB 3 identifies five allegedly "addictive design features" utilized by some social media platforms, and prohibits covered social media platforms that deploy those features from allowing minors 13 and under from becoming account holders. It also requires social media companies to obtain parental consent before allowing 14-15 years old to create an account.

The complaint alleges that the app has four of the statute's five "addictive features," including:

1. Infinite scrolling;
2. Push notifications;
3. A variety of interactive metrics that indicate the number of times other users have clicked a button to indicate their reaction to content or have shared or reposted content, the most "problematic" of which is Snapstreak, a feature that "show[s] a running tally of the number of consecutive days that users have exchanged snaps" and warns users if they are about to lose the streak; and
4. Autoplay video.

Despite offering the above design features, the complaint alleges that “Snap continues to make its platform available to users under 14 years’ old and to 14- and 15-year-old users without parental consent in defiance of Florida law.” Florida also alleges Snap previously signed a declaration filed in federal court admitting that “Snap is likely covered by the law.” (Knowing violations of H.B. 3 also constitute unfair and deceptive practice under the FDUTPA).

## FDUTPA Violations

The Florida Attorney General further alleges that other features of the app unfairly “cause psychological harm” to youth, including:

- Ephemerality of Snapchat messages encourages users to view the app each day before messages disappear;
- Lenses, or photo filters, alter appearance and lead to anxiety, causing what has been dubbed as “Snapchat Dysmorphia;”
- Charms “gamify” relationships by providing mementos to users who interact with each other frequently; and
- Snapchat+ users (i.e., users of the app’s subscription service) can utilize “Friend Solar System” to compare their positions in “best friend lists,” meaning they can, according to the complaint, “see if ... they are as valuable to their ‘friends’ as their ‘friends’ are to them.”

The complaint alleges that Snap nevertheless promotes its features as “an antidote to social media.”

The Florida AG also alleges that Snap has made deceptive statements to obtain a rating of “12+” in the Apple App Store and “T for Teen” in Google Play and the Microsoft Store. The suit alleges that these store ratings are deceptive because of the harmful features previously described and because of “enormous amounts of mature content” and facilitating dangerous activities. The AG office claimed it uncovered specific instances through its investigator’s use of an account intentionally mimicking a 13-year-old. Further, the complaint states that certain features are also themselves unsafe for children, such as the My AI chat feature (giving allegedly dangerous advice), Find Friends (that sometimes connects children to adults), and Snap Map (that shows real time location). Florida also says the parental control features are burdensome and limited.

## Conclusion

AG Uthmeier cited the importance of safety and security for children in his [press release](#), which comes as no surprise as we have covered state AGs’ priorities and enforcement actions (see for example, [here](#), [here](#), and [here](#)). Florida also isn’t the first AG to sue Snap – In September 2024, New Mexico Attorney General Raúl Torrez filed a complaint alleging violations of its UDAP law for, among other things, similar deceptive safety representations and failing to disclose harm, unfair and unconscionable practices for failing to effectively restrict drug activity and CSAM, and public nuisance. Just this week, AG Torrez [announced](#) the court denied Snap’s motion to dismiss. The case will now proceed to discovery.

Florida’s case is the latest in the bipartisan effort of AGs to hold social media companies accountable for the potential harm experienced by young users of their products. It also serves as a reminder that even where new laws are passed and subsequently challenged on constitutional grounds, AGs’ UDAP authority remains, and still serves as a viable path for the AG to seek relief. We anticipate that

protecting children will continue to be at the forefront of AG enforcement and any company whose products or services are used by young users should take a close look at their practices to ensure compliance.