

**Introduced by Senator Skinner**  
**(Coauthors: Senators Allen, Ashby, Durazo, Rubio, and Wilk)**

January 29, 2024

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An act to add Chapter 23 (commencing with Section 27000) to Division 20 of the Health and Safety Code, relating to youth addiction.

LEGISLATIVE COUNSEL'S DIGEST

SB 976, as introduced, Skinner. Social Media Youth Addiction Law.

Existing law, the California Age-Appropriate Design Code Act, requires, beginning July 1, 2024, a business that provides an online service, product, or feature likely to be accessed by children to comply with certain requirements. The act requires the business to complete a data protection impact assessment addressing, among other things, whether the design could harm children and whether and how the online product, service, or feature uses system design features to increase, sustain, or extend use of the online product, service, or feature by children, including the automatic playing of media, rewards for time spent, and notifications. Existing law prohibits the business from using the personal information of any child in a way that the business knows, or has reason to know, is materially detrimental to the physical health, mental health, or well-being of a child.

Existing law, the Privacy Rights for California Minors in the Digital World, prohibits an operator of an internet website, online service, online application, or mobile application from specified conduct when minors are involved, including the marketing or advertising of alcoholic beverages, firearms, or certain other products or services. Existing law sets forth other related protections for minors, including under the California Consumer Privacy Act of 2018 and the California Privacy Rights Act of 2020.

This bill, the Social Media Youth Addiction Law, would make it unlawful for the operator of an addictive social media platform, as defined, to provide an addictive feed to a user, unless the operator has reasonably determined that the user is not a minor or the operator has obtained verifiable parental consent to provide an addictive feed to the user who is a minor.

The bill would define “addictive feed” as an internet website, online service, online application, or mobile application, in which multiple pieces of media generated or shared by users are recommended, selected, or prioritized for display to a user based on information provided by the user, or otherwise associated with the user or the user’s device, as specified, unless any of certain conditions are met.

The bill would make it unlawful for the operator of an addictive social media platform, between the hours of 12:00 AM and 6:00 AM, inclusive, in the user’s local time zone, and between the hours of 8:00 AM and 3:00 PM, inclusive, Monday through Friday from September through May in the user’s local time zone, to send notifications to a user who is a minor unless the operator has obtained verifiable parental consent to send those notifications. The bill would set forth related provisions for certain access controls determined by the verified parent.

The bill would require an operator to annually disclose the number of minor users of its addictive social media platform, and of that total the number for whom the operator has received verifiable parental consent to provide an addictive feed, and the number of minor users as to whom the access controls are or are not enabled.

The bill would authorize the Attorney General to adopt regulations to further the purposes of these provisions. The bill would make these provisions severable.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares both of the
- 2 following:
- 3 (a) Social media provides an important tool for communication
- 4 and information sharing. However, some social media platforms
- 5 have evolved to include addictive features, including the
- 6 algorithmic delivery of content, that pose a significant risk of harm
- 7 to the mental health and well-being of children and adolescents.

1 (b) It is essential, given the ongoing youth mental health crisis,  
2 that California act to ensure that social media platforms obtain  
3 parental consent before exposing children and adolescents to these  
4 features.

5 SEC. 2. Chapter 23 (commencing with Section 27000) is added  
6 to Division 20 of the Health and Safety Code, to read:

7  
8 CHAPTER 23. SOCIAL MEDIA YOUTH ADDICTION  
9

10 27000. This chapter shall be known, and may be cited, as the  
11 Social Media Youth Addiction Law.

12 27000.5. For purposes of this chapter, the following terms have  
13 the following meanings:

14 (a) “Addictive feed” means an internet website, online service,  
15 online application, or mobile application, or a portion thereof, in  
16 which multiple pieces of media generated or shared by users are,  
17 either concurrently or sequentially, recommended, selected, or  
18 prioritized for display to a user based, in whole or in part, on  
19 information provided by the user, or otherwise associated with the  
20 user or the user’s device, unless any of the following conditions  
21 are met, alone or in combination with one another:

22 (1) The information, including search terms entered by a user,  
23 is not persistently associated with the user or user’s device, and  
24 does not concern the user’s previous interactions with media  
25 generated or shared by others.

26 (2) The information consists of user-selected privacy or  
27 accessibility settings, technical information concerning the user’s  
28 device, or device communications or signals concerning whether  
29 the user is a minor.

30 (3) The user expressly and unambiguously requested the specific  
31 media or media by the author, creator, or poster of the media,  
32 provided that the media is not recommended, selected, or  
33 prioritized for display based, in whole or in part, on other  
34 information associated with the user or the user’s device, except  
35 as otherwise permitted by this chapter and, in the case of audio or  
36 video content, is not automatically played.

37 (4) The media consists of direct, private communications  
38 between users.

39 (5) The media recommended, selected, or prioritized for display  
40 is exclusively the next media in a preexisting sequence from the

1 same author, creator, poster, or source and, in the case of audio or  
2 video content, is not automatically played.

3 (b) “Addictive social media platform” means an internet website,  
4 online service, online application, or mobile application, that offers  
5 or provides users an addictive feed that is not incidental to the  
6 provision of that internet website, online service, online application,  
7 or mobile application.

8 (c) “Media” means text, audio, an image, or a video.

9 (d) “Minor” means an individual under 18 years of age.

10 (e) “Operator” means a person who operates or provides an  
11 internet website, an online service, an online application, or a  
12 mobile application.

13 (f) “Parent” means a parent or a legal guardian.

14 (g) “User” means a person, located in the State of California,  
15 who uses an internet website, online service, online application,  
16 or mobile application. “User” does not include the operator or a  
17 person acting as an agent of the operator.

18 27001. (a) It shall be unlawful for the operator of an addictive  
19 social media platform to provide an addictive feed to a user unless  
20 either of the following is met:

21 (1) The operator has reasonably determined that the user is not  
22 a minor.

23 (2) The operator has obtained verifiable parental consent to  
24 provide an addictive feed to the user who is a minor.

25 (b) Information collected for the purpose of determining a user’s  
26 age under subdivision (a) shall not be used for any purpose other  
27 than compliance with this chapter or with another applicable law.

28 27002. (a) It shall be unlawful for the operator of an addictive  
29 social media platform, between the hours of 12:00 AM and 6:00  
30 AM, inclusive, in the user’s local time zone, and between the hours  
31 of 8:00 AM and 3:00 PM, inclusive, from Monday through Friday  
32 from September through May in the user’s local time zone, to send  
33 notifications to a user who is a minor unless the operator has  
34 obtained verifiable parental consent to send those notifications.

35 (b) The operator of an addictive social media platform shall  
36 provide a mechanism through which the verified parent of a user  
37 who is a minor may do any of the following:

38 (1) Prevent their child from accessing or receiving notifications  
39 from the addictive social media platform between specific hours  
40 chosen by the parent. This setting shall be set by the operator as

1 on by default, in a manner in which the child's access is limited  
2 between the hours of 12:00 AM and 6:00 AM, inclusive, in the  
3 user's local time zone.

4 (2) Limit their child's access to the addictive social media  
5 platform to a length of time per day specified by the verified parent.  
6 This setting shall be set by the operator as on by default, in a  
7 manner in which the child's access is limited to one hour per day  
8 unless modified by the verified parent.

9 (3) Limit their child's ability to view the number of likes or  
10 other forms of feedback to pieces of media within an addictive  
11 feed. This setting shall be set by the operator as on by default.

12 (4) Require that the default feed provided to the child when  
13 entering the platform be one in which pieces of media are not  
14 recommended, selected, or prioritized for display based on  
15 information provided by the user, or otherwise associated with the  
16 user or the user's device, other than the user's age or status as a  
17 minor.

18 (5) Set their child's account to private mode, in a manner in  
19 which only users to whom the child is connected on the addictive  
20 social media platform may view or respond to content posted by  
21 the child. This setting shall be set by the operator as on by default.

22 27003. (a) This chapter shall not be construed as requiring the  
23 operator of an addictive social media platform to give a parent any  
24 additional or special access to, or control over, the data or accounts  
25 of their child.

26 (b) This chapter shall not be construed as preventing any action  
27 taken in good faith to restrict access to, or availability of, media.

28 27004. An operator may choose not to provide services to  
29 minors. However, the operator of an addictive social media  
30 platform shall not withhold, degrade, lower the quality of, or  
31 increase the price of, any product, service, or feature, other than  
32 as required by this chapter, due to a user or parent availing  
33 themselves of the rights provided by this chapter, or due to the  
34 protections required by this chapter.

35 27005. An operator of an addictive social media platform shall  
36 disclose, on an annual basis, the number of minor users of its  
37 addictive social media platform, and of that total the number for  
38 whom the operator has received verifiable parental consent to  
39 provide an addictive feed, and the number of minor users as to  
40 whom the controls set forth in Section 27002 are or are not enabled.

1     27006. The Attorney General may adopt regulations to further  
2 the purposes of this chapter, including regulations regarding age  
3 verification and parental consent.

4     27007. If any provision of this chapter, or application thereof,  
5 to any person or circumstance is held invalid, that invalidity shall  
6 not affect other provisions or applications of this chapter that can  
7 be given effect without the invalid provision or application, and  
8 to this end the provisions of this chapter are declared to be  
9 severable.