

AMENDED IN ASSEMBLY APRIL 21, 2025
AMENDED IN ASSEMBLY FEBRUARY 25, 2025
CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 56

Introduced by Assembly Member Bauer-Kahan
(Coauthors: Assembly Members Lowenthal, Ortega, and Wicks)

December 2, 2024

An act to add Chapter 25 (commencing with Section 28000) to Division 20 of the Health and Safety Code, relating to social media platforms.

LEGISLATIVE COUNSEL'S DIGEST

AB 56, as amended, Bauer-Kahan. Social media: warning labels.

Existing law generally regulates social media platforms, including, among other laws, the Protecting Our Kids from Social Media Addiction Act that prohibits an operator of an addictive internet-based service or application, including a social media platform, from providing an addictive feed, as defined, to a minor user, except as prescribed.

This bill would enact the Social Media Warning Law ~~to that would~~ require a social media platform to display a certain black box warning to a user each day the user initially accesses the social media platform, again after 3 hours of cumulative active use, and thereafter at least once per hour of cumulative active use, as prescribed. *The bill would authorize the Director of the State Department of Public Health to adopt regulations to modify that black box warning, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-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 all of the
2 following:

3 (a) Social media provides an important tool for communication
4 and information sharing. Approximately 95 percent of minor
5 teenagers say that they use at least one social media platform, and
6 more than one-third report using social media almost constantly.

7 (b) As the United States Surgeon General has reported, recent
8 evidence has identified “reasons for concern” about social media
9 usage by children and adolescents. This evidence includes a study
10 concluding that the risk of poor mental health outcomes doubles
11 for children and adolescents who use social media at least three
12 hours per day and research finding that social media usage is linked
13 to a variety of negative health outcomes, including low self-esteem
14 and disordered eating for adolescent girls.

15 (c) Further, per the Surgeon General’s Social Media and Youth
16 Mental Health advisory, “excessive and problematic use of social
17 media can harm children and adolescents by disrupting important
18 healthy behaviors. Social media platforms are often designed to
19 maximize user engagement, which has the potential to encourage
20 excessive use and behavioral dysregulation. Push notifications,
21 autoplay, infinite scroll, quantifying and displaying popularity
22 (i.e., ‘likes’), and algorithms that leverage user data to serve content
23 recommendations are some examples of these features that
24 maximize engagement.”

25 (d) Heavier usage of social media also leads to less healthy sleep
26 patterns and sleep quality, which can in turn exacerbate both
27 physical and mental health problems.

28 (e) Evidence cited in lawsuits against social media companies
29 for the harms caused against children supports the use of warning
30 labels to advise users of the potential harms of these features.
31 Lawsuits have cited internal documents from companies detailing
32 their deliberate targeting of children in order to bring them on the
33 social media platform and to keep them on the platform. Internal
34 documents have also revealed that social media platforms are aware
35 that their features can impact the health and development of
36 children’s brains and mental health. They understand that children
37 cannot resist some of these features using their underdeveloped

1 discipline and capitalize on this in order to keep them on their
2 platforms.

3 (f) Both California and the United States as a whole are facing
4 an ongoing youth mental health crisis, with rates of adolescent
5 suicides, depressive episodes, and feelings of sadness and
6 hopelessness on the rise in recent years.

7 (g) Governments across the globe have effectively employed
8 black box style warnings to educate the public regarding goods
9 that pose a risk of harm to public health.

10 (h) For these reasons, it is essential that California act to ensure
11 that users, their families, and the public are warned of the risks of
12 social media use, and requiring the display of a black box style
13 warning is an appropriate mechanism for doing so.

14 SEC. 2. Chapter 25 (commencing with Section 28000) is added
15 to Division 20 of the Health and Safety Code, to read:

16
17 CHAPTER 25. SOCIAL MEDIA WARNING LAW
18

19 28000. This chapter shall be known, and may be cited, as the
20 Social Media Warning Law.

21 28001. For purposes of this chapter, “social media platform”
22 means an internet website or internet medium that meets all of the
23 following criteria:

24 (a) The internet website or internet medium permits a person
25 to become a registered user, establish an account, or create a profile
26 for the purpose of allowing the user to create, share, and view
27 user-generated content through that account or profile.

28 (b) The internet website or internet medium enables one or more
29 users to generate content that can be viewed by other users of the
30 internet website or internet medium.

31 (c) The internet website or internet medium primarily serves as
32 a medium for users to interact with content generated by other
33 users of the internet website or internet medium.

34 28002. (a) (1) (A) For each calendar day in which a user uses
35 a social media platform, the social media platform shall ~~display~~
36 *display, pursuant to subparagraph (B),* the black box warning
37 described in ~~paragraph (2) subdivision (b)~~ to the user when the
38 user initially accesses the social media platform, ~~again after three~~
39 ~~hours of cumulative active use, and thereafter at least once per~~
40 ~~hour of cumulative active use.~~ *platform.*

(B) The black box warning required by this paragraph shall be displayed clearly and continuously for a duration of at least ~~90~~ 10 seconds, ~~without providing the ability to bypass or click through the warning, unless the user clicks through the black box warning before 10 seconds have passed,~~ in a manner that is clear and legible and that occupies at ~~between 75 percent and 100~~ least 25 percent of the screen or window that the user is using to access the social media platform.

(2) (A) For each calendar day in which a user uses a social media platform, the social media platform shall display, pursuant to subparagraph (B), the black box warning described in subdivision (b) after three hours of cumulative active use and thereafter at least once per hour of cumulative active use.

(B) The black box warning required by this paragraph shall be displayed clearly and continuously for a duration of at least 90 seconds, without providing the ability to bypass or click through the warning, in a manner that occupies at between 75 percent and 100 percent of the screen or window that the user is using to access the social media platform

~~(2)~~

(b) (1) The black box warning consists of the following text from the United States Surgeon General's Advisory titled Social Media and Youth Mental Health, published in 2023, displayed clearly, conspicuously, and legibly in black text on a white background:

~~"The Surgeon General has advised~~ warned that there are ample indicators that social media can have a profound risk of harm to the mental health and well-being of children and adolescents." 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."

(2) The Director of the State Department of Public Health may adopt regulations to modify the warning described in paragraph (1) in furtherance of the purposes of this chapter.

~~(b)~~

(c) The provision of the notice required by this section does not waive, release, otherwise limit, or serve as a defense to, any claim,

1 including claims premised on failure to warn, other than a claim
2 premised on a violation of this section.
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REVISIONS:

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Heading—Line 2.

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