

AMENDED IN ASSEMBLY FEBRUARY 25, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

**ASSEMBLY BILL**

**No. 56**

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**Introduced by Assembly Member Bauer-Kahan**

December 2, 2024

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~~An act relating to social media.~~ *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 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.*

~~Existing law regulates social media platforms through various acts, including the Cyberbullying Protection Act that requires a social media platform to, among other things and subject to specified exceptions, disclose all cyberbullying reporting procedures in the terms of service; and the Online Violence Prevention Act that requires a social media platform to, except as specified, clearly and conspicuously state whether it has a mechanism for reporting violent posts that is available to users and nonusers of the platform.~~

~~This bill would state the intent of the Legislature to enact legislation relating to mental health warning labels for social media platforms.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
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*  
13    *linked to a variety of negative health outcomes, including low*  
14    *self-esteem 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*  
23    *content recommendations are some examples of these features that*  
24    *maximize engagement.”*

25    *(d) Heavier usage of social media also leads to less healthy*  
26    *sleep 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*

1 documents have also revealed that social media platforms are  
2 aware that their features can impact the health and development  
3 of children's brains and mental health. They understand that  
4 children cannot resist some of these features using their  
5 underdeveloped discipline and capitalize on this in order to keep  
6 them on their platforms.

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

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

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

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

20  
21 CHAPTER 25. SOCIAL MEDIA WARNING LAW  
22

23 28000. This chapter shall be known, and may be cited, as the  
24 Social Media Warning Law.

25 28001. For purposes of this chapter, "social media platform"  
26 means an internet website or internet medium that meets all of the  
27 following criteria:

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

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

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

38 28002. (a) (1) (A) For each calendar day in which a user  
39 uses a social media platform, the social media platform shall  
40 display the black box warning described in paragraph (2) to the

1 user when the user initially accesses the social media platform,  
2 again after three hours of cumulative active use, and thereafter at  
3 least once per hour of cumulative active use.

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

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

14  
15 “The Surgeon General has advised that there are ample  
16 indicators that social media can have a profound risk of harm to  
17 the mental health and well-being of children and adolescents.”  
18

19 (b) The provision of the notice required by this section does not  
20 waive, release, otherwise limit, or serve as a defense to, any claim,  
21 including claims premised on failure to warn, other than a claim  
22 premised on a violation of this section.

23 ~~SECTION 1. It is the intent of the Legislature to enact~~  
24 ~~legislation relating to mental health warning labels for social media~~  
25 ~~platforms.~~