HOUSE DOCKET, NO. 2051 FILED ON: 1/15/2025

HOUSE . . . . . No. 2236

The Commonwealth of Massachusetts

PRESENTED BY:

Joshua Tarsky

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolve:

Resolve relative to children's mental health in social media.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Joshua Tarsky	*13th Norfolk*	*1/15/2025*
Sean Reid	*11th Essex*	*6/3/2025*

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HOUSE . . . . . No. 2236

By Representative Tarsky of Needham, a petition (accompanied by resolve, House, No. 2236) of Joshua Tarsky for an investigation by a special commission (including members of the General Court) to promote safe social media use, identify best practices for social media platforms to safeguard children's mental health, and develop guidelines for safe social media use. Mental Health, Substance Use and Recovery.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *1986* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

Resolve relative to children's mental health in social media.

Resolved, that there shall be a special commission on children's mental health and social media to investigate the risks of social media to children, recommend a legal framework for the commonwealth to promote safe social media use, identify best practices for social media platforms to safeguard children's mental health, and develop guidelines for safe social media use.

The commission shall consist of the following persons, or their designees: the secretary of health and human services, who shall serve as chair; the commissioner of public health; the commissioner of elementary and secondary education; the attorney general; 2 members of the house of representatives, 1 of whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the house minority leader; 2 members of senate, 1 of whom shall be

appointed by the senate president and 1 of whom shall be appointed by the senate minority leader; a representative of the Massachusetts chapter of the American Academy of Pediatrics; a representative of the Children's Mental Health Campaign; a representative of the Massachusetts School Nurse Organization; a representative of the American Civil Liberties Union of Massachusetts, Inc.; a representative of the Harvard TH Chan School of Public Health; and 10 persons to be appointed by the governor, 1 of whom shall be a representative of a nonprofit organization that advocates for the prevention of online harms including, cyberbullying, sexual exploitation and access to content that is harmful to children; 1 of whom shall be a representative of a research or academic institution with experience in artificial intelligence and information technology; 1 of whom shall be a representative of a behavioral health services program housed at a community hospital; 1 of whom shall have experience in addiction; 1 of whom shall be someone with clinical experience working with children; 1 of whom shall be an organization that deals with child-targeted marketing; 1 of whom shall be a parent of a child who has experienced cyberbulling and has engaged a school system regarding cyberbullying; 1 of whom shall be a youth who has experienced cyberbulling by their peers; 1 of whom shall have experience working for a social media platform; and 1 of whom shall have experience conducting independent audits of social media platforms and social media algorithms.

The commission shall:

(i) investigate, assess, advise and report on the risk of harm or actual harms children encounter on social media platforms, including but not limited to:

(1) the effect of social media on children's mental health, including but not limited to the promotion or exacerbation of self-harm, suicide, eating disorders, addiction and substance use

disorder; physical violence, online bullying and harassment; sexual exploitation, including enticement, sex trafficking, and sexual abuse of minors and trafficking of online child sexual abuse material; promotion and marketing of narcotic drugs, tobacco products, gambling, or alcohol to a child; or predatory, unfair, or deceptive marketing practices, or other financial harms; and

(2) the use and impact on children of online design features that increase, sustain, or extend use of covered platforms, such as the automatic playing of media, the use of infinite scrolling, rewards for time spent, paid ad placement and notifications;

(ii) study, review, advise and recommend a legal framework for the commonwealth to receive and review independent algorithm audits of social media platforms likely to be accessed by children, including but not limited to:

(1) the information that a state agency may require a social media platform submit in an independent algorithm audit, including but not limited to: (A) transparency audits; (B) system risk assessments; and (C) mitigation accounting and planning;

(2) criteria for vetting and approving professional auditors to conduct independent third-party algorithm audits of social media platforms;

(3) criteria for defining what social media platforms may be reasonably required to submit an independent algorithm audit;

(4) organizational and fiscal models that would ensure effective operations of a state agency tasked with receiving and reviewing independent algorithm audits; and

(5) definitions for key terms not already defined in the General Laws, including algorithm, social media platform, likely to be accessed;

(iii) identify best practices social media platforms may implement to promote the health and safety of children using social media platforms, including but not limited to:

(1) acceptable standards for the mitigation or elimination of harms children may encounter on social media platforms;

(2) methods to ensure privacy in age verification;

(3) data management best practices to mitigate the unauthorized access of a child's personal information or data; and

(4) tools and features that social media platforms may provide to prevent children from harm while using the covered platform and that ensure the privacy of children, especially the privacy of children between the ages of 13 and 18;

(iv) Develop recommendations to encourage the safe social media use of children, including:

(1) recommendations for parents relative to the safe use of social media platforms among children;

(2) model guidelines for school districts on the use of social media by students during school hours and how to address issues that arise inside schools due to the use of social media outside of school hours; and

(3) public awareness campaigns the department of public health may conduct to promote the above recommendations.

The commission may solicit public input through public hearings and testimony.

Not later than December 31, 2026, the commission shall submit a detailed report with its findings and recommendations, along with drafts of legislation necessary to carry out its recommendations, to the governor, the joint committee on public health; the joint committee on mental health, substance use and recovery; the joint committee on children, families and persons with disabilities; and the house and senate committee on ways and means.