HOUSE DOCKET, NO. 3070 FILED ON: 1/16/2025

HOUSE . . . . . No. 666

The Commonwealth of Massachusetts

PRESENTED BY:

Alice Hanlon Peisch and Kate Lipper-Garabedian

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 bill:

An Act promoting safe technology use and distraction-free education for youth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Alice Hanlon Peisch	*14th Norfolk*	*1/16/2025*
Andrea Joy Campbell	*Attorney General*	*1/16/2025*
Nick Collins	*First Suffolk*	*1/27/2025*
Carmine Lawrence Gentile	*13th Middlesex*	*2/3/2025*
Danillo A. Sena	*37th Middlesex*	*2/3/2025*
Jennifer Balinsky Armini	*8th Essex*	*2/18/2025*
Carlos González	*10th Hampden*	*2/24/2025*
Paul McMurtry	*11th Norfolk*	*2/24/2025*
Simon Cataldo	*14th Middlesex*	*3/5/2025*
Sean Garballey	*23rd Middlesex*	*3/7/2025*
Jay D. Livingstone	*8th Suffolk*	*4/8/2025*
David T. Vieira	*3rd Barnstable*	*5/27/2025*
James C. Arena-DeRosa	*8th Middlesex*	*6/18/2025*
Mike Connolly	*26th Middlesex*	*6/18/2025*
Marjorie C. Decker	*25th Middlesex*	*10/27/2025*

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HOUSE . . . . . No. 666

By Representatives Peisch of Wellesley and Lipper-Garabedian of Melrose, a petition (accompanied by bill, House, No. 666) of Alice Hanlon Peisch, Andrea Joy Campbell and others relative to the use of personal electronic devices on school grounds. Education.

The Commonwealth of Massachusetts

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

An Act promoting safe technology use and distraction-free education for youth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 71 of the General Laws, as amended by section 2 of chapter 118 of the acts of 2024, is hereby further amended by adding the following 2 sections:-

Section 101. Each public school shall have a policy regarding the use of personal electronic devices on school grounds and during school-sponsored activities to reduce distractions, maintain environments focused on learning and protect the privacy and safety of students and staff. Each public school shall notify the parents or guardians of all students attending the school of the policy. The policy shall include, but not be limited to, a prohibition on physical access to a personal electronic device by students during the school day as defined by the board of elementary and secondary education pursuant to section 1G of chapter 69 unless: (i) authorized by a school administrator to address the needs of an individual student; (ii) when used in accordance with an individualized education program or an education plan implemented pursuant to section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 701 et seq.; or (iii) during

13 an emergency. For the purposes of this section, a “personal electronic device” shall mean a smart
14 phone, mobile phone, tablet, computer, smartwatch or other electronic device not owned or
15 provided to a student by a public school that is capable of communication through the internet or
16 a wireless network.

17 The policy and any standards and rules enforcing the policy shall be prescribed by the
18 school committee in conjunction with the superintendent or the board of trustees of a
19 commonwealth charter school.

20 The department of elementary and secondary education shall, in consultation with the
21 attorney general’s office and the department of public health, provide guidance and
22 recommendations to assist schools with developing and implementing effective policies
23 regarding the use of personal electronic devices on school grounds and during school-sponsored
24 activities consistent with this section and shall make such guidance and recommendations
25 publicly available on the department's website. Guidance and recommendations may be reviewed
26 and regularly updated to reflect applicable research and best practices.

27 Each school district and charter school shall file its school personal electronic device use
28 policy with the department of elementary and secondary education in a manner and form
29 prescribed by the department.

30 Section 102. Each public school shall have a policy regarding the education of its
31 students about the social, emotional and physical risks and harms of social media use. The school
32 shall notify the parents or guardians of all students attending the school of the policy and shall
33 post the policy on the school's website. The policy, and any standards and rules enforcing the

34 policy, shall be prescribed by the school committee in conjunction with the superintendent or the
35 board of trustees of a charter school.

36 The department of elementary and secondary education, in consultation with the attorney
37 general's office and the department of public health, shall provide guidance and
38 recommendations to assist schools with developing and implementing effective social media use
39 education policies and shall make such guidance and recommendations publicly available on the
40 department's website. Guidance and recommendations may include, but shall not be limited to,
41 curriculum resources, guidance on developing community norms regarding cell phone and social
42 media use, guidance for educating parents or guardians on managing their child's social media
43 use and recognizing warning signs of the harmful effects of social media use and other available
44 resources. Guidance and recommendations may be reviewed and regularly updated to reflect
45 applicable research and best practices.

46 Each school district and charter school shall file its social media use education policy
47 with the department of elementary and secondary education in a manner and form prescribed by
48 the department.

49 SECTION 2. The General Laws are hereby amended by inserting after chapter 93L the
50 following chapter:-

51 CHAPTER 93M

52 ONLINE PROTECTION

53 Section 1. As used in this chapter, the following words shall, unless the context clearly
54 requires otherwise, have the following meanings:

55 “Account”, a unique profile for a user of a social media company.

56 “Algorithmic ranking system”, means a computational process, including a process
57 derived from algorithmic decision making, machine learning, statistical analysis or other data
58 processing or artificial intelligence techniques, used to determine the selection, order, relative
59 prioritization or relative prominence of content from a set of information that is provided to a
60 user on a social media platform, including search results ranking, content recommendations,
61 content display or any other automated content recommendation method.

62 “Content”, text, image or video created, shared or viewed through a social media
63 platform.

64 “Connected account”, an account directly connected to another account by affirmative
65 request or affirmative confirmation by the users of both accounts.

66 “Social media feed”, the presentation of content to users of a social media platform that
67 has been recommended, selected or prioritized for presentation based on an algorithmic ranking
68 system or other information associated with the user’s account.

69 “Social media platform”, a public website, online service, online application or mobile
70 application that displays content primarily generated by users and allows users to create, share
71 and view user-generated content with other users. “Social media platform” shall not include
72 email, cloud storage, SMS, MMS, RCS, or similar text messaging telecommunications services
73 or document viewing, sharing or collaboration services.

74 “Minor”, an individual who is under 18 years of age.

75 “User”, an individual who accesses or uses a social media platform through an account.

76 “Parent”, a parent or legal guardian.

77 Section 2. (a) A social media platform shall implement an age assurance or verification
78 system to determine whether a user on the social media platform meets age requirements to use
79 the platform under applicable law. The age assurance system shall consist of the best technology
80 available in the age assurance and verification industry with measures reasonably calculated to
81 accurately identify a current or prospective user’s age and determine the proper level of access to
82 the social media platform’s features pursuant to this chapter with 99 per cent accuracy.

83 (b) A social media platform shall implement a review process to allow users to appeal the
84 social media platform’s age designation by submitting documentary evidence over the internet to
85 establish that the user is not a minor and shall review the documentary evidence submitted and
86 make a determination on the appeal within 3 days.

87 (c) Any data or information gathered by the social media platform for use in the age
88 assurance system, or during any appeal of the age assurance system’s determination, shall be
89 segregated by the social media platform and remain confidential. The data and information
90 gathered for use in the age assurance system, or during any appeal of the system’s determination,
91 shall not be used for any other purpose by the social media platform.

92 Section 3. (a) Upon determination that an account belongs to a minor user, a social media
93 platform shall set the default settings of the minor user to ensure a heightened level of privacy
94 and limit the use of features that prolong minor engagement with the social media platform. The
95 default settings shall include, but not be limited to:

96 (i) restricting the visibility of the minor user’s account to only connected accounts;

97 (ii) limiting the minor user to only sharing content with connected accounts;

98 (iii) limiting the minor user to only direct messaging with connected accounts;

99 (iv) enabling a social media feed that only presents content chronologically;

100 (v) disabling autoplay functions that continuously present content to a user;

101 (vi) disabling continuous scrolling or pagination functions that present continuous
102 content as the user continues to scroll a social media feed;

103 (vii) disabling notifications to the minor user concerning a social media feed between
104 the hours of 10:00 p.m. and 6:00 a.m. and between the hours of 9:00 a.m. and 3:00 p.m.;

105 (viii) restricting a minor user from accessing the social media platform between the
106 hours of 10:00 p.m. and 6:00 a.m. and between the hours of 9:00 a.m. and 3:00 p.m.;

107 (ix) restricting a minor user from accessing the social media platform for more than 1
108 ½ cumulative hours of use in any 24 hour period;

109 (x) restricting a minor user from accessing the social media platform for 10 minutes
110 after 20 minutes of continuous use.

111 (b) The default settings of a minor user of a social media platform who is 15 years old or
112 younger provided in clauses (ix) and (x) of subsection (a) may be changed with parental consent
113 pursuant to section 5; provided, however, the parent may not increase access pursuant to clause
114 (ix) to more than 2 hours in any 24 hour period and the parent may not increase continuous use
115 pursuant to clause (x) to more than 30 minutes before 10 minutes of inaccessibility.

116 (c) The default settings of a minor user of a social media platform provided in clauses (ix)
117 and (x) of subsection (a) may be changed by a minor user who is 16 or 17 years old; provided,
118 however, the minor user may not increase access pursuant to clause (ix) to more than 2 hours in
119 any 24 hour period and the minor user may not increase continuous use pursuant to clause (x) to
120 more than 30 minutes before 10 minutes of inaccessibility.

121 (d) A social media platform shall restrict from public visibility a minor user's account
122 within 1 hour of receiving a request for a restriction by a parent of a minor user 15 years old or
123 younger or by a minor user and shall delete a minor user's account within 3 days of receiving a
124 request for a deletion by a parent of a minor user 15 years old or younger or by a minor user.
125 Any restriction or deletion pursuant to this subsection shall include all information and material
126 made publicly available by the minor user on the social media platform. Nothing in this
127 subsection shall require a social media platform to contravene any federal or state law or
128 regulation or require a social media platform to delete information subject to a law enforcement
129 investigation.

130 (e) A social media platform shall provide a conspicuous tool with each item of content to
131 allow a minor user the ability to flag or otherwise indicate that the minor user found the content
132 to be unwanted or harmful.

133 (f) A social media platform shall present a warning to minor users on the negative effects
134 of social media use on social, emotional and physical health. The warning shall be presented to a
135 minor user upon account activation and every 30 days thereafter and shall require the minor user
136 to acknowledge the warning before proceeding to use the social media platform.

137 Section 4. (a) A social media platform shall publicly and conspicuously post the
138 following information on the social media platform's website:

139 (i) data and information on how the social media platform tracks platform use by minor
140 users including, but not limited to:

141 (1) any tracking by the social media platform on the number of times for each mode of
142 interaction that a minor user interacts with other accounts in an hour, day, week and month; and

143 (2) whether and how the social media platform engages in any limitations in the ability of
144 minor users to engage in account interactions;

145 (ii) data and information on whether and how the social media platform:

146 (1) assesses the relevance of content on the platform to the preferences of a minor user;
147 and

148 (2) assesses minor users' expressed preferences regarding content;

149 (iii) statistics on the platform's use by minor users for each distinct type of account
150 interaction or engagement, including but not limited to:

151 (1) sending invitations or messages to other platform users;

152 (2) commenting on content;

153 (3) resharing content;

154 (4) liking content;

155 (5) voting for content;

156 (6) reacting to content;

157 (7) posting new minor user-generated content;

158 (8) disseminating minor user-generated content to other platform users; and

159 (9) time spent on the platform by minor users;

160 (iv) data and information on when and how often notifications are sent to a minor user
161 and how the social media platform determines when to send a notification to a minor user; and

162 (v) a description of all product experiments that have been conducted on 1,000 or more
163 minor users of the social media platform, including a description of the experimental conditions
164 and the results of the product experiment for all experimental conditions on users' viewing or
165 engaging with content that:

166 (i) minor users indicate to be of high or low quality;

167 (ii) minor users indicate complies or does not comply with the users' expressed
168 preferences;

169 (iii) minor users indicate is harmful or unwanted; or

170 (iv) minor users indicate violates platform policies.

171 (b) Every 7 days the social media platform shall survey minor users to determine
172 whether, and to what extent, the minor user had experienced unwanted or harmful activity on the
173 social media platform. The social media platform shall collect the surveys required pursuant to
174 this subsection and any data concerning the flagging of unwanted or harmful content pursuant to
175 subsection (e) of section 3 and make the surveys and data publicly available.

176 Section 5. Nothing in this chapter shall be construed as requiring a social media platform
177 to provide a parent any additional or special access to or control over the data or accounts of their
178 minor user child; provided, however, the social media platform may provide a parent access to
179 the account of a minor user child for the purposes of obtaining consent pursuant to section 3.

180 Section 6. A violation by a social media platform of the provisions of this chapter shall be
181 deemed an unfair or deceptive act or practice in trade or commerce under the provisions of
182 chapter 93A. A violation of section 2 or section 3 shall be punished by a civil fine of not more
183 than $5,000 per violation. Each user affected by a violation of section 2 or section 3 shall be
184 considered a separate violation under this section. A violation of section 4 shall be punished by a
185 civil fine of not more than $1 million. Each day that a violation of section 4 occurs shall be
186 considered a separate violation under this