

SENATE No. 3164

The Commonwealth of Massachusetts

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

SENATE, July 2, 2026.

The committee on Senate Ways and Means to whom was referred the Senate Bill protecting children from addictive social media feeds (Senate, No. 30), - reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 3164).

For the committee,
Michael J. Rodrigues

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**In the One Hundred and Ninety-Fourth General Court
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An Act protecting children from addictive social media feeds.

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

1 SECTION 1. The General Laws are hereby further amended by inserting after chapter
2 93L the following chapter:-

3 Chapter 93M

4 ONLINE PROTECTION

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

7 “Account”, a unique profile for a user of a social media platform.

8 “Addictive social media feed”, a website, online service, online application or mobile
9 application, or a portion thereof, in which multiple pieces of content generated or shared by users
10 of a website, online service, online application or mobile application, either concurrently or
11 sequentially, are recommended, selected or prioritized for display to a user based, in whole or in
12 part, on information associated with the user or the user’s device unless, for each such

13 recommendation, selection or prioritization, any of the following conditions are met, alone or in
14 combination with one another:

15 (i) the recommendation, prioritization or selection is based on information that is not
16 persistently associated with the user or user's device and does not concern the user's previous
17 interactions with content generated or shared by other users unless the content was explicitly
18 saved by the user;

19 (ii) the recommendation, prioritization or selection is based on user-selected privacy or
20 accessibility settings or technical information concerning the user's device;

21 (iii) the user expressly and unambiguously: (1) requested the specific content; (2)
22 subscribed to content by the author, creator or poster of the content; or (3) subscribed to the page
23 or group to which the content is shared by users; provided, however, that the content is not
24 recommended, selected or prioritized for display based, in whole or in part, on other information
25 associated with the user or the user's device that is not otherwise permissible under this section;
26 provided further, that "subscribed to" shall include friending, joining or otherwise affirmatively
27 requesting content from;

28 (iv) the user expressly and unambiguously requested that specific content, content by a
29 specified author, creator or poster of content to which the user has subscribed or content shared
30 by users to a page or group to which the user has subscribed pursuant to clause (iii) be blocked,
31 prioritized or deprioritized for display; provided, however, that the content is not recommended,
32 selected or prioritized for display based, in whole or in part, on other information associated with
33 the user or the user's device that is not otherwise permissible under this section;

34 (v) the content is a direct or private communication;

35 (vi) the content is recommended, selected or prioritized only in direct response to a
36 specific search inquiry by the user at the time such search inquiry is made;

37 (vii) the content recommended, selected or prioritized for display is exclusively next in a
38 pre-existing sequence from the same author, creator, poster or source; or

39 (viii) the recommendation, prioritization or selection is necessary to comply with the
40 provisions of this chapter and any regulations promulgated pursuant to this chapter.

41 “Age signal”, a device-level transmission from an operating system provider or
42 application distribution provider to a covered operator of a categorical age range applicable to
43 the user of the device that does not require the transmission to the covered operator of such
44 user’s date of birth, legal name, government-issued identification or biometric identifier.

45 “Application distribution provider”, a person, business or legal entity that owns, controls
46 or operates a platform through which software applications are made available for download or
47 installation by users in the commonwealth.

48 “Autoplay”, a feature of a social media feed or landing page where content is
49 automatically played in a social media feed without any manual input from a user.

50 “Connected account”, an account on a social media platform that is directly connected to
51 another account by an affirmative request by a user and an affirmative confirmation by another
52 user.

53 “Content”, an image, video or text.

54 “Covered minor”, a user of a website, online service, online application or mobile

55 application in the commonwealth when the operator of such website, online service,
56 online application or mobile application has actual knowledge the user is a minor.

57 “Covered operator”, any person, business or legal entity who operates or provides a
58 social media platform.

59 “Educational technology platform”, a software application or web-based technology,
60 including, but not limited to, a learning management system, designed to provide communication
61 between a school and students’ parents or guardians, educational information, experiences,
62 training or instruction to build knowledge, skills or a craft; provided, however, that, for purposes
63 of this chapter: (i) such software application or web-based technology is approved by the school
64 district; (ii) the school district complies with the Family Educational Rights and Privacy Act of
65 1974, 20 U.S.C. 1232g, and 34 C.F.R. Part 99, in its use of any software application or web-
66 based technology; and (iii) the school district has an executed student data privacy agreement
67 governing the use of any software application or web-based technology that collects student data
68 that includes a requirement that the software application or web-based technology complies with
69 said Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g and 34 C.F.R. Part 99.

70 “Infinite scroll”, a feature of a social media feed or landing page that provides an
71 automatically and continuously loading social media feed or landing page where additional
72 content displays at the bottom of such feed or landing page without any manual input from a
73 user.

74 “Minor”, an individual under the age of 18.

75 “Operating system provider”, a person, business or legal entity that designs, develops or
76 distributes software that manages the hardware of an internet-enabled device, including a mobile
77 device, tablet or computer, and allows programs and applications to run on such device.

78 “Parent”, a parent or legal guardian of a minor.

79 “Precise geolocation data”, information derived from technology, including, but not
80 limited to, latitude and longitude coordinates from global positioning system mechanisms or
81 other similar positional data, that reveals the past or present physical location of a user or device
82 that identifies or is linked or reasonably linkable to 1 or more users with precision and accuracy
83 within a radius of 1,750 feet.

84 “Push notification”, an automatic electronic message displayed on a user’s personal
85 electronic device when the social media platform is not actively open or visible on the personal
86 electronic device that prompts the user to use and interact with the social media platform.

87 “Social media feed”, the presentation of content to users of a social media platform that
88 has been recommended, selected or prioritized for presentation or display to a user.

89 “Social media platform”, a public website, online service, online application or mobile
90 application that primarily serves as a medium for displaying content generated by users through a
91 social media feed and that allows users to create, share, view and interact with user-generated
92 content; provided, however, that “social media platform” shall not include: (i) email, short
93 message service, multimedia message service, rich communication service or similar text
94 messaging telecommunications services; (ii) cloud storage services; (iii) online services or
95 applications with the primary purpose to facilitate the purchase or sale of goods or services
96 between buyers and sellers, including, but not limited to, online marketplaces that enable users to

97 list, search for, purchase or review products or services, where any user-to-user communication
98 or user-generated content is incidental to such commercial transactions; (iv) an educational
99 technology platform; or (v) document viewing, sharing or collaboration services.

100 “User”, an individual who, through an account, accesses or uses either a social media
101 feed or a social media platform in the commonwealth; provided, however, that “user” shall not
102 include an individual acting as a covered operator, or agent or affiliate of the covered operator, of
103 such social media feed or social media platform or any portion thereof.

104 Section 2. (a)(1) A covered operator shall use commercially reasonable and technically
105 feasible methods to determine if a user is a covered minor unless the user opts out of such
106 methods; provided, however, that the covered operator shall provide the user with a clear, simple
107 and prominent opportunity to opt out of such methods prior to using them. The covered operator
108 shall set default social media platform safety settings for a user determined to be a covered
109 minor, or for a user that opts out of such methods, that shall:

110 (i) disable an addictive social media feed;

111 (ii) disable push notifications to a user between the hours of 12:00 a.m. and 6:00 a.m. in
112 the commonwealth’s time zone;

113 (iii) disable autoplay or other auto-advance functions that continuously present content to
114 a user;

115 (iv) disable infinite scroll or other endless scrolling or pagination functions; and

116 (v) require a clear and conspicuous reminder after the user has accessed the social media
117 platform for more than 1 cumulative hour of use in any 24-hour period and every 30 minutes of

118 cumulative use thereafter that the user has accessed the social media platform for any such
119 amount of time; provided, however, that the social media platform shall require the user to
120 acknowledge the reminder before continuing use of the social media platform.

121 (2) A covered operator shall not allow a user to change the default settings enabled
122 pursuant to paragraph (1) unless the covered operator has used commercially reasonable and
123 technically feasible methods to determine that the user is not a covered minor pursuant to section
124 3.

125 (b)(1) If a covered operator has actual knowledge that a user is a minor, the covered
126 operator shall enable default social media platform safety settings for the covered minor's
127 account that shall:

128 (i) restrict the visibility of the content on a covered minor's account to only connected
129 accounts; provided, however, that information necessary for users to search for and connect to a
130 covered minor's account, including, but not limited to, the covered minor's name, may be made
131 visible;

132 (ii) disable the visibility or sharing of the covered minor's precise geolocation data with
133 other users;

134 (iii) limit the covered minor's sharing of content to connected accounts; and

135 (iv) limit the covered minor's direct messaging to connected accounts.

136 (2) A covered operator may permit a covered minor to change the default settings enabled
137 pursuant to clauses (i), (iii) and (iv) of paragraph (1). The default settings required in clause (ii)
138 of said paragraph (1) may only be changed with verifiable parental consent. The attorney general

139 shall promulgate regulations identifying methods of obtaining such verifiable parental consent.
140 Information collected for the purpose of obtaining such verifiable parental consent shall not be
141 used for any purpose other than obtaining verifiable parental consent and shall be deleted
142 immediately after an attempt to obtain verifiable parental consent, except where necessary for
143 compliance with any applicable provisions of state or federal law or regulation. Nothing in this
144 chapter shall be construed as requiring a social media platform to provide a parent any additional
145 or special access to or control over the data or accounts of their covered minor child. The default
146 setting provided in clause (ii) of paragraph (1) shall be adjustable with verifiable parental consent
147 in a manner that allows the sharing of the covered minor's precise geolocation location data with
148 only selected individual connected accounts.

149 (3) A covered operator shall not: (i) provide a user with an option to change more than 1
150 such default setting at once; or (ii) request or prompt a user to change any such default settings,
151 unless the change is necessary for the user to access a service or feature they have expressly and
152 unambiguously requested.

153 (4) A covered operator may, but shall not be required to, use commercially reasonable
154 and technically feasible methods to determine if a user is a covered minor for the purpose of this
155 subsection pursuant to regulations promulgated by the attorney general pursuant to section 3.

156 (c) No covered operator shall withhold, degrade or lower the quality or increase the price
157 of any product, service or feature to a user who uses the social media platform with the default
158 settings under subsections (a) or (b) enabled.

159 Section 3. (a) The attorney general shall promulgate regulations identifying commercially
160 reasonable and technically feasible methods for covered operators to determine if a user is a
161 covered minor for the purposes of subsection (a) of section 2.

162 (b) The attorney general may consider among the methods identified under subsection
163 (a), an age signal as a commercially reasonable and technically feasible method for determining
164 whether a user is a covered minor and may, by regulation, require an operating system provider
165 to provide covered operators with such age signal.

166 (c) In promulgating regulations pursuant to this section, the attorney general shall
167 consider: (i) the size and financial resources of the social media platform; (ii) the costs and
168 effectiveness of available age assurance methods; and (iii) the impact of the age assurance
169 methods on users' safety, utility and experience.

170 (d) Regulations promulgated pursuant to this section shall: (i) set forth multiple methods
171 for a covered operator to determine if a user is a covered minor, including, but not limited to, at
172 least 1 method that either does not rely solely on government issued identification or that allows
173 a user to maintain anonymity as to the covered operator of the social media platform; (ii) limit
174 the collection of personal data of a user to data that is strictly necessary for determining a user's
175 age; (iii) require the deletion of personal data collected for the purpose of determining if a user is
176 a covered minor, other than the determination of the user's age, immediately after making such
177 determination; (iv) prohibit the use of any personal data collected for the purpose of determining
178 if a user is a covered minor for any other purpose; (v) prohibit the combination of personal data
179 collected for the purpose of determining if a user is a covered minor, except the determination of

180 the user's age, with any other personal data of the user; and (vi) require the implementation of a
181 review process to allow users to appeal an age assurance determination.

182 (e) If a covered operator has used commercially reasonable and technically feasible age
183 assurance methods in compliance with such regulations and has not determined that a user is a
184 covered minor, the covered operator shall operate under the presumption that the user is not a
185 covered minor for the purposes of this chapter, unless it obtains actual knowledge that the user is
186 a covered minor.

187 (f) A covered operator that uses commercially reasonable and technically feasible age
188 assurance methods in compliance with regulations promulgated pursuant to this section and
189 prohibits any user it determines to be a covered minor from accessing the social media platform
190 shall be exempt from the requirements in section 2.

191 Section 4. A covered operator shall provide the attorney general with de-identified
192 aggregate data on minors' use of the social media platform not less than quarterly. Such data
193 shall include, but not be limited to: (i) the number of minors who use the platform, delineated by
194 age or age range; (ii) the amount of time minors spend on the platform, delineated by age or age
195 range; and (iii) the frequency and type of modification of default settings for minors' social
196 media accounts. The attorney general shall make such data available to the public on its website.
197 The attorney general may promulgate regulations requiring the reporting of additional de-
198 identified aggregate data about minors' use of social media platforms.

199 Section 5. (a) A violation by a covered operator of this chapter shall constitute an unfair
200 or deceptive act or practice in violation of chapter 93A. Notwithstanding sections 9 and 11 of

201 said chapter 93A, the attorney general shall have exclusive authority to bring a civil action
202 against a covered operator that violates this chapter.

203 (b) A covered operator found to be in violation of section 2 shall be punished by a civil
204 fine of not more than \$5,000 per violation; provided, however, that a covered operator shall be in
205 violation of section 2 for each user account not in compliance with section 2.

206 (c) A covered operator that violates section 4 shall be liable for a civil penalty of not
207 more than \$1,000,000. Each day the violation of section 4 persists shall be a separate violation.

208 Section 6. Nothing in this chapter shall authorize access to a social media platform or to
209 content on a social media platform by an individual otherwise prohibited from doing so under
210 state or federal law.

211 Section 7. The attorney general may promulgate regulations to implement this chapter.

212 Section 8. The office of the attorney general shall maintain on its website an online
213 submission platform to receive complaints, information or referrals from members of the public
214 concerning a social media platform's alleged compliance or non-compliance with this chapter.

215 SECTION 2. Not later than March 1, 2027, the attorney general shall promulgate
216 regulations pursuant to chapter 93M of the General Laws.

217 SECTION 3. Section 1 shall take effect on August 1, 2027.