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SENATE . . . . . No. 3175

Senate, July 9, 2026 -- Text of the Senate Bill protecting children from addictive social media feeds (Senate, No. 3175) (being the text of Senate, No. 3164, printed as amended)

The Commonwealth of Massachusetts

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

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:

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

Chapter 93M

ONLINE PROTECTION

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

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

“Addictive social media feed”, a website, online service, online application or mobile application, or a portion thereof, in which multiple pieces of content generated or shared by users of a website, online service, online application or mobile application, either concurrently or sequentially, are recommended, selected or prioritized for display to a user based, in whole or in

part, on information associated with the user or the user's device unless, for each such recommendation, selection or prioritization, any of the following conditions are met, alone or in combination with one another:

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

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

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

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

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

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

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

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

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

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

"Autoplay", a feature of a social media feed or page where content is automatically played in a social media feed without any manual input from a user.

"Connected account", an account on a social media platform that is directly connected to another account by an affirmative request by a user and an affirmative confirmation by another user.

"Content", an image, video or text.

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

"Covered operator", any person, business or legal entity who operates or provides a social media platform.

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

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

"Minor", an individual under the age of 18.

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

"Parent", a parent or legal guardian of a minor.

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

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

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

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

list, search for, purchase or review products or services, where any user-to-user communication or user-generated content is incidental to such commercial transactions; (iv) an educational technology platform; (v) document viewing, sharing or collaboration services; (vi) websites, online services, online applications or mobile applications operated by nonprofit entities; or (vii) open source software-developing and -sharing platforms.

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

Section 2. (a)(1) A covered operator shall use commercially reasonable and technically feasible methods to determine if a user who accesses or uses the covered operator's social media platform through an account is a covered minor unless the user opts out of such methods; provided, however, that the covered operator shall provide the user with a clear, simple and prominent opportunity to opt out of such methods prior to using them. The covered operator shall set default social media platform safety settings for a user determined to be a covered minor, or for a user for whom the covered operator has not used such methods to determine if the user is a covered minor, that shall:

(i) disable an addictive social media feed;

(ii) disable push notifications to a user between the hours of 10:00 p.m. and 7:00 a.m. in the commonwealth's time zone;

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

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

(v) disable the visibility or sharing of the user's precise geolocation data with other users; and

(vi) require a clear and conspicuous reminder after the user has accessed the social media platform for more than 1 cumulative hour of use in any 24-hour period and every 30 minutes of cumulative use thereafter that the user has accessed the social media platform for such amount of time; provided, however, that the social media platform shall require the user to acknowledge the reminder before continuing use of the social media platform.

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

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

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

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

(iii) limit the covered minor's direct messaging to only connected accounts.

(2) A covered operator may permit a covered minor to change the default settings enabled pursuant to paragraph (1).

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

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

(d) A covered operator shall not: (i) provide a user with an option to change more than 1 default setting under subsections (a) or (b) at once; or (ii) request or prompt a user to change any default settings under said subsections (a) or (b) unless the change is necessary for the user to access a service or feature they have expressly and unambiguously requested.

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

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

(c) In promulgating regulations pursuant to this section, the attorney general shall consider: (i) the size and financial resources of the social media platform; (ii) the costs and

effectiveness of available age assurance methods; and (iii) the impact of the age assurance methods on users' safety, utility and experience.

(d) Regulations promulgated pursuant to this section shall: (i) set forth multiple methods for a covered operator to determine if a user is a covered minor, including, but not limited to, at least 1 method that does not rely on government issued identification or a user's biometric data and that allows a user to maintain anonymity with respect to the covered operator of the social media platform; (ii) limit the collection of personal data of a user to data that is strictly necessary for determining a user's age; (iii) require the deletion of personal data collected for the purpose of determining if a user is a covered minor, other than the determination of the user's age, immediately after making such determination; (iv) prohibit the use of any personal data collected for the purpose of determining if a user is a covered minor for any other purpose; (v) prohibit the combination of personal data collected for the purpose of determining if a user is a covered minor, except the determination of the user's age, with any other personal data of the user; and (vi) require the implementation of a review process to allow users to appeal an age assurance determination.

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

(f) A covered operator that uses commercially reasonable and technically feasible age assurance methods in compliance with regulations promulgated pursuant to this section and

prohibits any user it determines to be a covered minor from accessing the social media platform shall be exempt from the requirements in section 2.

Section 4. A covered operator shall provide the attorney general with de-identified aggregate data on minors' use of the social media platform not less than quarterly. Such data shall include, but not be limited to: (i) the number of minors who use the platform, delineated by age or age range; (ii) the amount of time minors spend on the platform, delineated by age or age range; (iii) the frequency and type of modification of default settings for minors' social media accounts; (iv) a description of the mechanism by which the public may submit complaints including, but not limited to, what information may be included in such complaint, the internal processes for handling complaints and any automated detection mechanisms related to harms to minors, including the rate, timeliness and effectiveness of responses; (v) the number of complaints received regarding: (A) mental health disorders, including anxiety, depression, eating disorders, substance abuse disorders and suicidal behaviors; (B) patterns of use that indicate or encourage addiction-like behaviors, physical violence, online bullying, harassment, sexual exploitation or abuse involving minors; (C) the promotion and marketing of narcotic drugs, as defined in the Controlled Substances Act, 21 U.S.C. 802, tobacco products, gambling or alcohol; or (D) predatory, unfair or deceptive marketing practices or other financial harms, that were submitted in reference to violations of community standards; and (vi) a description of whether and how the covered operator uses platform design features to increase, sustain or extend use of a product or service by minors, including through algorithmic recommendations, patterns of use, notifications or prompts, rewards or promotions or other engagement-maximizing features. The attorney general shall make such data available to the public on its website. The attorney general may promulgate regulations requiring the reporting of additional de-identified aggregate data

about minors' use of social media platforms and exempting certain covered platforms from the reporting requirements in this section based on the size and financial resources of the covered platform and the costs and utility of such data. The attorney general shall, in consultation with security researchers, ensure that such data releases are not vulnerable to re-identification or other security vulnerabilities to protect covered minors. Annually, not later than December 1, the attorney general shall file a report summarizing the information collected pursuant to this section and detailing complaints filed by the attorney general pursuant to section 5 with the clerks of the senate and house of representative and the joint committee on children, families and persons with disabilities. The report shall include, but not be limited to, a list of complaints filed by the attorney general pursuant to section 5, the results of such complaints and data related to compliance with section 2.

Section 5. (a) A violation by a covered operator of this chapter shall constitute an unfair or deceptive act or practice in violation of chapter 93A. Notwithstanding sections 9 and 11 of said chapter 93A, the attorney general shall have exclusive authority to bring a civil action against a covered operator that violates this chapter.

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

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

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

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

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

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

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