



# HB 1 SOCIAL MEDIA USE FOR MINORS

Rep. Sirois, Rep. McFarland, & Rep. Rayner

## WHY IS **HB 1** IMPORTANT?

**Kids face daily threats to their mental health which even the most involved parents struggle to confront.** Children have always faced bullies, but **social media platforms have changed the game by employing deceptive and addictive designs** which have caused unprecedented damage to our children's mental health.

And here's the truth — **the social media companies have known this for years and continued to do it anyway.** They also know they designed social media to be as addictive as possible. Before social media, those mean kids barely made a dent in our children's mental health because once our children were home safely, we could protect them. But the rise of social media has brought not just bullies inside our homes and inside our children's bedroom but something even scarier. It has hollowed out what should be a childhood of happiness and big dreams to one of anxiety, depression, and addiction.

### **Recent surveys of high school girls prove its devastating effects. When asked:**

- "Have you experienced persistent feelings of sadness or hopelessness within the past year?" **57%, yes.**
- "Have you experienced poor mental health during the past 30 days?" **41%, yes.**
- "Have you seriously considered suicide within the last year?" **30%, yes.**

**This cannot be the fate of our children.** HB 1 is a bold step to rescue our children from addictive technology that cripples their sense of self-worth and purpose.



## WHAT DOES **HB 1** DO?

- Protects kids from the harmful impacts of social media by requiring social media platforms to verify age for the creation of a new account and prohibits kids under the age of 16 from entering into a contract to become an account holder.
- Protects kids who currently have an account by requiring social media platforms to terminate known accounts held by minors under the age of 16.
- Establishes privacy protections by requiring age verification to be performed by a non-governmental, independent, third party not affiliated with the platform and requires data collected for age verification to be deleted immediately once verified.
- Empowers kids and parents by requiring social media platforms to terminate accounts and permanently delete all personal information if a minor or a confirmed parent or guardian requests the termination of the account.
- Enforces protections by allowing the Attorney General to sue under the Deceptive and Unfair Trade Practices Act for violations and a parent or child to bring a private cause of action for failing to terminate an account in a timely manner after a request.
- Protects kids aged 16 and 17 by requiring social media platforms which allow access by minors to clearly disclose certain content policies, warnings, and resources.

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## AMENDMENT #177995 – REP. SIROIS

- Updates the definition of “social media platform” so the bill applies to:
  - Social media platforms which use addictive, harmful, or deceptive features designed to cause an account holder to have an excessive or compulsive need to use or engage with it.
  - Social media platforms which use account holder data to control or target content offered to the account holder.
- Clarifies the bill prohibits kids from entering into a contract with a social media platform to become an account holder.
- Clarifies if a social media platform allows an account holder to use the platform, they have entered into a contract with each other.

## WHO BENEFITS?

- Kids, because social media use has been shown to negatively affect their mental health.
- Parents, because their kids will lead healthier lives without social media.
- All Floridians, because the bill stops the damage social media causes to children’s mental health.

## FREQUENTLY ASKED QUESTIONS?

### **Why does the bill not allow parental consent for minors to create a social media account?**

There is no parental consent option for minors under the age of 16. This bill is necessary to keep kids safe and sets a bright line to do so. The addictive design features of social media have been shown to be dangerous to children. There are no parental consent forms to allow a minor into a casino or to allow a minor to buy tobacco, nicotine, or alcohol — likewise, there should be no parental consent option for social media.

### **What are the harmful effects of social media?**

Harmful effects range from depression to suicidal thoughts with the most severe impacts being felt by young girls. Social media also destroys sleep habits and decreases outdoor play.

### **How does age verification work?**

HB 1 does not require a specific method for age verification, but gives platforms space to decide what works best. There are multiple age-verification providers with highly developed systems currently being offered. Different versions of age verification methods use markers such as public records, like telephone records, or driver licenses, while others may

use facial scans not available when social media first launched.

### **Will all users including those over the age of 18 be required to verify their age? How is their privacy protected?**

Yes. All users will be required to verify their age to create a new social media account. Once age has been verified by a non-governmental, independent, third party not affiliated with the platform, any data collected for age verification is immediately deleted.

### **How does the 90-day window after the bill is enacted work?**

The 90-day window is the time for current minor accounts to be deleted. This time is also a dispute period where people could dispute their accounts being incorrectly taken down. After the 90-day period, the minor child’s data is completely deleted.

### **How will this bill impact children under the age of 16 who have business social media accounts such as influencers?**

A child under the age of 16 will not be able to open an account on social media. We care about the mental health of all young influencers.