



House of Representatives

General Assembly

File No. 184

January Session, 2025

House Bill No. 5474

House of Representatives, March 24, 2025

The Committee on Children reported through REP. PARIS of the 145th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING SOCIAL MEDIA PLATFORMS AND MINORS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2025*) (a) As used in this section:

2 (1) "Consumer" means an individual who is a resident of this state
3 and a user of a social media platform;

4 (2) "Cyberbullying" means any unwanted and aggressive behavior on
5 a social media platform;

6 (3) "Mental health services" has the same meaning as provided in
7 section 19a-498c of the general statutes;

8 (4) "Owner" means a person who owns a social media platform;

9 (5) "Person" means an individual, association, corporation, limited
10 liability company, partnership, trust or other legal entity; and

11 (6) "Social media platform" has the same meaning as provided in

12 section 42-528 of the general statutes.

13 (b) Not later than January 1, 2026, each owner of a social media
14 platform shall incorporate an online safety center into the social media
15 platform. Each online safety center shall, at a minimum, provide the
16 consumers who use such social media platform with:

17 (1) Resources for the purposes of (A) preventing cyberbullying on
18 such social media platform, and (B) enabling each consumer to identify
19 any means available to such consumer to obtain mental health services,
20 including, but not limited to, an Internet web site address or telephone
21 number where such consumer may obtain mental health services for the
22 treatment of an anxiety disorder or the prevention of suicide;

23 (2) An explanation of such social media platform's mechanism for
24 reporting harmful or unwanted behavior, including, but not limited to,
25 cyberbullying, on such social media platform; and

26 (3) Educational information concerning the impact that social media
27 platforms have on users' mental health.

28 (c) Not later than January 1, 2026, each owner of a social media
29 platform shall establish a cyberbullying policy for the social media
30 platform. Such policy shall, at a minimum, set forth the manner in which
31 such owner handles reports of cyberbullying on such social media
32 platform.

33 Sec. 2. Section 42-529 of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective October 1, 2025*):

35 For the purposes of this section and sections 42-529a to 42-529e,
36 inclusive, as amended by this act:

37 (1) "Adult" means any individual who is at least eighteen years of age;

38 (2) "Consent" has the same meaning as provided in section 42-515;

39 (3) "Consumer" has the same meaning as provided in section 42-515;

40 (4) "Controller" has the same meaning as provided in section 42-515;

41 (5) "Heightened risk of harm to minors" means processing minors'
42 personal data in a manner that presents any reasonably foreseeable risk
43 of (A) any unfair or deceptive treatment of, or any unlawful disparate
44 impact on, minors, (B) any financial, physical or reputational injury to
45 minors, [or] (C) any physical or other intrusion upon the solitude or
46 seclusion, or the private affairs or concerns, of minors if such intrusion
47 would be offensive to a reasonable person, or (D) any harm to the
48 physical or mental health of minors;

49 (6) "HIPAA" has the same meaning as provided in section 42-515;

50 (7) "Minor" means any consumer who is younger than eighteen years
51 of age;

52 (8) "Online service, product or feature" means any service, product or
53 feature that is provided online. "Online service, product or feature" does
54 not include any (A) telecommunications service, as defined in 47 USC
55 153, as amended from time to time, (B) broadband Internet access
56 service, as defined in 47 CFR 54.400, as amended from time to time, or
57 (C) delivery or use of a physical product;

58 (9) "Person" has the same meaning as provided in section 42-515;

59 (10) "Personal data" has the same meaning as provided in section 42-
60 515;

61 (11) "Precise geolocation data" has the same meaning as provided in
62 section 42-515;

63 (12) "Process" and "processing" have the same meaning as provided
64 in section 42-515;

65 (13) "Processor" has the same meaning as provided in section 42-515;

66 (14) "Profiling" has the same meaning as provided in section 42-515;

67 (15) "Protected health information" has the same meaning as

68 provided in section 42-515;

69 (16) "Sale of personal data" has the same meaning as provided in
70 section 42-515;

71 (17) "Targeted advertising" has the same meaning as provided in
72 section 42-515; and

73 (18) "Third party" has the same meaning as provided in section 42-
74 515.

75 Sec. 3. Subsections (b) and (c) of section 42-529a of the general statutes
76 are repealed and the following is substituted in lieu thereof (*Effective*
77 *October 1, 2025*):

78 (b) (1) Subject to the consent requirement established in subdivision
79 (3) of this subsection, no controller that offers any online service,
80 product or feature to consumers whom such controller has actual
81 knowledge, or wilfully disregards, are minors shall [: (A) Process]
82 process any minor's personal data; [(i) for] (A) For the purposes of [(I)]
83 (i) targeted advertising, [(II)] (ii) any sale of personal data, or [(III)] (iii)
84 profiling in furtherance of any fully automated decision made by such
85 controller that produces any legal or similarly significant effect
86 concerning the provision or denial by such controller of any financial or
87 lending services, housing, insurance, education enrollment or
88 opportunity, criminal justice, employment opportunity, health care
89 services or access to essential goods or services; [, (ii)] (B) unless such
90 processing is reasonably necessary to provide such online service,
91 product or feature; [, (iii)] (C) for any processing purpose [(I)] (i) other
92 than the processing purpose that the controller disclosed at the time
93 such controller collected such personal data, or [(II)] (ii) that is
94 reasonably necessary for, and compatible with, the processing purpose
95 described in subparagraph [(A)(iii)(I)] (C)(i) of this subdivision; [,] or
96 [(iv)] (D) for longer than is reasonably necessary to provide such online
97 service, product or feature. [,] or (B) use any system design feature to
98 significantly increase, sustain or extend any minor's use of such online
99 service, product or feature.] The provisions of this subdivision shall not

100 apply to any service or application that is used by and under the
101 direction of an educational entity, including, but not limited to, a
102 learning management system or a student engagement program.

103 (2) Subject to the consent requirement established in subdivision (3)
104 of this subsection, no controller that offers an online service, product or
105 feature to consumers whom such controller has actual knowledge, or
106 wilfully disregards, are minors shall collect a minor's precise
107 geolocation data unless: (A) Such precise geolocation data is reasonably
108 necessary for the controller to provide such online service, product or
109 feature and, if such data is necessary to provide such online service,
110 product or feature, such controller may only collect such data for the
111 time necessary to provide such online service, product or feature; and
112 (B) the controller provides to the minor a signal indicating that such
113 controller is collecting such precise geolocation data, which signal shall
114 be available to such minor for the entire duration of such collection.

115 (3) No controller shall engage in the activities described in
116 subdivisions (1) and (2) of this subsection unless the controller obtains
117 the minor's consent or, if the minor is younger than thirteen years of age,
118 the consent of such minor's parent or legal guardian. A controller that
119 complies with the verifiable parental consent requirements established
120 in the Children's Online Privacy Protection Act of 1998, 15 USC 6501 et
121 seq., and the regulations, rules, guidance and exemptions adopted
122 pursuant to said act, as said act and such regulations, rules, guidance
123 and exemptions may be amended from time to time, shall be deemed to
124 have satisfied any requirement to obtain parental consent under this
125 subdivision.

126 (c) (1) No controller that offers any online service, product or feature
127 to consumers whom such controller has actual knowledge, or wilfully
128 disregards, are minors shall: (A) Provide any consent mechanism that is
129 designed to substantially subvert or impair, or is manipulated with the
130 effect of substantially subverting or impairing, user autonomy, decision-
131 making or choice; [or] (B) except as provided in subdivision (2) of this
132 subsection, offer any direct messaging apparatus for use by minors

133 [without providing] unless (i) such controller provides readily
134 accessible and easy-to-use safeguards to limit the ability of adults to
135 send unsolicited communications to minors with whom they are not
136 connected, and (ii) such online service, product or feature includes a
137 default setting that prevents adults from sending unsolicited
138 communications to minors with whom they are not connected; or (C)
139 except as provided in subdivision (3) of this subsection, use any system
140 design feature to significantly increase, sustain or extend any minor's
141 use of such online service, product or feature.

142 (2) The provisions of subparagraph (B) of subdivision (1) of this
143 subsection shall not apply to services where the predominant or
144 exclusive function is: (A) Electronic mail; or (B) direct messaging
145 consisting of text, photos or videos that are sent between devices by
146 electronic means, where messages are (i) shared between the sender and
147 the recipient, (ii) only visible to the sender and the recipient, and (iii) not
148 posted publicly.

149 (3) The provisions of subparagraph (C) of subdivision (1) of this
150 subsection shall not apply to any service or application that is used by
151 and under the direction of an educational entity, including, but not
152 limited to, a learning management system or a student engagement
153 program.

154 Sec. 4. Subsection (e) of section 42-529b of the general statutes is
155 repealed and the following is substituted in lieu thereof (*Effective October*
156 *1, 2025*):

157 (e) If any controller conducts a data protection assessment pursuant
158 to subsection (a) of this section and determines that the online service,
159 product or feature that is the subject of such assessment poses a
160 heightened risk of harm to minors, such controller shall establish and
161 implement a plan to mitigate or eliminate such risk. The Attorney
162 General may require a controller to disclose to the Attorney General a
163 plan established and implemented pursuant to this subsection if the
164 plan is relevant to an investigation conducted by the Attorney General.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	<i>October 1, 2025</i>	New section
Sec. 2	<i>October 1, 2025</i>	42-529
Sec. 3	<i>October 1, 2025</i>	42-529a(b) and (c)
Sec. 4	<i>October 1, 2025</i>	42-529b(e)

KID *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill adds additional protections for minors using social media platforms resulting in no fiscal impact to the state.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5474*****AN ACT CONCERNING SOCIAL MEDIA PLATFORMS AND MINORS.*****SUMMARY**

This bill adds additional protection for minors using social media platforms by (1) requiring platform owners, by January 1, 2026, to incorporate an online safety center and establish a cyberbullying policy for handling cyber bullying reports on the platform and (2) expanding the Connecticut Data Privacy Act to include additional safeguards (e.g., avoiding harm to a minor's physical or mental health).

The bill requires controllers (entities that determine the purpose and means of processing personal data) with consumers under age 18 (minor consumers) to (1) use reasonable care to avoid causing any harm to the minor's physical or mental health and (2) conduct a data protection assessment for any online service, product, or feature that addresses these harms and correct the risk.

It requires any online service, product, or feature that includes direct messaging for minors to have a default setting that prevents adults from sending unsolicited communications to minors they are not connected to.

EFFECTIVE DATE: October 1, 2025

§ 1 — SOCIAL MEDIA PLATFORM OWNER REQUIREMENTS***Online Safety Center***

The bill requires each social media platform owner, starting January 1, 2026, to incorporate an online safety center into the platform. Each online safety center must at least give consumers who use the platform:

1. resources for (a) preventing cyberbullying on the platform and

- (b) enabling each consumer to identify any means to obtain mental health services, including a website address or telephone number to get mental health services to treat an anxiety disorder or suicide prevention;
- 2. an explanation of the platform's mechanism for reporting harmful or unwanted behavior, including cyberbullying on the platform; and
- 3. educational information about the impact that social media platforms have on users' mental health.

The bill applies to consumers who live in the state and use the social media platform.

Under law and the bill, a "social media platform" is a public or semi-public internet service or application that:

- 1. is used by a Connecticut consumer;
- 2. is primarily intended to connect and allow users to socially interact within the service or application; and
- 3. enables a user to (a) construct a public or semi-public profile for signing into and using the service or application; (b) populate a public list of other users with whom the user shares a social connection within the service or application; and (c) create or post content seen by other users, including on message boards, in chat rooms, or through a landing page or main feed that also provides the user with content from other users.

A social media platform is not a public or semi-public internet service or application that:

- 1. exclusively provides e-mail or direct messaging;
- 2. primarily consists of news, sports, entertainment, interactive video games, electronic commerce, or content preselected by the provider or for which any chat, comments, or interactive

functionality is incidental to, directly related to, or dependent on providing the content; or

3. is used by and under an educational entity's direction, including a learning management system or a student engagement program.

Cyberbullying Policy

The bill requires each social media platform owner, by January 1, 2026, to establish a cyberbullying policy for the platform with a process for the owner to handle reports of cyberbullying on the platform. Under the bill, cyberbullying is any unwanted and aggressive behavior on a social media platform.

§§ 2-4 — PROTECTIONS FOR MINORS USING SOCIAL MEDIA

The bill expands the Connecticut Data Privacy Act to (1) include additional factors for "heightened risk of harm," (2) require certain default settings for direct messaging, and (3) explicitly prohibit design features that significantly increase usage. It also allows the attorney general to require controllers to disclose certain mitigation plans to him and creates an exception for educational entities for certain prohibited online features.

As under existing law, these provisions apply to controllers that offer online services, products, or features to consumers for whom it has actual knowledge, or willfully disregards knowing, are minors.

By law, an "online service, product, or feature" is any service, product, or feature provided online, but not any (1) telecommunications service, (2) broadband Internet access service, or (3) delivery or use of a physical product.

Heightened Risk of Harm to Minors (§§ 2 & 4)

Existing law requires a controller with minor consumers to use reasonable care to avoid causing any heightened risk of harm to minors in processing personal data. The bill broadens what constitutes a "heightened risk of harm to minors" to include any reasonably

foreseeable risk of harm to the minor's physical or mental health.

As a result, the bill also requires controllers to perform additional data protection assessments for this new risk factor and make and implement a plan to mitigate or eliminate the risk. Existing law requires each controller with minor consumers to (1) perform a data protection assessment of its online service, product, or feature to address any heightened risk of harm to minors that is a reasonably foreseeable result of offering the online service, product, or feature to minors and (2) make and implement a plan to mitigate or eliminate the risk.

The bill allows the attorney general to require a controller to disclose to him the plan if it is relevant to his investigation.

Unsolicited Communications to Minors (§ 3)

The bill prohibits controllers from offering any online service, product, or feature that includes direct messaging to minors unless it includes a default setting that prevents adults from sending unsolicited communications to minors that they are not connected to. Under current law, they only have to provide readily accessible and easy-to-use safeguards to limit the ability of adults to send unsolicited communications to minors with whom they are not connected.

Features Designed to Increase Use (§ 3)

Current law prohibits a controller from using any system design feature to significantly increase, sustain, or extend the use of an online service, product, or feature, without first getting the minor's consent or, if the minor is younger than age 13, the minor's parent or legal guardian's consent. The bill prohibits this type of feature by removing the ability for someone to consent to the feature.

Educational Exception (§ 3)

The bill creates an exception for certain prohibited online services, products, or features for any service or application used by and under the direction of an educational entity, including a learning management system or a student engagement program. These prohibited actions include the direct messages and increased usage provisions described

above and providing any consent mechanism designed to substantially subvert or impair, or manipulated with the effect of substantially subverting or impairing, user autonomy, decision-making, or choice.

BACKGROUND

Related Bill

sHB 6857, favorably reported by the General Law Committee, among other requirements for platforms, requires a platform's default setting to only allows users connected to the minor to view or respond to content the minor posts.

COMMITTEE ACTION

Committee on Children

Joint Favorable

Yea 15 Nay 2 (03/06/2025)