



# House of Representatives

General Assembly

**File No. 348**

January Session, 2025

Substitute House Bill No. 6857

*House of Representatives, March 31, 2025*

The Committee on General Law reported through REP. LEMAR of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE ATTORNEY GENERAL'S RECOMMENDATIONS REGARDING SOCIAL MEDIA AND MINORS.**

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

- 1 Section 1. (NEW) (*Effective July 1, 2026*) (a) As used in this section:
- 2 (1) "Covered minor" means any covered user who is younger than
- 3 eighteen years of age;
- 4 (2) "Covered operator" means any operator who operates or provides
- 5 a platform that recommends, selects or prioritizes media items in the
- 6 manner set forth in subdivision (1) of subsection (b) of this section;
- 7 (3) "Covered user" means any user of a platform in this state who is
- 8 not acting as the operator, or as an agent or affiliate of the operator, of
- 9 the platform;
- 10 (4) "Media item" means any text, image or video;
- 11 (5) "Operator" means any individual, corporation, limited liability

12 company, partnership, limited partnership, limited liability partnership,  
13 association, joint stock company, unincorporated organization or other  
14 legal entity that operates or provides a platform; and

15 (6) "Platform" means any Internet web site, online service, online  
16 application or mobile application, including, but not limited to, any  
17 social media platform, as defined in section 42-528 of the general  
18 statutes, or any portion thereof.

19 (b) (1) No operator of a platform shall allow a covered user to access  
20 any portion of the platform that, as a significant part of the services  
21 offered by such portion of such platform, recommends, selects or  
22 prioritizes for display, either concurrently or sequentially, media items  
23 generated or shared by users of such platform if such recommendation,  
24 selection or prioritization is based, in whole or in part, on any  
25 information associated with the covered user or the covered user's  
26 device, unless:

27 (A) (i) The operator has used commercially reasonable and  
28 technically feasible methods to determine that the covered user is not a  
29 covered minor; or

30 (ii) If the covered user is a covered minor, the operator has obtained  
31 verifiable consent from the covered minor's parent or legal guardian to  
32 recommend, select or prioritize media items for such covered minor in  
33 the manner set forth in this subdivision;

34 (B) The recommendation, selection or prioritization (i) is based on  
35 information that is not persistently associated with the covered user or  
36 the covered user's device, and (ii) does not concern the covered user's  
37 previous interactions with media items generated or shared by other  
38 users of such platform;

39 (C) The recommendation, selection or prioritization is based on (i)  
40 privacy or accessibility settings selected by the covered user, or (ii)  
41 technical information concerning the covered user's device;

42 (D) The covered user has expressly and unambiguously requested

43 that any specific media item, media items from a specific author, creator  
44 or poster to whom the covered user has subscribed or media items  
45 shared by users to a specific page or group to which the covered user  
46 has subscribed be displayed, blocked, prioritized or deprioritized;

47 (E) The recommended, selected or prioritized media item is a direct  
48 and private communication;

49 (F) The media item is recommended, selected or prioritized  
50 exclusively in response to a specific search inquiry made by the covered  
51 user;

52 (G) The media item is recommended, selected or prioritized for  
53 display exclusively because the media item (i) immediately follows any  
54 other media item in a preexisting sequence, and (ii) is from the same  
55 author, creator, poster or source; or

56 (H) The recommendation, selection or prioritization is necessary to  
57 comply with any other provision of this section.

58 (2) (A) Except as provided in subparagraph (B) of this subdivision, a  
59 covered operator that has used commercially reasonable and technically  
60 feasible methods to determine a covered user's age and cannot  
61 determine whether the covered user is a covered minor shall presume  
62 that such covered user is not a covered minor for the purposes of this  
63 subsection.

64 (B) A covered operator shall treat a covered user as a covered minor  
65 if the covered operator obtains actual knowledge that the covered user  
66 is a covered minor.

67 (3) (A) Except as provided in subparagraph (B) of this subdivision:

68 (i) No information that is collected for the purpose of determining a  
69 covered user's age under this subsection shall be used for any other  
70 purpose, and such information shall be deleted immediately after an  
71 attempt is made to determine the covered user's age; and

72 (ii) No information that is collected for the purpose of obtaining  
73 verifiable consent from a covered minor's parent or legal guardian shall  
74 be used for any other purpose, and such information shall be deleted  
75 immediately after an attempt is made to obtain such verifiable consent.

76 (B) Any information that is collected for any purpose set forth in  
77 subparagraph (A) of this subdivision may be used or retained if such  
78 use or retention is necessary to comply with any federal law or  
79 regulation or any other law or regulation of this state.

80 (4) No covered operator shall withhold or degrade, or reduce the  
81 quality or increase the price of, any product, service or feature due to  
82 the prohibition against recommending, selecting or prioritizing media  
83 items in the manner set forth in subdivision (1) of this subsection, unless  
84 such withholding, degradation, reduction or increase is necessary for  
85 such covered operator to comply with the provisions of this subsection.

86 (5) Nothing in this subsection shall be construed to prohibit any  
87 covered operator from taking any action to restrict access to, or the  
88 availability of, any media item that such covered operator in good faith  
89 considers to be obscene, lewd, lascivious, filthy, excessively violent,  
90 harassing or otherwise objectionable, regardless of whether such media  
91 item is protected under the Constitution of the state or the Constitution  
92 of the United States.

93 (c) (1) No covered operator shall send any notification to a covered  
94 minor concerning any recommendation, selection or prioritization  
95 made in the manner set forth in subdivision (1) of subsection (b) of this  
96 section unless:

97 (A) Such notification is sent to the covered minor during the hours  
98 between eight o'clock a.m. and nine o'clock p.m. eastern time; or

99 (B) The covered operator has obtained verifiable consent from the  
100 covered minor's parent or legal guardian to send notifications to such  
101 covered minor outside of the time frame set forth in subparagraph (A)  
102 of this subdivision.

103 (2) Each covered operator shall:

104 (A) As a default setting for such covered operator's platform and  
105 unless otherwise required by a covered minor's verified parent or legal  
106 guardian pursuant to subparagraph (B) of this subdivision, (i) prevent  
107 the covered minor from accessing or receiving any notification  
108 described in subdivision (1) of this subsection outside of the time frame  
109 set forth in subparagraph (A) of subdivision (1) of this subsection, (ii)  
110 limit the covered minor's access to any portion of such covered  
111 operator's platform that recommends, selects or prioritizes media items  
112 in the manner set forth in subdivision (1) of subsection (b) of this section  
113 to a maximum period of one hour per day, and (iii) set the covered  
114 minor's platform account to a mode that exclusively allows users to  
115 whom such covered minor is connected to view or respond to content  
116 posted by such covered minor; and

117 (B) Establish and maintain a mechanism by which a covered minor's  
118 verified parent or legal guardian may require such covered operator to  
119 (i) prevent the covered minor from accessing or receiving any  
120 notification described in subdivision (1) of this subsection outside of a  
121 time frame specified by such parent or legal guardian, (ii) limit the  
122 covered minor's access to any portion of such covered operator's  
123 platform that recommends, selects or prioritizes media items in the  
124 manner set forth in subdivision (1) of subsection (b) of this section to a  
125 maximum daily period specified by such parent or legal guardian, or  
126 (iii) set the covered minor's platform account to a mode that exclusively  
127 allows users to whom such covered minor is connected to view or  
128 respond to content posted by such covered minor.

129 (d) Not later than March 1, 2027, and annually thereafter, each  
130 covered operator shall publicly disclose, in a form and manner specified  
131 by the Attorney General, the following information for the preceding  
132 calendar year:

133 (1) The total number of covered users who used the covered  
134 operator's platform during such year;

135 (2) The portion of the total number of covered users described in  
 136 subdivision (1) of this subsection for whom the covered operator  
 137 obtained verifiable consent from a parent or legal guardian under  
 138 subparagraph (A)(ii) of subdivision (1) of subsection (b) of this section;

139 (3) The portion of the total number of covered users described in  
 140 subdivision (1) of this subsection for whom the default settings set forth  
 141 in subparagraph (A) of subdivision (2) of subsection (c) of this section  
 142 were enabled, and the portion of such total number of covered users for  
 143 whom such default settings were not enabled; and

144 (4) The average amount of time per day that covered users used the  
 145 covered operator's platform, broken down by user age and hour of day.

146 (e) Nothing in this section shall be construed to (1) require a covered  
 147 operator to provide a covered minor's parent or legal guardian with  
 148 access to, or control over, such minor's platform account or any data  
 149 associated therewith, unless provision of such access or control is  
 150 specifically required by this section, or (2) impose liability for any  
 151 commercial activity or action by an operator subject to 15 USC 6501, as  
 152 amended from time to time, that is inconsistent with the manner in  
 153 which such commercial activity or action is treated under 15 USC 6502,  
 154 as amended from time to time.

155 (f) A violation of subsections (b) to (d), inclusive, of this section shall  
 156 be deemed an unfair or deceptive trade practice under subsection (a) of  
 157 section 42-110b of the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2026	New section

**Statement of Legislative Commissioners:**

In Subsec. (a)(3), "such platform" was changed to "the platform" for internal consistency; in Subsec. (b)(1)(D), "any media item" was changed to "any specific media item", "an author" was changed to "a specific author" and "a page" was changed to "a specific page" for clarity; in Subsec. (d)(2), "the operator" was changed to "the covered operator" for

internal consistency; in Subsec. (d)(3), "which" was changed to "whom" for internal consistency; and in Subsec. (f), "this section" was changed to "subsections (b) to (d), inclusive, of this section" for accuracy.

**GL**        *Joint Favorable Subst.*

*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.*

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill makes various changes regarding social media and minors, including creating a new unfair trade practice violation resulting in no fiscal impact to the state. The Department of Consumer Protection investigates unfair trade practice violations and has the resources and expertise to meet the requirements of the bill.

**The Out Years**

**State Impact:** None

**Municipal Impact:** None



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**OLR Bill Analysis****sHB 6857*****AN ACT CONCERNING THE ATTORNEY GENERAL'S  
RECOMMENDATIONS REGARDING SOCIAL MEDIA AND MINORS.*****SUMMARY**

This bill generally requires platform operators that use personalized algorithms, before allowing access to their platform, to either determine that the user is not a minor, or if the user is a minor, to obtain consent from the minor's parent or legal guardian. It also sets certain conditions where age verification is not required (e.g., media that immediately follows another item in a preexisting sequence from the same author, creator, or poster).

The bill also limits covered operators to only sending notifications to a minor with any personalized algorithmic suggestions between 8:00 a.m. and 9:00 p.m. Eastern Time but allows notifications outside these times with parental or legal guardian consent. It also generally requires operators to make the platform's default setting, among others, one that limits the minor's access to any portion of the platform that uses a personalized algorithm to one hour per day.

Under the bill, covered operators must also annually disclose certain information for the previous calendar year. This includes providing certain statistics about users, including the number that obtained parental or guardian consent and used the default setting, as well as the average amount of time users spent on the platform.

The bill makes a violation of its provisions a violation of the Connecticut Unfair Trade Practices Act (CUTPA, see BACKGROUND).

EFFECTIVE DATE: July 1, 2026

**DEFINITIONS**

Under the bill, a “covered user” is any platform user in Connecticut who is not acting as the platform operator, or the operator’s agent or affiliate. A “covered minor” is a covered user under age 18.

A “platform” is any Internet website, online service, online application, or mobile application, including any social media platform.

A “social media platform” is a public or semi-public Internet-based service or application that:

1. is used by a consumer in Connecticut;
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 that is viewable by other users, including on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users.

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

1. exclusively provides e-mail or direct messaging services;
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.

**AGE VERIFICATION**

The bill generally requires platform operators (i.e. an individual or legal entity) to verify a covered user's age before giving the user access to any portion of the platform that, as a significant part of the services offered by that portion, offers, recommends, selects, or prioritizes (i.e. uses an algorithm) displaying certain media items based on information associated with the user or his or her device (i.e. personalized). These media items are those generated or shared by platform users for display either concurrently or sequentially.

The bill requires the operator to use age verification that is commercially reasonable and technically feasible. If the covered user is a covered minor, then the operator must obtain verifiable consent from the minor's parent or legal guardian to use the personalized algorithm.

If an operator has used commercially reasonable and technically feasible methods to verify a user's age and cannot determine if a user is a minor, the operator may presume the user is not a minor under the bill's provisions. But the operator must treat a user as a minor if the operator obtains actual knowledge that the user is a minor.

***Data Retention***

Unless any collected information is needed to comply with any federal or state law or regulation, the bill prohibits information collected for age-verification from being used for any other purpose, and requires it to be deleted immediately after an attempt to verify the user's age. It similarly prohibits information collected for obtaining verifiable consent from a minor's parent or legal guardian from being used for any other purpose, and requires it to be deleted immediately after an attempt to obtain the consent.

**CONDITIONS WHEN AGE VERIFICATION IS NOT REQUIRED**

Under the bill, age verification is not required if the personalized algorithm is:

1. based on information that is not persistently associated with the covered user or his or her device, and does not concern the user's

previous interactions with media items generated or shared by other platform users;

2. based on (a) privacy or accessibility settings the covered user selects or (b) technical information concerning the covered user's device; or
3. needed to comply with another provision in the bill.

Additionally, age verification is not required if the media item based on a personalized algorithm is:

1. a direct and private communication;
2. exclusively in response to a specific search inquiry the covered user made; or
3. displayed exclusively because it immediately follows another item in a preexisting sequence and is from the same author, creator, poster, or source.

Personalized algorithms can also be used if a covered user expressly and unambiguously requests that certain media he or she subscribes to be displayed, blocked, prioritized, or deprioritized. This includes any specific media items, including items the user subscribes to such as from an author, creator, or poster or those shared by users to pages or groups.

### **QUALITY REDUCTION OR PRICE INCREASE PROHIBITION**

The bill prohibits covered operators from withholding, degrading, reducing the quality, or increasing the price of any product, service, or feature due to the bill's personalized algorithm restrictions, unless it is needed for the operator to comply with the bill's provisions.

### **CONTENT RESTRICTIONS**

The bill specifies that it does not prohibit a covered operator from restricting access to, or the availability of, any media item that the operator in good faith considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, regardless of

whether the item is constitutionally protected.

## **NOTIFICATIONS**

The bill prohibits covered operators from sending any notification to a covered minor with any personalized algorithmic suggestion unless (1) it is sent between 8:00 a.m. and 9:00 p.m. Eastern Time or (2) the operator has verifiable consent from the covered minor's parent or legal guardian to send notifications outside this timeframe.

## **DEFAULT SETTINGS**

The bill requires each covered operator to make the platform's default setting, unless allowed by the covered minor's parent or legal guardian (see below), one that:

1. prevents the minor from accessing or receiving any notification with any personalized algorithmic suggestion outside of the allowable time frame,
2. limits the minor's access to any portion of the platform that uses a personalized algorithm to one hour per day, and
3. sets the minor's platform account to a mode that only allows users connected to the minor to view or respond to content the minor posts.

The operator must also establish and maintain a mechanism that a minor's verified parent or legal guardian can use for alternative settings to (1) set a different timeframe for accessing or receiving these notifications or using the platform and (2) enable the restricted mode described above.

## **PUBLIC DISCLOSURE**

The bill requires each covered operator, starting by March 1, 2027, to annually disclose certain information for the previous calendar year in an attorney general-prescribed form and manner. This public disclosure includes the:

1. total number of platform users during the year;

2. portion of the total number of covered users (a) for whom the operator obtained verifiable consent from a parent or legal guardian, (b) that had the default settings enabled, and (c) that did not have the default settings enabled; and
3. the average amount of time per day that covered users used the platform, broken down by user age and hour of day.

## **APPLICABILITY**

The bill specifies that it does not:

1. require a covered operator to give a covered minor's parent or legal guardian access to, or control over, the minor's platform account or any data associated with it, unless the access or control is specifically required by the bill, or
2. impose liability for any commercial activity or action by an operator subject to the federal Children's Online Privacy Protection Act (COPPA) that is inconsistent with how COPPA treats commercial activity or action (15 U.S.C. § 6501).

## **BACKGROUND**

### **CUTPA**

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the Department of Consumer Protections commissioner, under specified procedures, to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, impose civil penalties of up to \$5,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and up to \$25,000 for a restraining order violation.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/12/2025)