



House of Representatives

File No. 931

General Assembly

January Session, 2025

(Reprint of File No. 348)

Substitute House Bill No. 6857
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 16, 2025

**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 January 1, 2027*) (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" (A) means any operator who operates or
5 provides a covered platform, and (B) does not include the federal
6 government, any state or municipal government or any agency or
7 instrumentality of the federal government or of any state or municipal
8 government;

9 (3) "Covered platform" (A) means any platform that, as a significant
10 part of the services offered, recommends, selects or prioritizes for
11 display, either concurrently or sequentially, media items generated or
12 shared on a platform by users of such platform, and (B) does not include

13 any platform that (i) primarily facilitates the sale of goods, or (ii) is used
14 solely for educational purposes pursuant to a contract required under
15 section 10-234bb of the general statutes;

16 (4) "Covered user" means any user of a covered platform in this state
17 who is not acting as the covered operator, or as an agent or affiliate of
18 the covered operator, of the covered platform;

19 (5) "Media item" means any text, image or video;

20 (6) "Operator" means any individual, corporation, limited liability
21 company, partnership, limited partnership, limited liability partnership,
22 association, joint stock company, unincorporated organization or other
23 legal entity that operates or provides a platform; and

24 (7) "Platform" means any Internet web site, online service, online
25 application, mobile application or social media platform, or any portion
26 thereof.

27 (b) (1) No covered operator of a covered platform shall allow a
28 covered user to access any portion of the covered platform that
29 recommends, selects or prioritizes for display, either concurrently or
30 sequentially, media items generated or shared by users of such covered
31 platform if such recommendation, selection or prioritization is based, in
32 whole or in part, on any information associated with the covered user
33 or such covered user's device, unless:

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

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

41 (B) The recommendation, selection or prioritization (i) is based on
42 information that is not persistently associated with the covered user or

43 the covered user's device, and (ii) does not concern the covered user's
44 previous interactions with media items generated or shared by other
45 users of such covered platform;

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

49 (D) The covered user has expressly and unambiguously requested
50 that any specific media item, media items from a specific author, creator
51 or poster to whom the covered user has subscribed or media items
52 shared by users to a specific page or group to which the covered user
53 has subscribed be displayed, blocked, prioritized or deprioritized;

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

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

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

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

65 (2) (A) Except as provided in subparagraph (B) of this subdivision, a
66 covered operator that has used commercially reasonable and technically
67 feasible methods to determine a covered user's age and cannot
68 determine whether the covered user is a covered minor shall presume
69 that such covered user is not a covered minor for the purposes of this
70 subsection.

71 (B) A covered operator shall treat a covered user as a covered minor
72 if the covered operator obtains actual knowledge that the covered user

73 is a covered minor.

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

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

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

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

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

93 (5) Nothing in this subsection shall be construed to prohibit any
94 covered operator from taking any action to restrict access to, or the
95 availability of, any media item that such covered operator in good faith
96 considers to be obscene, lewd, lascivious, filthy, excessively violent,
97 harassing or otherwise objectionable, regardless of whether such media
98 item is protected under the Constitution of the state or the Constitution
99 of the United States.

100 (c) (1) No covered operator shall send any notification to a covered
101 minor concerning any recommendation, selection or prioritization
102 made in the manner set forth in subdivision (1) of subsection (b) of this

103 section unless:

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

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

110 (2) Each covered operator shall:

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

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

135 view or respond to content posted by such covered minor.

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

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

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

146 (3) The portion of the total number of covered users described in
147 subdivision (1) of this subsection for whom the default settings set forth
148 in subparagraph (A) of subdivision (2) of subsection (c) of this section
149 were enabled, and the portion of such total number of covered users for
150 whom such default settings were not enabled; and

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

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

163 (f) A violation of subsections (b) to (d), inclusive, of this section shall
164 be deemed an unfair or deceptive trade practice under subsection (a) of

165 section 42-110b of the general statutes.

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

Section 1	<i>January 1, 2027</i>	New section
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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 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.

House "A" strikes the underlying bill and its associated fiscal impact resulting in the impact described above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sHB 6857 (as amended by House "A")******AN ACT CONCERNING THE ATTORNEY GENERAL'S
RECOMMENDATIONS REGARDING SOCIAL MEDIA AND MINORS.*****SUMMARY**

This bill generally requires covered platform operators, before giving a user access to any portion of the platform that uses a personalized algorithm, to (1) verify a covered user's age and (2) if the user is a minor, receive permission 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).

*House Amendment "A" (1) delays the effective date from July 1,

2026, to January 1, 2027, and (2) adds exemptions to certain definitions, including exempting certain governmental entities as covered operators and certain platforms that primarily sell goods or are used for educational purposes as covered platforms.

EFFECTIVE DATE: January 1, 2027

DEFINITIONS

Under the bill, a “covered user” is any covered platform user in Connecticut who is not acting as the covered 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, mobile application, or social media platform, or any part of them.

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.

A "covered platform" is any 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. A covered platform does not include any platform that primarily facilitates the sales of goods or is used solely for educational purposes under a contract required by law between a board of education and a contractor if sharing student data with the contractor.

A "covered operator" is any operator (i.e. an individual or legal entity) who operates or provides a covered platform, but does not include the federal government, any state or municipal government, or any of their agencies or instrumentalities.

AGE VERIFICATION

The bill generally requires covered platform operators to verify a covered user's age before giving the user access to any portion of the platform that uses a personalized algorithm. It requires the covered 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 a covered 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 covered 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)