



General Assembly

January Session, 2025

Raised Bill No. 1295

LCO No. 4634



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING SOCIAL MEDIA PLATFORMS AND ONLINE SERVICES, PRODUCTS AND FEATURES.

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 the 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 any 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 Section 42-529 of the general statutes is repealed and the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)

Statement of Purpose:

To (1) require the owner of a social media platform to incorporate an online safety center into, and establish a cyberbullying policy for, the owner's social media platform, (2) redefine "heightened risk of harm to minors" to include processing minors' personal data in a manner that presents any reasonably foreseeable risk of harm to minors' physical or mental health, and (3) require the controller of an online service, product or feature that is offered to minors to (A) include a default setting in such service, product or feature to prevent adults from sending unsolicited communications to minors, (B) not use any system design feature to significantly increase, sustain or extend minors' use of such service, product or feature, and (C) disclose to the Attorney General a plan established and implemented to mitigate or eliminate any heightened risk of harm to minors.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]