



General Assembly

Amendment

January Session, 2025

LCO No. 8247



Offered by:

REP. LEMAR, 96th Dist.

SEN. MARONEY, 14th Dist.

REP. RUTIGLIANO, 123rd Dist.

SEN. CICARELLA, 34th Dist.

REP. TURCO, 27th Dist.

To: Subst. House Bill No. 6857

File No. 348

Cal. No. 230

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2027*) (a) As used in this section:

4 (1) "Covered minor" means any covered user who is younger than
5 eighteen years of age;

6 (2) "Covered operator" (A) means any operator who operates or
7 provides a covered platform, and (B) does not include the federal
8 government, any state or municipal government or any agency or
9 instrumentality of the federal government or of any state or municipal
10 government;

11 (3) "Covered platform" (A) means any platform that, as a significant
12 part of the services offered, recommends, selects or prioritizes for
13 display, either concurrently or sequentially, media items generated or
14 shared on a platform by users of such platform, and (B) does not include
15 any platform that (i) primarily facilitates the sale of goods, or (ii) is used
16 solely for educational purposes pursuant to a contract required under
17 section 10-234bb of the general statutes;

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

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

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

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

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

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

39 (ii) If the covered user is a covered minor, the covered operator has
40 obtained verifiable consent from the covered minor's parent or legal

41 guardian to recommend, select or prioritize media items for such
42 covered minor in the manner set forth in this subdivision;

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

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

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

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

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

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

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

67 (2) (A) Except as provided in subparagraph (B) of this subdivision, a
68 covered operator that has used commercially reasonable and technically
69 feasible methods to determine a covered user's age and cannot

70 determine whether the covered user is a covered minor shall presume
71 that such covered user is not a covered minor for the purposes of this
72 subsection.

73 (B) A covered operator shall treat a covered user as a covered minor
74 if the covered operator obtains actual knowledge that the covered user
75 is a covered minor.

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

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

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

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

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

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

100 item is protected under the Constitution of the state or the Constitution
101 of the United States.

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

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

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

112 (2) Each covered operator shall:

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

126 (B) Establish and maintain a mechanism by which a covered minor's
127 verified parent or legal guardian may require such covered operator to
128 (i) prevent the covered minor from accessing or receiving any
129 notification described in subdivision (1) of this subsection outside of a
130 time frame specified by such parent or legal guardian, (ii) limit the

131 covered minor's access to any portion of such covered operator's
132 covered platform that recommends, selects or prioritizes media items in
133 the manner set forth in subdivision (1) of subsection (b) of this section
134 to a maximum daily period specified by such parent or legal guardian,
135 or (iii) set the covered minor's covered platform account to a mode that
136 exclusively allows users to whom such covered minor is connected to
137 view or respond to content posted by such covered minor.

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

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

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

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

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

156 (e) Nothing in this section shall be construed to (1) require a covered
157 operator to provide a covered minor's parent or legal guardian with
158 access to, or control over, the covered minor's covered platform account
159 or any data associated therewith, unless provision of such access or
160 control is specifically required by this section, or (2) impose liability for
161 any commercial activity or action by a covered operator subject to 15

162 USC 6501, as amended from time to time, that is inconsistent with the
163 manner in which such commercial activity or action is treated under 15
164 USC 6502, as amended from time to time.

165 (f) A violation of subsections (b) to (d), inclusive, of this section shall
166 be deemed an unfair or deceptive trade practice under subsection (a) of
167 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