

AMENDED IN ASSEMBLY APRIL 23, 2026  
AMENDED IN ASSEMBLY APRIL 14, 2026  
AMENDED IN ASSEMBLY MARCH 19, 2026

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1709

Introduced by Assembly Members Lowenthal, Alvarez, Bauer-Kahan, Bonta, Hoover, Muratsuchi,  
Patterson, and Wicks  
(Coauthors: Assembly Members Arambula, *Dixon, Hadwick, Harabedian, Johnson, and Schiavo*) *Kalra,  
Schiavo, and Wallis*  
(Coauthor: Senator Allen)

February 04, 2026

An act to add Chapter 22.9 (commencing with Section 22682) to Division 8 of the Business and Professions Code, and to add Chapter 5.4 (commencing with Section 11530) to Part 1 of Division 3 of Title 2 of the Government Code, relating to business.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1709, as amended, Lowenthal. Covered platforms: age restriction: e-Safety Advisory Commission.

Existing law, the Protecting Our Kids from Social Media Addiction Act, prohibits an operator of an addictive internet-based service or application from providing an addictive feed, as defined, to a user unless the operator does not have actual knowledge that the user is a minor, as specified, or the operator has obtained verifiable parental consent to provide an addictive feed to the user who is a minor.

Existing law, the Digital Age Assurance Act, beginning January 1, 2027, requires a person who owns, maintains, or controls a software application, as defined, to request age bracket data sent by a real-time secure application programming interface or operating system with respect to a particular user from an operating system provider or a covered application store when the application is downloaded and launched.

This bill would prohibit a covered platform, as defined, from permitting a user who is under 16 years of age to create or maintain an account on the covered platform and would require a covered platform to implement reasonable measures to prevent users under 16 years of age from accessing or using accounts on the covered platform. The bill would also authorize the Attorney General to, in consultation with the e-Safety Advisory Commission, adopt regulations to implement and enforce the bill in order to further the purpose of protecting minors online, including by altering the scope of “covered platform” if the Attorney General determines that doing so is necessary to ensure that “covered platform” applies to internet websites, online services, online applications, or mobile applications that make addictive features, as defined, available to users under 16 years of age.

This bill would impose ~~an unspecified~~ *a* civil penalty upon a noncompliant platform and would require its provisions to be enforced by *a* civil action brought only by the Attorney General or a local public ~~prosecutor.~~ *prosecutor, as specified.*

This bill would also establish the e-Safety Advisory Commission within the Department of Justice to advise the Attorney General on matters related to online safety, including the implementation and enforcement of the provisions described above, and would require the commission to, on or before January 1 of each year, report to the Legislature and the Governor on its activities under the bill, as specified.

## Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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## Bill Text

# THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** The Legislature finds and declares all of the following:

(a) Social media platforms are intentionally designed to maximize user engagement through features such as algorithmic content recommendation, infinite scroll, autoplay, and notifications, which mirror known behavioral reinforcement systems associated with addiction.

(b) Internal statements from social media company executives and researchers confirm that these platforms are engineered to encourage compulsive use, including through “dopamine-driven” feedback loops and reward systems designed to keep users returning repeatedly, often without regard to user well-being.

(c) Internal company documents further demonstrate that increasing “time spent” by young users has been a central business objective, including efforts to attract users at younger ages and maximize engagement during adolescence.

(d) Evidence from internal research and communications within social media companies indicates that employees and leadership have recognized that their products may foster addictive behaviors, including comparisons to slot machine-like reinforcement systems and acknowledgment that some users struggle to disengage despite limited benefit.

(e) Adolescents are uniquely vulnerable to these addictive design features due to ongoing brain development, including underdeveloped executive function, reduced impulse control, and heightened sensitivity to social reward and peer validation.

(f) Internal platform research has acknowledged that minor users are “particularly sensitive to reinforcement in the form of social reward,” have limited ability to self-regulate usage, and lack the neurological development necessary to effectively control screen time.

(g) Peer-reviewed research demonstrates that problematic social media and internet use is associated with measurable changes in the brain’s reward system, including increased sensitivity to rewards and structural and functional alterations, particularly among adolescents.

(h) Longitudinal neuroimaging research has found that habitual social media checking behaviors can alter brain development by increasing responsiveness to social rewards, which reinforces compulsive engagement patterns over time.

(i) A growing body of scientific literature shows that excessive and problematic social media use is associated with cognitive and behavioral harms, including diminished attention, reduced cognitive control, impaired

memory and analytical skills, and decreased capacity for deep interpersonal interaction.

(j) Studies also demonstrate that problematic social media use is linked to increased psychological distress, including anxiety, depression, and sleep disruption, as well as interference with essential daily activities, including academic responsibilities, physical activity, and in-person social connection.

(k) Experts have concluded that social media harms adolescents at a scale that is sufficient to produce population-level effects on mental health and well-being.

(l) Despite growing evidence of harm, current regulatory frameworks do not adequately address the addictive design of social media platforms or provide consistent protections to prevent early exposure among minors.

(m) The State of California has a compelling interest in protecting children and adolescents from products and environments that are intentionally designed to exploit developmental vulnerabilities and reinforce compulsive use behaviors.

(n) Establishing a minimum age requirement for social media use is a reasonable and evidence-based measure to reduce exposure to addictive digital environments during critical stages of neurological and psychological development.

(o) The creation of the eSafety Advisory Commission is necessary to provide ongoing oversight, research, and enforcement related to digital platform safety, including addressing emerging risks associated with addictive design and ensuring age-appropriate protections for minors.

(p) It is the intent of the Legislature to align digital platform practices with established public health principles and to ensure that technological innovation does not come at the expense of the mental health, development, and well-being of California's youth.

**SEC. 2.** Chapter 22.9 (commencing with Section 22682) is added to Division 8 of the Business and Professions Code, to read:

**CHAPTER 22.9. Covered Platform Age Restriction**

22682. For purposes of this chapter:

(a) "Addictive feature" means a psychologically exploitative feature intended to maximize engagement that foreseeably leads to compulsive use, including, but not limited to, notifications, addictive feeds, endless scrolls, autoplay, and their functional equivalents, including any feature that learns from user information or behavior in order to prolong engagement with a particular internet website, online service, online application, or mobile application.

(b) "Addictive feed" means an internet website, online service, online application, or mobile application, or a portion thereof, in which multiple pieces of media generated or shared by users are, either concurrently or sequentially, recommended, selected, or prioritized for display to a user based, in whole or in part, on information provided by the user, or otherwise associated with the user or the user's device, unless any of the following conditions are met:

(1) The information is not persistently associated with the user or user's device and does not concern the user's previous interactions with media generated or shared by others.

(2) The information consists of search terms that are not persistently associated with the user or user's device.

(3) The information consists of user-selected privacy or accessibility settings, technical information concerning the user's device, or device communications or signals concerning whether the user is a minor.

(4) The user expressly and unambiguously requested the specific media or media by the author, creator, or poster of the media, or the blocking, prioritization, or deprioritization of that media, provided that the media is not recommended, selected, or prioritized for display based, in whole or in part, on other information associated with the user or the user's device, except as otherwise permitted by this chapter and, if the media is audio or video content, is not automatically played.

(5) The media consists of direct, private communications between users.

(6) The media recommended, selected, or prioritized for display is exclusively the next media in a preexisting sequence from the same author, creator, poster, or source and, if the media is audio or video content, is not automatically played.

(7) The recommendation, selection, or prioritization of the media is necessary to comply with state or federal law.

(c) (1) "Covered platform" means, subject to regulations adopted pursuant to Section 22687, an internet website, online service, online application, or mobile application, including, but not limited to, a social media platform, as defined in Section 22675, that offers users or provides users with an addictive feed as a significant part of the service provided by that internet website, online service, online application, or mobile application.

(2) "Covered platform" does not include either of the following:

(A) An internet website, online service, online application, or mobile application for which interactions between users are limited to commercial transactions or to consumer reviews of products, sellers, services, events, or places, or any combination thereof.

(B) An internet website, online service, online application, or mobile application that operates a feed for the primary purpose of cloud storage.

(d) "Personal information" has the meaning defined in Section 1798.140 of the Civil Code.

(e) "User" means a natural person who resides in the state and accesses or seeks to create an account on a covered platform.

**22683.** (a) A covered platform shall not permit a user who is under 16 years of age to create or maintain an account on the covered platform.

(b) A covered platform shall implement reasonable measures to prevent users under 16 years of age from accessing or using accounts on the covered platform.

**22684.** (a) A covered platform shall verify the age of a user pursuant to the Digital Age Assurance Act (Title 1.81.9 (commencing with Section 1798.500) of Part 4 of Division 3 of the Civil Code) subject to any regulation adopted by the Attorney General pursuant to Section 22686.

(b) A covered platform shall delete the account of a user under 16 years of age and any personal information associated with the user of the account.

**22685.** (a) Personal information collected for age assurance under this chapter shall be all of the following:

(1) Used solely for age-related eligibility determinations.

(2) Retained only for the minimum period necessary to complete the verification process.

(3) Not used for advertising, profiling, or algorithmic recommendation purposes.

(b) A covered platform shall implement reasonable security procedures and practices to protect age assurance data from unauthorized access, use, or disclosure.

22686. (a) The Attorney General may, in consultation with the e-Safety Advisory Commission, adopt regulations to implement and enforce this chapter in order to further the purpose of protecting minors online.

(b) Pursuant to subdivision (a), the Attorney General may alter the scope of “covered platform” if the Attorney General determines that doing so is necessary to ensure that “covered platform” applies to internet websites, online services, online applications, or mobile applications that make addictive features available to users under 16 years of age.

22687. (a) This chapter shall be enforced by a civil action brought only by the Attorney General, or a local public prosecutor.

(b) A covered platform that violates this chapter shall be subject to a civil penalty of the following:

(1) Up to ~~\_\_\_\_\_~~ *fifty thousand* dollars ~~(\$\_\_\_\_\_)~~ *(\$50,000)* per affected minor for a knowing violation.

(2) Up to ~~\_\_\_\_\_~~ *twenty-five thousand* dollars ~~(\$\_\_\_\_\_)~~ *(\$25,000)* per affected minor for a negligent violation.

(c) In assessing a civil penalty under this section, a court shall consider the size of the covered platform, the severity and duration of the violation, and the covered platform’s good faith efforts to comply with this chapter.

**SEC. 3.** Chapter 5.4 (commencing with Section 11530) is added to Part 1 of Division 3 of Title 2 of the Government Code, to read:

#### **CHAPTER 5.4. e-Safety Advisory Commission**

11530. As used in this chapter:

(a) “Commission” means the e-Safety Advisory Commission established pursuant to this chapter.

(b) “Covered entity” means a person that provides online services subject to age verification requirements under state or federal law.

(c) “Minimum age” means 16 years of age.

11530.1. (a) The e-Safety Advisory Commission is hereby established within the Department of Justice.

(b) A member of the commission shall meet all of the following criteria:

(1) The member shall be free of direct and indirect external influence and shall not seek or take instructions from another.

(2) The member shall not take an action or engage in an occupation, whether gainful or not, that is incompatible with the member’s duties.

(3) The member shall not, either at the time of the member’s appointment or during the member’s term, have a financial interest in an entity that is subject to regulation by the commission.

(4) The member shall serve at the pleasure of the appointing authority for a maximum of eight consecutive years.

11530.2. (a) The commission shall advise the Attorney General on all of the following:

- (1) The implementation and enforcement of Chapter 22.9 (commencing with Section 22682) of Division 8 of the Business and Professions Code.
  - (2) The state of age assurance and age verification technologies, including their effectiveness, privacy implications, accuracy, and feasibility for implementation by covered entities.
  - (3) Covered entity compliance with the state's online safety laws.
  - (4) Feedback from social media users, parents of minors, and online safety and children's safety organizations regarding the implementation of the state's online safety laws.
  - (5) The differential impact of online age restrictions on various groups, including youth of different ages, backgrounds, and identities.
  - (6) Proposed and enacted online safety laws in other jurisdictions.
  - (7) Harmful design features in covered entities and their impacts on youth health and well-being.
  - (8) Safety practices of covered entities to protect children.
- (b) On or before January 1 of each year, the commission shall report to the Legislature, pursuant to Section 9795, and the Governor on all of the following:
- (1) The commission's activities under this chapter.
  - (2) Compliance rates among covered entities.
  - (3) Enforcement actions taken and proposed statutory changes.
  - (4) Recommendations for legislative changes to enhance the protection of minors online.

**SEC. 4.** The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.