
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 22 Session of 2025

INTRODUCED BY HUGHES, PHILLIPS-HILL, PENNYCUICK, ROTHMAN,
FONTANA, BROWN, COLLETT, SCHWANK, COMITTA, KANE, COSTA,
J. WARD, CULVER, KEARNEY, SAVAL AND MILLER, JANUARY 24, 2025

REFERRED TO COMMUNICATIONS AND TECHNOLOGY, JANUARY 24, 2025

AN ACT

1 Amending Title 50 (Mental Health) of the Pennsylvania
2 Consolidated Statutes, providing for protection of minors on
3 social media; and imposing penalties.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 50 of the Pennsylvania Consolidated
7 Statutes is amended by adding parts to read:

8 PART I

9 PRELIMINARY PROVISIONS

10 (Reserved)

11 PART II

12 MINORS

13 Chapter

14 10. Preliminary Provisions (Reserved)

15 11. Protecting Minors on Social Media

16 CHAPTER 10

17 PRELIMINARY PROVISIONS

18 (Reserved)

1 CHAPTER 11

2 PROTECTING MINORS ON SOCIAL MEDIA

3 Subchapter

4 A. General Provisions

5 B. Unlawful Activity

6 C. Consent to Open an Account

7 D. Data

8 SUBCHAPTER A

9 GENERAL PROVISIONS

10 Sec.

11 1101. Scope of chapter.

12 1102. Legislative intent.

13 1103. Definitions.

14 § 1101. Scope of chapter.

15 This chapter relates to protecting minors on social media.

16 § 1102. Legislative intent.

17 The General Assembly finds and declares as follows:

18 (1) Social media use among American teenagers is nearly
19 universal. According to the Pew Research Center, 95% of teens
20 report using YouTube and 67% of teens have used TikTok, with
21 16% using TikTok almost constantly.

22 (2) According to the Pew Research Center, 54% of teens
23 say it would be difficult to give up social media entirely.

24 (3) Social media use is linked to negative feelings
25 among teens. A growing body of research, described in the
26 *International Journal of Adolescence and Youth* and elsewhere,
27 has found that increased social media use is associated with
28 greater rates of depression and anxiety in teens. Additional
29 research published in the *Children and Youth Services Review*
30 describe a trend in which social media use can trigger and

1 accelerate offline violence.

2 (4) Rates of suicide and self-harm among American
3 teenagers have grown dramatically in recent years. The
4 Centers for Disease Control and Prevention have found that,
5 in 2021, three in five girls felt persistently sad and
6 hopeless, while more than one in four girls reported
7 seriously considering attempting suicide. These rates have
8 increased significantly since 2011.

9 (5) Federal and state policymakers are beginning to
10 recognize the risks that social media use places on American
11 youth. A number of recent policy proposals provide parents
12 and guardians of teenagers with greater oversight over their
13 children's social media use.

14 (6) In May 2023, the United States Surgeon General
15 released a health advisory finding that "more research is
16 needed to fully understand the impact of social media;
17 however, the current body of evidence indicates that while
18 social media may have benefits for some children and
19 adolescents, there are ample indicators that social media can
20 also have a profound risk of harm to the mental health and
21 well-being of children and adolescents." The advisory
22 recommends a range of policies to consider, including
23 "policies that further limit access - in ways that minimize
24 the risk of harm - to social media for all children,
25 including strengthening and enforcing age minimums."

26 (7) In addition to empowering parents and guardians to
27 protect children against these risks, policymakers are
28 establishing mechanisms to hold social media companies
29 accountable for harms to children and youth.

30 (8) Greater oversight of social media platforms will

1 enable families in this Commonwealth to use online tools in a
2 more productive and healthy fashion.

3 § 1103. Definitions.

4 The following words and phrases when used in this chapter
5 shall have the meanings given to them in this section unless the
6 context clearly indicates otherwise:

7 "Account." Any means of registration by which an individual
8 may engage in one or more functions of a social media platform.

9 "Delete." To remove personal information so the information
10 is not retrievable by anyone and cannot be retrieved in the
11 normal course of business.

12 "Fund." The School Safety and Security Fund established
13 under section 1306-B(h) of the act of March 10, 1949 (P.L.30,
14 No.14), known as the Public School Code of 1949.

15 "Mine." The activity or process of searching through large
16 amounts of information for specific data or patterns.

17 "Minor." Except as provided in section 1131 (relating to
18 definitions), an individual who is less than 16 years of age.

19 "Personal information." As defined in 15 U.S.C. § 6501
20 (relating to definitions).

21 "Personalized recommendation system." A fully or partially
22 automated system that is based on a user's historical activity
23 data and which suggests, promotes or ranks information that is
24 presented or displayed to users.

25 "School entity." A school district, intermediate unit, area
26 career and technical school, charter school or private
27 residential rehabilitative institution.

28 "Social media company." A person that owns or operates one
29 or more social media platforms.

30 "Social media platform." A public or semipublic Internet-

1 based service or application that has users in this Commonwealth
2 and that meets all of the following criteria:

3 (1) A primary function of the service or application is
4 to connect users in order to allow users to interact socially
5 with each other within the service or application, provided
6 that a service or application that provides email or direct
7 messaging services, commercial transactions or cloud
8 computing shall not be considered to meet this criterion
9 solely on the basis of that function.

10 (2) The service or application allows users to do all of
11 the following:

12 (i) Construct a public or semipublic profile for
13 purposes of signing into and using the service or
14 application.

15 (ii) Populate a list of other users with whom an
16 individual shares a social connection within the system.

17 (iii) Create or post content viewable by other
18 users, including on message boards, in chat rooms or
19 through a landing page or main feed that presents the
20 user with content generated by other users.

21 SUBCHAPTER B

22 UNLAWFUL ACTIVITY

23 Sec.

24 1110. Unlawful activity.

25 § 1110. Unlawful activity.

26 (a) Unlawful activity.--It shall be unlawful for a social
27 media company or a social media platform to intentionally,
28 knowingly, recklessly or negligently cause or encourage a minor
29 to access content which the social media company knows or should
30 have known subjects one or more minors to harm that is

1 detrimental to the physical health, mental health or the well-
2 being of a minor or that creates a reasonable likelihood of
3 bodily injury or death to the minor.

4 (b) Exclusive jurisdiction.--The Attorney General shall have
5 exclusive jurisdiction for violations of this section.

6 (c) Damages.--A court of competent jurisdiction may award
7 damages as provided under this subsection. In determining the
8 extent of injury, the court shall consider the damage caused to
9 the minor due to utilization of a social media platform by the
10 minor. The court may award:

11 (1) Actual costs incurred as a result of the damage,
12 including costs associated with counseling services, doctor's
13 visits, treatment and copays.

14 (2) Actual attorney fees and court costs incurred by the
15 Attorney General.

16 (3) Punitive damages determined by the court.

17 (4) Consequential damages, if harm to reputation
18 occurred, as determined by the court.

19 (d) Deposit.--Damages recovered under subsection (c) (3) and
20 (4) shall be deposited into the fund to be used exclusively for
21 mental health-related services for students.

22 (e) Remedies preserved.--Nothing under this section shall be
23 construed to limit the Attorney General's ability to bring an
24 action under other provisions of law.

25 (f) Good faith.--It shall be a defense to an action under
26 subsection (a) if a social media company takes good faith
27 actions, as determined by a court of competent jurisdiction, to
28 protect a minor from content that the social media company knew
29 or should have known subjects a minor to harm and is detrimental
30 to the physical health, mental health or the well-being of a

1 minor or that creates a reasonable likelihood of bodily injury
2 or death to the minor resulting from the use of the social media
3 company's platform.

4 SUBCHAPTER C

5 CONSENT TO OPEN AN ACCOUNT

6 Sec.

7 1121. Applicability.

8 1122. Age assurance.

9 1123. Duties.

10 1124. Revocation of consent.

11 1125. Violations.

12 § 1121. Applicability.

13 This subchapter shall apply to accounts opened on or after
14 the effective date of this section.

15 § 1122. Age assurance.

16 Utilizing commercially available best practices, a social
17 media platform shall make commercially reasonable efforts to
18 verify the age of users upon the creation of an account, with a
19 level of certainty appropriate to the risks that arise from the
20 information management practices of the social media company, or
21 apply the accommodations afforded to minors under this chapter
22 to all account holders.

23 § 1123. Duties.

24 (a) Consent required.--Except as provided under subsection
25 (a.1), a social media company may not permit a minor residing in
26 this Commonwealth to become an account holder on a social media
27 platform unless the minor has the express consent of the minor's
28 parent or legal guardian. A social media platform may obtain
29 express consent from a minor's parent or legal guardian through
30 any of the following means:

1 (1) By providing a completed form, developed by the
2 Attorney General, from a minor's parent or legal guardian to
3 sign and return to the social media platform via mail or
4 electronic means.

5 (2) Through a toll-free telephone number for a minor's
6 parent or legal guardian to call.

7 (3) Through a call with a minor's parent or legal
8 guardian over video conferencing technology.

9 (4) By collecting information related to the government-
10 issued identification of a minor's parent or legal guardian,
11 shared by the parent or legal guardian. A social media
12 platform shall delete the information related to the
13 government-issued identification of a minor's parent or legal
14 guardian after confirming the identity of a minor's parent or
15 legal guardian.

16 (5) Allowing a minor's parent or legal guardian to
17 provide consent by responding to an email and taking
18 additional steps to verify the identity of a minor's parent
19 or legal guardian.

20 (6) Any other commercially reasonable methods of
21 obtaining consent in light of available technology.

22 (a.1) Exception.--A social media company that does not have
23 reason to believe a user is a minor through the use of
24 commercially reasonable practices, or that has used commercially
25 reasonable practices to verify that a user is not a minor, is
26 not required to obtain express consent under this section.

27 (b) Attorney General.--The Office of Attorney General shall
28 develop and make available on its publicly accessible Internet
29 website a form that may be used by a parent or legal guardian to
30 provide consent for a minor to open a social media account. The

1 Attorney General shall transmit a copy of the form to each
2 social media company.

3 (c) Documentation.--A social media platform shall maintain
4 documentation as to the manner in which the social media company
5 has obtained express consent from a minor's parent or legal
6 guardian. The social media platform may delete the documentation
7 when the minor is no longer a minor or within the established
8 time frame by the social media company for maintaining data,
9 whichever is later.

10 (d) Social media company.--Each social media company shall
11 post in a conspicuous place on each of their social media
12 platforms notice that express consent by the minor's parent or
13 legal guardian shall be required prior to opening an account.
14 Any electronic consent included in a social media platform must
15 include the same information as required by the form developed
16 by the Attorney General's office under subsection (b).

17 (e) Failure to obtain consent.--To the extent possible, if a
18 minor opens a social media account without express consent by
19 the minor's parent or legal guardian, the social media company
20 shall, within a reasonable time after discovery of the failure
21 to obtain the express consent:

22 (1) suspend the social media account; and

23 (2) notify the minor's parent or legal guardian that the
24 minor has attempted to open a social media account without
25 their consent.

26 (f) Social media access.--To the extent possible, a social
27 media company shall provide a minor's parent or legal guardian
28 who has given express consent for the minor to become an account
29 holder with a means for the minor's parent or legal guardian to
30 initiate account supervision. Account supervision may include:

1 (1) allowing the minor's parent or legal guardian the
2 ability to view privacy settings of the minor's account;

3 (2) allowing a minor's parent or legal guardian to set
4 daily time limits for the minor's account;

5 (3) allowing a minor's parent or legal guardian to
6 schedule breaks for the minor's account; and

7 (4) allowing a minor the option of providing
8 notifications to the minor's parent or legal guardian if the
9 minor reports a person or an issue to the social media
10 platform.

11 (g) Notification.--A social media platform shall provide
12 clear notice to the minor on the features of the minor's account
13 to which the minor's parent or legal guardian may have access.

14 (h) No account required.--A social media platform may not
15 require a parent or legal guardian to have their own account as
16 a condition of a minor being able to open an account.

17 (i) Notice of alleged violation.--A social media company
18 shall develop and post notice on its publicly accessible
19 Internet website of the methods, including electronic and
20 telephonic means, by which a minor's parent or legal guardian
21 may notify the social media company that the minor has opened a
22 social media account on its social media platform without the
23 required consent.

24 § 1124. Revocation of consent.

25 (a) Time.--A minor's parent or legal guardian who has
26 provided express consent under this subchapter may revoke the
27 consent at any time.

28 (b) Social media platform.--A social media platform shall
29 take reasonable steps to provide a parent or legal guardian who
30 has provided express consent for a minor to open a social media

1 account with the ability to revoke the consent.

2 (c) Effect of revocation.--A social media platform that
3 receives a revocation of consent under subsection (a) shall, to
4 the extent possible, within a reasonable time frame from receipt
5 of the revocation, suspend, delete or disable the account of the
6 minor for whom consent was revoked.

7 § 1125. Violations.

8 (a) Action.--The Attorney General shall have jurisdiction to
9 bring an action against a social media company that knowingly,
10 intentionally or negligently allows for a minor to open a social
11 media account without express consent of the minor's parent or
12 legal guardian. The Attorney General may bring multiple cases at
13 one time against a social media company for violations of this
14 chapter.

15 (b) Penalty.--

16 (1) For a first offense for an action brought on behalf
17 of a single minor, a civil penalty not to exceed \$2,500.

18 (2) For a second offense for an action brought on behalf
19 of the same single minor under paragraph (1), a civil penalty
20 not to exceed \$5,000.

21 (3) For a third or subsequent offense for an action
22 brought on behalf of the same single minor under paragraph
23 (1), a civil penalty not to exceed \$50,000.

24 (4) For a first offense for an action brought on behalf
25 of multiple minors, a civil penalty not to exceed the greater
26 of \$5,000,000 or the total number of violations multiplied by
27 the maximum civil penalty under paragraph (1).

28 (5) If a court of competent jurisdiction determines that
29 there have been repeated intentional violations of this
30 chapter by a social media company, the court may enter an

1 order enjoining the social media company from operating
2 accounts for minors in this Commonwealth.

3 (c) Use of recovered fees.--Civil fees collected under
4 subsection (b) shall be deposited into the fund to be used
5 exclusively for mental health-related services for school
6 entities.

7 (d) Good faith.--It shall be a defense to an action under
8 subsection (a) if a social media company allows for the creation
9 or opening of an account for a minor based on a good faith
10 belief that the minor has obtained the express consent required
11 under this subchapter.

12 SUBCHAPTER D

13 DATA

14 Sec.

15 1131. Definitions.

16 1132. Prohibitions.

17 1133. Violations.

18 1134. Removal.

19 § 1131. Definitions.

20 The following words and phrases when used in this subchapter
21 shall have the meanings given to them in this section unless the
22 context clearly indicates otherwise:

23 "Minor." An individual who is under 18 years of age.

24 "Qualified individual." Any of the following:

25 (1) A parent or guardian of a minor.

26 (2) An adult individual from whom data was collected
27 when the individual was a minor.

28 "Sale," "sell" or "sold." The exchange of personal
29 information for monetary consideration by the business to a
30 third party. The term does not include:

1 (1) The disclosure of personal information to a
2 processor that processes the personal information on behalf
3 of the business.

4 (2) The disclosure of personal information to a third
5 party for purposes of providing a product or service
6 requested by the consumer.

7 (3) The disclosure or transfer of personal information
8 to an affiliate of the business.

9 (4) The disclosure of information that the consumer:

10 (i) intentionally made available to the general
11 public via a channel of mass media; and

12 (ii) did not restrict to a specific audience.

13 (5) The disclosure or transfer of personal information
14 to a third party as an asset that is part of a merger,
15 acquisition, bankruptcy or other transaction in which the
16 third party assumes control of all or part of the business's
17 assets.

18 "Targeted advertising." The displaying of advertisements to
19 a consumer where the advertisement is selected based on personal
20 information obtained from that consumer's activities over time
21 and across nonaffiliated websites or online applications to
22 predict the consumer's preferences or interests. The term does
23 not include:

24 (1) advertisements based on activities within a social
25 media platform's own websites or online applications;

26 (2) advertisements based on the context of a consumer's
27 current search query, visit to a website or online
28 application;

29 (3) advertisements directed to a consumer in response to
30 the consumer's request for information or feedback; or

1 (4) processing personal information processed solely for
2 measuring or reporting advertising performance, reach or
3 frequency.

4 "Third party." An individual or legal entity, public
5 authority, agency or body, other than the consumer, business or
6 processor or an affiliate of the processor or the business.

7 § 1132. Prohibitions.

8 (a) Mining.--A social media company may not mine data
9 related to a minor who has opened a social media account,
10 notwithstanding if the account was opened with the express
11 consent of the minor's parent or legal guardian. This subsection
12 shall not apply to any of the following:

13 (1) Data regarding age and location for purposes of
14 personalized recommendations related to age-appropriate
15 content.

16 (2) The mining of data necessary to protect minors from
17 viewing harmful content.

18 (3) Mining of data that is adequate, relevant and
19 reasonably necessary in relation to the purpose for which the
20 data is processed, as disclosed.

21 (b) Sale of data.--A social media company may not sell
22 personal information related to a minor who has opened a social
23 media account, or engage in targeted advertising based on a
24 minor's age, gender or interests, notwithstanding if the account
25 was opened with the express consent of a minor's parent or legal
26 guardian.

27 (c) Personalized recommendations.--A social media platform
28 may provide a prominent, accessible and responsive tool for a
29 user who is a minor to opt in of the use of search and watch
30 history for use in personalized recommendation systems. A social

1 media platform may not use a personalized recommendation system
2 unless a minor opts in.

3 § 1133. Violations.

4 (a) Actions.--The Attorney General shall have jurisdiction
5 to bring an action against a social media company that
6 knowingly, intentionally or negligently violates a prohibition
7 under section 1132 (relating to prohibitions).

8 (b) Penalty.--

9 (1) For a first offense for an action brought on behalf
10 of a single minor, a civil penalty not to exceed \$10,000.

11 (2) For a second offense for an action brought on behalf
12 of the same single minor under paragraph (1), a civil penalty
13 not to exceed \$50,000.

14 (3) For a third or subsequent offense for an action
15 brought on behalf of the same single minor under paragraph
16 (1), a civil penalty not to exceed \$500,000.

17 (4) For a first offense for an action brought on behalf
18 of multiple minors, a civil penalty not to exceed the greater
19 of \$50,000,000 or the total number of violations multiplied
20 by the maximum civil penalty under paragraph (1).

21 (5) For a violation of paragraphs (1), (2), (3) and (4),
22 a court of competent jurisdiction may order data collected as
23 a result of a violation of a prohibition under section 1132
24 to be deleted from the Internet. The cost of removal shall be
25 paid by the social media company.

26 (6) If a court of competent jurisdiction determines that
27 there has been repeated intentional violations of a
28 prohibition under section 1132 by a social media company, the
29 court may prohibit the social media company from operating
30 accounts for minors in this Commonwealth.

1 (c) Use of recovered fees.--Civil fees collected under this
2 section shall be deposited into the fund to be used for mental
3 health-related services for school entities.

4 (d) Good faith.--It shall be a defense to an action under
5 subsection (a) if a social media company takes good faith
6 actions to limit the personal information mined from a minor or
7 acts in good faith to prohibit the sale of personal information
8 of a minor.

9 § 1134. Removal.

10 (a) Process.--In response to a request from a qualified
11 individual, a social media platform shall provide the individual
12 with the ability to correct or delete personal information that
13 the qualified individual has provided to the social media
14 platform or that the social media platform obtained about the
15 qualified individual. De-identified information may be
16 considered deleted for purposes of this subchapter.

17 (b) Fulfilling requests.--To help fulfill requests from a
18 qualified individual, a social media platform may:

19 (1) require the qualified individual to reasonably
20 identify the activities to which the qualified individual's
21 request relates; and

22 (2) provide automated tools that allow qualified
23 individuals to correct or delete personal information under
24 subsection (a).

25 (c) Notice.--A social media platform that has mined or
26 collected personal information from a minor or retains personal
27 information about a minor shall prominently display notice on
28 the website of how a qualified individual can request that the
29 social media platform delete personal information in the
30 possession of the social media platform that was collected from

1 or about the individual when the individual was a minor.

2 (d) Deletion.--Upon a request of a qualified individual, a
3 social media platform shall, no later than 30 days after the
4 request, delete personal information in the possession of the
5 social media company that was mined or collected from or about
6 the individual when the individual was a minor.

7 (e) Confirmation.--Within 90 business days of personal
8 information being deleted by the social media company, the
9 social media company shall provide, by written communication,
10 notice to the qualified individual that personal information has
11 been deleted.

12 (f) Violations.--A social media company that fails to delete
13 personal information when a request to delete personal
14 information is made by a qualified individual shall be strictly
15 liable for a civil penalty of \$10,000 per day per website until
16 the personal information has been deleted. If a social media
17 company has received consent from a parent or guardian to
18 collect personal information of a minor, the consent shall be an
19 absolute defense to a violation of this section. The Attorney
20 General shall have exclusive jurisdiction to bring an action
21 under this section.

22 Section 2. This act shall take effect in 18 months.