



NEW YORK STATE SENATOR

Andrew Gounardes

## New Poll: 63% of NY Voters Support Regulating Addictive Algorithms to Protect Kids Online

ANDREW GOUNARDES May 22, 2024

| ISSUE: **SOCIAL MEDIA, MENTAL HEALTH**



Republican voters support the SAFE for Kids Act nearly two-to-one, 52-27%.

ALBANY, NY (05/22/2024) -- A **new Siena Poll released today** shows overwhelming bipartisan support for banning social media platforms from providing addictive, algorithm-based feeds to minors without parental consent. 63% of New York voters, including 69% of Democrats and 52% of Republicans, support the SAFE for Kids Act (S.7694/A.8148). Republican voters support the proposal nearly two-to-one, 52-27%, with no other demographic group having

more than 24% in opposition.

[View the crosstabs here.](#)

"Parents across New York State – regardless of party politics – support common sense, effective guardrails to protect children and teens on social media. Big Tech can spend all the money they want to defend their profits, but New Yorkers know a safer digital world is possible," said **Senator Andrew Gounardes, the Senate sponsor of the SAFE for Kids Act.**

"This new poll is significant because it confirms what we have been seeing across the country for several years now – parents want lawmakers to protect their kids online," said **Liz Foley, Senior Director of Advocacy Campaigns for Common Sense Media, one of the lead supporters of the SAFE for Kids Act.** "This is as true in New York as anywhere. Albany has the power right now to respond to this strong, bi-partisan, and widespread concern among New Yorkers by passing the SAFE For Kids Act and the Child Data Protection Act this year."

#### **BACKGROUND:**

Parents in New York, and across the country, are noticing an immediate hit to their childrens' mental health once they begin using social media. Multiple independent studies reveal a **distressing link** between prolonged social media use and heightened rates of depression, anxiety, suicidal ideation, and self-harm among youth. Yet, the federal government last passed a law to protect youth online in 1998.

Several states have introduced and passed laws aimed at restricting harmful content, or platforms all together. But attempting to regulate content is legally complicated, often becoming entangled in the court system, and fails to address the root cause: social media companies purposely using addictive algorithms to keep kids online longer in order to serve them ads and profit from their doom scrolling. A recent Harvard **study** found that social

media companies made \$11 billion alone from underage users in 2022.

New York lawmakers, parents and advocates are calling for the **Stop Addictive Feeds for Kids Act (SAFE) and the New York Child Data Protection Act**, both sponsored by Senator Andrew Gounardes and Assemblymember Nily Rozic, and backed by Governor Kathy Hochul and Attorney General Letitia James, to regulate two of social media's most harmful tools against youth: addictive algorithms and data collection.

### **Bill #1: Stop Addictive Feeds Exploitation (SAFE) for Kids Act**

This SAFE for Kids Act will require social media companies to restrict the addictive features on their platforms that most harm young users. Currently, platforms supplement the content that users view from the accounts they follow by serving them additional content from accounts they do not follow or subscribe to. This content is curated using algorithms that gather and display content based on a variety of factors. However, algorithmic feeds have been shown to be addictive because they prioritize content that keeps users on the platform longer. Addictive feeds are correlated with an increase in the amount of time that teens and young adults spend on social media and significant negative mental health outcomes for minors.

To address this problem, the legislation will:

- Ban social media platforms from offering addictive feeds to any persons under 18 without parental consent. Instead, users will receive a chronological feed of content from only the users that they already follow or feeds of generally popular content – the same way that social media feeds functioned before the advent of addictive feeds. Users may also search for specific topics of interest.

- Prohibit social media platforms from sending notifications to minors from 12AM and 6AM without verifiable parental consent.
- Allow users and parents to opt out of minors accessing social media platforms between the hours of 12AM and 6AM.
- Authorize the Office of the Attorney General (OAG) to bring an action to enjoin or seek damages or civil penalties of up to \$5,000 per violation. Allow any parent/guardian of a covered minor to sue for damages of up to \$500 per user per incident, or actual damages, whichever is greater.

This legislation will only impact social media platforms with feeds comprised of user-generated content along with other material that the platform recommends to users based on data it collects from them. For example, Facebook, Instagram, TikTok, Twitter, and YouTube would all be subject to this legislation.

### **Bill #2: The New York Child Data Protection Act**

With few privacy protections in place for minors online, children are vulnerable to having their location and other personal data tracked and shared with third parties. To protect children's privacy, the New York Child Data Protection Act will prohibit all online sites from collecting, using, sharing, or selling personal data of anyone under the age of 18 for the purposes of advertising, unless they receive informed consent or unless doing so is strictly necessary for the purpose of the website. For users under 13, this informed consent must come from a parent. The bill authorizes the Office of the Attorney General to enforce the law and may enjoin, seek damages, or civil penalties of up to \$5,000 per violation.

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RELATED LEGISLATION

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## 2023-S7694

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- Introduced
- - In Committee Assembly
  - In Committee Senate
- - On Floor Calendar Assembly
  - On Floor Calendar Senate
- - Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor
- 

Establishes the Stop Addictive Feeds Exploitation (SAFE) for Kids act prohibiting the provision of addictive feeds to minors

October 13, 2023

Signed by Governor

Sponsored by **Andrew Gounardes**

Do you support this bill?

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Establishes the New York child data protection act

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