

# ALASKA STATE LEGISLATURE

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## Representative Bill Elam

*DISTRICT 8*

### House Bill 318

#### SOCIAL MEDIA/MINORS

#### Sectional Analysis – Version A

**Section 1** Adds uncodified legislative findings and intent recognizing the risks associated with excessive social media use by minors, the vulnerability of minors to manipulative design practices and data collection, the role of parents and guardians, and the state's interest in protecting minors. States that the Act is intended to regulate commercial conduct and product design, respect free speech protections, empower parents, be narrowly tailored, and align with emerging efforts to protect minors online.

**Section 2:** Amends AS 45.50.471(b) to add violations of AS 45.50.650 (social media for minors) to the list of unlawful acts under Alaska's Unfair Trade Practices and Consumer Protection Act.

**Section 3:** Adds a new Article 5A to AS 45.50 establishing protections for minors using social media.

- (a) Requires platforms to provide, by default, a non-addictive content delivery system for known minors, unless verifiable parental consent is obtained. Prohibits the use of coercive or deceptive design features to discourage minors or parents from selecting or maintaining safer settings.
- (b) Restricts notifications to minors during designated school hours and between 10:00 p.m. and 7:00 a.m., unless a parent or guardian opts out. Provides exceptions for notifications related to account security, authentication, safety, or emergencies.
- (c) Prohibits platforms from directing targeted advertising to minors, collecting or retaining personal data beyond what is reasonably necessary to provide the service, collecting, retaining, or sharing precise location data, or making a minor's account public by default.

(d) Requires that parental consent under this section be verifiable and use reasonable, privacy-protective methods.

Authorizes the Attorney General to enforce the Act, allows punitive damages for patterns of knowing or reckless violations, and prohibits private lawsuits for violations of these sections.

Authorizes the Attorney General to adopt regulations, including age assurance, parental consent, reporting requirements, and designation of additional addictive design features.

Requires social media platforms with known minor users in Alaska to submit an annual report to the Attorney General describing design features, mitigation measures, data practices, and internal assessments related to minors, while protecting trade secrets.

Defines key terms including “addictive design feature,” “known minor,” and “social media platform,” and excludes services limited to private messaging or email.

**Section 4:** Requires the Attorney General to submit a report to the Legislature by January 1, 2028, containing the regulations adopted to implement the Act.

**Section 5:** Provides an effective date of January 1, 2027.