

# Utah social media law means kids need approval from parents

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Gov. Spencer Cox signs two social media regulation bills during a ceremony at the Capitol building in Salt Lake City on Thursday, March 23, 2023. Cox signed a pair of measures that aim to limit when and where children can use social media and stop companies from luring kids to the sites. Credit: Trent Nelson/The Salt Lake Tribune via AP

Children and teens in Utah would lose access to social media apps such as [TikTok](#) if they don't have parental consent and face other restrictions under a first-in-the-nation law designed to shield young people from the addictive platforms.

Two laws signed by Republican Gov. Spencer Cox Thursday prohibit kids under 18 from using [social media](#) between the hours of 10:30 p.m. and 6:30 a.m., require age verification for anyone who wants to use social [media](#) in the state and open the door to lawsuits on behalf of children claiming social media harmed them. Collectively, they seek to prevent children from being lured to apps by addictive features and from having ads promoted to them.

The companies are expected to sue before the laws take effect in March 2024.

The crusade against social media in Utah's Republican-supermajority Legislature is the latest reflection of how politicians' perceptions of technology companies has changed, including among typically pro-business Republicans.

Tech giants like Facebook and Google have enjoyed unbridled growth for over a decade, but amid concerns over user privacy, hate speech, misinformation and harmful effects on teens' mental health, lawmakers have made Big Tech attacks a rallying cry on the campaign trail and begun trying to rein them in once in office. Utah's law was signed on the same day [TikTok's CEO testified before Congress](#) about, among other things, the platform's effects on teenagers' mental health.



Gov. Spencer Cox speaks before signing two social media regulation bills during a ceremony at the Capitol building in Salt Lake City on Thursday, March 23, 2023. Cox signed a pair of measures that aim to limit when and where children can use social media and stop companies from luring kids to the sites. Credit: Trent Nelson/The Salt Lake Tribune via AP

But legislation has stalled on the federal level, pushing states to step in.

Outside of Utah, lawmakers in red states including Arkansas, Texas, Ohio and Louisiana and blue states including New Jersey are advancing similar proposals. California, meanwhile, enacted a law last year requiring tech companies to put kids' safety first by barring them from profiling children or using personal information in ways that could harm children physically or mentally.



The new Utah laws also require that parents be given access to their child's accounts. They outline rules for people who want to sue over harms they claim the apps cause. If implemented, lawsuits against [social media companies](#) involving kids under 16 will shift the burden of proof and require social media companies show their products weren't harmful—not the other way around.

Social media companies could have to design new features to comply with parts of the laws that prohibit promoting ads to minors and showing them in search results. Tech companies like TikTok, Snapchat and Meta, which owns Facebook and Instagram, make most of their money by targeting advertising to their users.

The wave of legislation and its focus on age verification has garnered pushback from [technology companies](#) as well as digital privacy groups known for blasting their data collection practices.



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The Electronic Frontier Foundation earlier this month demanded Cox veto the Utah legislation, saying time limits and [age verification](#) would infringe on teens' rights to free speech and privacy. Moreover, verifying every users' age would empower [social media platforms](#) with more data, like the government-issued identification required, they said.

If the law is implemented, the digital privacy advocacy group said in a statement, "the majority of young Utahns will find themselves

effectively locked out of much of the web."

Tech industry lobbyists decried the laws as unconstitutional, saying they infringe on people's right to exercise the First Amendment online.

"Utah will soon require online services to collect sensitive information about teens and families, not only to verify ages, but to verify parental relationships, like government-issued IDs and birth certificates, putting their private data at risk of breach," said Nicole Saad Bembridge, an associate director at NetChoice, a tech lobby group.

What's not clear in Utah's new law and those under consideration elsewhere is how states plan to enforce the new regulations. Companies are already prohibited from collecting data on children under 13 without parental consent under the federal Children's Online Privacy Protection Act. To comply, social media companies already ban kids under 13 from signing up to their platforms—but children have been shown to easily get around the bans, both with and without their parents' consent.



Gov. Spencer Cox applauds after signing two social media regulation bills during a ceremony at the Capitol building in Salt Lake City on Thursday, March 23, 2023. Cox signed a pair of measures that aim to limit when and where children can use social media and stop companies from luring kids to the sites. Credit: Trent Nelson/The Salt Lake Tribune via AP

Cox said studies have shown that time spent on social media leads to "poor mental health outcomes" for children.

"We remain very optimistic that we will be able to pass not just here in the state of Utah but across the country legislation that significantly changes the relationship of our children with these very destructive [social media apps](#)," he said.

The set of laws won support from parents groups and child advocates, who generally welcomed them, with some caveats. Common Sense Media, a nonprofit focused on kids and technology, hailed the effort to rein in social media's addictive features and set rules for litigation, with its CEO saying it "adds momentum for other states to hold social media companies accountable to ensure kids across the country are protected online."

However, Jim Steyer, the CEO and founder of Common Sense, said giving parents access to children's social media posts would "deprive kids of the online privacy protections we advocate for." Age verification and [parental consent](#) may hamper kids who want to create accounts on certain platforms, but does little to stop companies from harvesting their data once they're on, Steyer said.

The laws are the latest effort from Utah lawmakers focused on the fragility of children in the digital age. Two years ago, Cox signed legislation that called on [tech companies](#) to automatically block porn on cellphones and tablets sold in the state, after arguments about the dangers it posed to children found resonance among Utah lawmakers, the majority of whom are members of The Church of Jesus Christ of Latter-day Saints. Amid concerns about enforcement, lawmakers ultimately revised that legislation to prevent it from taking effect unless five other states passed similar laws.

The regulations come as parents and lawmakers are growing increasingly concerned about kids and teenagers' social media use and how platforms like TikTok, Instagram and others are affecting [young people's](#) mental health. The dangers of social media to [children](#) is also emerging as a focus for trial lawyers, with addiction lawsuits being filed throughout the country.

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