A bill for an act

relating to consumer protection; requiring the operator of a social media platform
to provide a specific warning when a social media account is accessed; requiring a
specific warning when a mobile device is sold; proposing coding for new law in
Minnesota Statutes, chapter 325E.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [325E.62] SOCIAL MEDIA; REQUIRED WARNING.

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
the meanings given.

(b) "Account holder" means a person who accesses a social media account through a
social media platform.

(c) "Mobile device" means a cellular phone, wearable device, tablet device, or other
portable electronic device that possesses computing capability or provides Internet access,
text messaging, e-mail, or digital voice service.

(d) "Operator" has the meaning given in section 1302 of the Children's Online Privacy
(e) "Personally identifying information" means information that allows the person to be identified or located, including:

(1) the person's first and last name, first initial and last name, first name and last initial, or nickname;

(2) the person's birth date or Social Security number;

(3) the person's current or former home, school, or work address;

(4) the person's telephone number or e-mail address; or

(5) the person's geolocation data.

(f) "Social media platform" means an electronic medium, including a browser-based or application-based interactive computer service, telephone network, or data network, that allows users to create, share, and view user-created content.

(g) "User-created content" means data created by an account holder that is displayed on the account holder's social media page or stored by the social media platform in the account holder's account, including personally identifying information, education experience or institution, volunteer or employment experience, written posts, photographs, video recordings, or audio recordings.

Subd. 2. Required warning; social media access. (a) An operator of a social media platform must give the following warning every time an account holder accesses a social media account through the platform:

"SOCIAL MEDIA USE IS ADDICTIVE. EXCESSIVE USE OF MOBILE DEVICES AND SOCIAL MEDIA PLATFORMS MAY LEAD TO MENTAL HEALTH DISORDERS, REDUCED PRODUCTIVITY, LACK OF SLEEP, AND SOCIAL ALIENATION."

(b) The warning required in paragraph (a) must appear in:

(1) letters at least as large at the largest text format on the screen; and

(2) a banner or similar section of text that is visually distinct from other text on the
Subd. 3. **Required warning; sale of mobile devices.** A retail dealer in mobile devices must provide to a purchaser of a mobile device in Minnesota the following warning in 12-point bold font on paper:

"SOCIAL MEDIA USE IS ADDICTIVE. EXCESSIVE USE OF MOBILE DEVICES AND SOCIAL MEDIA PLATFORMS MAY LEAD TO MENTAL HEALTH DISORDERS, REDUCED PRODUCTIVITY, LACK OF SLEEP, AND SOCIAL ALIENATION."

Subd. 4. **Enforcement.** The attorney general must enforce this section under section 8.31.

**EFFECTIVE DATE.** This section is effective January 1, 2020.