

STATE OF NEW YORK

9446

IN ASSEMBLY

January 6, 2026

Introduced by M. of A. ROZIC -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend a chapter of the laws of 2025 amending the general business law and the mental hygiene law relating to requiring warning labels on addictive social media platforms, as proposed in legislative bills numbers S. 4505 and A. 5346, in relation to the legislative intent and the effectiveness thereof; to amend the general business law, in relation to warning labels on addictive feature platforms; and to repeal section 7.48 of the mental hygiene law relating to addictive social media platform warning labels

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1 of a chapter of the laws of 2025 amending the
2 general business law and the mental hygiene law relating to requiring
3 warning labels on addictive social media platforms, as proposed in
4 legislative bills numbers S. 4505 and A. 5346, is amended to read as
5 follows:

6 Section 1. Legislative intent. On June 17th, 2024, US Surgeon General
7 Vivek H. Murthy called for warning labels on social media platforms due
8 to the "significant mental health harms" such platforms pose to young
9 users. The Surgeon General had previously found, in a landmark public
10 health advisory issued a year prior, that adolescents aged 12 - 15 who
11 spend more than three hours a day on social media faced double their
12 risk of anxiety and depression - yet as of summer 2023, average daily
13 use for this cohort was 4.8 hours. The Surgeon General further found
14 that social media companies were exploiting young users at one of the
15 most vulnerable periods of their lives, while their "identities and
16 self-worth are still forming," and they are "especially susceptible to
17 social pressures, peer opinions, and peer comparison." The Surgeon
18 General found that frequent social media use is associated with distinct
19 changes in the amygdala of the brain, which regulates emotional learn-
20 ing, as well as its prefrontal cortex, which regulates impulse control
21 and moderates social behavior.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 Research shows that social media exposure overstimulates reward
 2 centers, creating pathways comparable to those of an individual experi-
 3 encing substance use or gambling addictions - findings further bolstered
 4 by endless national surveys wherein teenage respondents report feeling
 5 "addicted" to social media platforms and describe the difficulties they
 6 encounter when they try to limit their use. Leaked internal memos from
 7 major social media platforms [~~such as Meta, Google, and TikTok~~] reveal
 8 that such companies have deployed the use of predatory features such as
 9 algorithmic feeds, endless scroll, autoplay, notifications, and "likes"
 10 to produce dopamine loops, drawing inspiration from the "variable
 11 reinforcement schedules" produced by gambling slot machines that keep
 12 users pulling the lever, or in this case, checking their screens, at
 13 periodic intervals for an outcome that could be intrinsically rewarding.
 14 Beyond the oft-cited side effects of depression, anxiety, and body
 15 dysmorphia, leaked company documents reveal that social media companies
 16 knew that compulsive use of their products was also associated with
 17 "loss of analytical skills, memory formation, contextual thinking,
 18 conversational depth, (and) empathy." Social media use is also associ-
 19 ated with sleep disturbance, [~~wherein spirals of insomnia and negative~~
 20 ~~social comparisons reinforce and enhance each other in a vicious loop~~]
 21 which can also lead to poor health outcomes.

22 The cumulative impact of these addictive design features, created for
 23 no other reason than to keep a user hooked to a platform for as long as
 24 possible, on youth mental health has been nothing short of devastating:
 25 today, nearly half of adolescents say social media makes them feel worse
 26 about their bodies. Teens with the very highest levels of social media
 27 use are twice as likely as those with low levels of use to rate their
 28 mental health as poor or very poor. From 2008 to 2015, the percentage of
 29 hospital visits among young users for suicidal ideation and attempts
 30 nearly doubled. The impact has been particularly acute amongst adoles-
 31 cent girls, as between 2011 and 2018, self-poisonings among 10- to
 32 12-year-old girls quadrupled, hospital admissions for self-harm among
 33 10- to 14-year-old girls tripled, major depressive episodes among 12- to
 34 17-year-old girls increased 52%, and suicide among 10- to 14-year-old
 35 girls doubled. Among female adolescent users, the association between
 36 poor mental health and social media use is now stronger than the associ-
 37 ations between poor mental health and binge drinking, obesity, or hard
 38 drug use. The US Surgeon General characterizes the current youth mental
 39 crisis as nothing less than a public health emergency.

40 The legislature therefore finds that requiring social media apps with
 41 certain particularly noxious design features to display warning labels
 42 to [~~all~~] users [~~at the point of user access, which will aim to communi-~~
 43 ~~cate the latest peer-reviewed research on the impact of social media on~~
 44 ~~mental health,~~] is a reasonable and necessary step to take for consumer
 45 health and safety. [~~These warning labels would be similar to those that~~
 46 ~~the government has already instituted for similarly high risk products,~~
 47 ~~such as labels that warn that tobacco products cause cancer, or that~~
 48 ~~drinking alcohol during pregnancy may lead to birth defects.~~]

49 § 2. The article heading and sections 1520, 1521, 1522, 1523, 1524,
 50 1525, and 1526 of the general business law, as added by a chapter of the
 51 laws of 2025 amending the general business law and the mental hygiene
 52 law relating to requiring warning labels on addictive social media plat-
 53 forms, as proposed in legislative bills numbers S. 4505 and A. 5346, are
 54 amended to read as follows:

55 WARNING LABELS FOR ADDICTIVE
 56 [~~SOCIAL MEDIA~~] FEATURE PLATFORMS

1 § 1520. Definitions. For the purposes of this article, the following
2 terms shall have the following meanings:

3 1. "Addictive feed" shall mean as defined in subdivision one of
4 section fifteen hundred of this chapter.

5 2. "Addictive feature" shall mean an addictive feed, autoplay, and/or
6 infinite scroll.

7 3. "Addictive [~~social media~~] feature platform" shall mean a [~~website,~~
8 ~~online service, online application, or mobile application that primarily~~
9 ~~serves as a medium for covered users to interact with media generated by~~
10 ~~other users and which offers or provides covered users an addictive~~
11 ~~feed, push notifications, autoplay, infinite scroll, and/or like counts~~
12 ~~as a significant part of the services provided by such website, online~~
13 ~~service, online application, or mobile application. "Addictive social~~
14 ~~media platform" shall not include any such service or application which~~
15 ~~the attorney general determines offers the features described herein for~~
16 ~~a valid purpose unrelated to prolonging use of such platform] social
17 media platform which offers or provides covered users an addictive feed,
18 autoplay, and/or infinite scroll as a significant part of the services
19 provided by such social media platform.~~

20 [~~3.~~] 4. "Autoplay" shall mean when [~~a piece of media~~] content is auto-
21 matically played without any manual input from a covered user.

22 [~~4.~~] 5. "Content" shall have the same meaning as subdivision two of
23 section eleven hundred of this chapter.

24 6. "Covered operator" shall mean any person, business, or other legal
25 entity and its agents and affiliates who [~~operates or provides~~] operate
26 or provide an addictive [~~social media~~] feature platform.

27 [~~5.~~] 7. "Covered user" shall mean a user of [~~a website, online~~
28 ~~service, online application, or mobile application in New York, not~~
29 ~~acting as an operator, or agent or affiliate of the operator, of such~~
30 ~~website, online service, online application or mobile application or any~~
31 ~~portion thereof] an addictive feature platform in New York, not acting
32 as an operator, or agent or affiliate of the operator of such addictive
33 feature platform or any portion thereof.~~

34 [~~6.~~] 8. "Infinite scroll" shall mean when a feed or landing page,
35 whether or not such feed is addictive as defined in subdivision one of
36 this section, automatically loads and displays additional [~~media~~]
37 content at the bottom or other visible end of such feed or landing page
38 from the prospective of the user without any manual input, other than
39 scrolling, from a [~~covered~~] user.

40 [~~7.~~] ~~"Like counts" shall mean the quantification and public display of~~
41 ~~positive votes, such as but not limited to those expressed via a heart~~
42 ~~or thumbs up icon, attached to a piece of media generated by a covered~~
43 ~~user.~~

44 8. ~~"Media" shall mean as defined in subdivision five of section~~
45 ~~fifteen hundred of this chapter.~~

46 9. ~~"Push notification" shall mean an alert generated by an addictive~~
47 ~~social media platform for a covered user when such platform is not in~~
48 ~~use, but shall not include:~~

49 ~~(a) notifications that have been expressly and unambiguously requested~~
50 ~~by a covered user;~~

51 ~~(b) notifications related to user health or safety, including informa-~~
52 ~~tion related to data security or threats;~~

53 ~~(c) notifications which serve a public purpose;~~

54 ~~(d) notifications related to a user-selected setting or technical~~
55 ~~information concerning a user's device;~~

1 ~~(e) notifications required to comply with state, federal, or local~~
 2 ~~laws or regulations;~~
 3 ~~(f) notifications required to operate the addictive social media plat-~~
 4 ~~form; or~~
 5 ~~(g) notifications otherwise found by the attorney general to serve a~~
 6 ~~valid purpose unrelated to prolonging use of such platform.] 9. "Social~~
 7 ~~media platform" shall have the same meaning as subdivision five of~~
 8 ~~section eleven hundred of this chapter.~~

9 § 1521. Requirement for warning labels. It shall be unlawful for a
 10 covered operator to provide an addictive [~~feed, autoplay, infinite~~
 11 ~~scroll, like counts, and/or push notifications]~~ feature to a covered
 12 user unless such operator displays a warning label [~~each time that such~~
 13 ~~user accesses such operator's addictive social media platform]~~ in
 14 accordance with section fifteen hundred twenty-two of this article when
 15 such user accesses or uses such operator's addictive feature. Such warn-
 16 ing label shall [~~contain no text other than that prescribed by the~~
 17 ~~commissioner of mental health and shall appear on such platform in the~~
 18 ~~manner prescribed by such commissioner, in accordance with the provision~~
 19 ~~of section 7.48 of the mental hygiene law and any regulations promulgat-~~
 20 ~~ed thereto.] contain the following text:~~

21 "The Surgeon General has warned that while social media may have bene-
 22 fits for some young users, excessive use may be associated with signif-
 23 icant mental health harms."

24 § 1522. [~~Design and time~~] Display requirements and restrictions. 1.
 25 For each calendar day in which a covered user accesses an addictive
 26 feature platform providing an addictive feature to the covered user, the
 27 covered operator shall display the warning label described in section
 28 fifteen hundred twenty-one of this article to the covered user when such
 29 user initially accesses the platform and an addictive feature is
 30 provided. The warning label shall be displayed clearly, conspicuously
 31 and continuously for at least ten seconds, without providing the ability
 32 to bypass or click through the warning. Such warning label shall be
 33 displayed in a manner that occupies at least twenty-five percent of the
 34 screen or window that the covered user is using to access the addictive
 35 feature platform.

36 2. For each calendar day in which a covered user uses an addictive
 37 feature platform that provides an addictive feature to the covered user,
 38 the covered operator shall display the warning label described in
 39 section fifteen hundred twenty-one of this article to the covered user
 40 after three hours of cumulative active use and thereafter at least once
 41 per hour of cumulative active use. The warning label shall be displayed
 42 clearly, conspicuously and continuously for a duration of at least thir-
 43 ty seconds, without providing the ability to bypass or click through the
 44 warning, in a manner that occupies at least seventy-five percent of the
 45 screen the covered user is using to access the addictive feature plat-
 46 form.

47 3. A covered operator shall be prohibited from:

48 [~~1.~~] (a) Including a warning label exclusively in the terms of service
 49 of an addictive [~~social media~~] feature platform;

50 [~~2.~~] (b) Obscuring the visibility or prominence of a warning label[~~7~~
 51 ~~including via the inclusion of any extraneous text not prescribed by the~~
 52 ~~commissioner of mental hygiene under section 7.48 of the mental hygiene~~
 53 ~~law or via changes in font size;~~

54 3. ~~Displaying a warning label at a point in a covered user's use of~~
 55 ~~such platform and/or for a duration other than that prescribed by the~~

1 ~~commissioner of mental hygiene under section 7.48 of the mental hygiene~~
2 ~~law~~; and

3 [4.] (c) Deploying any other design feature or mechanism which inten-
4 tionally serves to inhibit or subvert the purpose of this article.

5 § 1523. Nondiscrimination. A covered operator shall not withhold,
6 degrade, lower the quality, or increase the price of any product,
7 service, or feature, other than as necessary for compliance with the
8 provisions of this article or any rules or regulations promulgated
9 pursuant to this article, to a covered user due to the covered opera-
10 tor's display of a warning label under [section] sections fifteen
11 hundred twenty-one and fifteen hundred twenty-two of this article.

12 § 1524. Rulemaking authority. The attorney general [~~shall~~] is author-
13 ized to promulgate such rules and regulations as are necessary to effec-
14 tuate and enforce the provisions of this article.

15 § 1525. Scope. 1. This article shall apply to conduct that occurs in
16 whole or in part in New York. For the purposes of this article, conduct
17 takes place wholly outside of New York if the [~~covered~~] addictive
18 feature platform is accessed by a user who is physically located outside
19 of New York.

20 2. Nothing in this article shall be construed to impose liability for
21 commercial activities or actions by operators subject to 15 U.S.C. §
22 6501 that is inconsistent with the treatment of such activities or
23 actions under 15 U.S.C. § 6502.

24 3. Nothing in this article shall be construed or interpreted to over-
25 ride, supplant or conflict with any of the provisions of the SAFE for
26 Kids Act contained in article forty-five of this chapter or its related
27 regulations.

28 4. The provision of the warning label required by this article does
29 not waive, release, otherwise limit, or serve as a defense to, any
30 claim, including claims premised on failure to warn, other than a claim
31 premised on a violation of this article.

32 5. A covered operator shall not be required to display the warning
33 label required by this article to a covered user if it has reasonably
34 determined that the user is over seventeen years of age.

35 § 1526. Remedies. 1. Whenever it appears to the attorney general,
36 either upon complaint or otherwise, that any person, within or outside
37 the state, has engaged in or is about to engage in any of the acts or
38 practices stated to be unlawful in this article, the attorney general
39 may bring an action or special proceeding in the name and on behalf of
40 the people of the state of New York to enjoin any violation of this
41 article, to obtain restitution of any moneys or property obtained
42 directly or indirectly by any such violation, to obtain disgorgement of
43 any profits or gains obtained directly or indirectly by any such
44 violation, to obtain damages caused directly or indirectly by any such
45 violation, to obtain civil penalties of up to five thousand dollars per
46 violation, and to obtain any such other and further relief as the court
47 may deem proper, including preliminary relief.

48 2. The attorney general shall maintain a website to receive
49 complaints, information, or referrals from members of the public
50 concerning a covered operator's or addictive [~~social media~~] feature
51 platform's alleged compliance or noncompliance with the provisions of
52 this article.

53 § 3. Section 7.48 of the mental hygiene law, as added by a chapter of
54 the laws of 2025 amending the general business law and the mental
55 hygiene law relating to requiring warning labels on addictive social

1 media platforms, as proposed in legislative bills numbers S. 4505 and A.
2 5346, is REPEALED.

3 § 4. Severability clause. If any clause, sentence, paragraph, subdivi-
4 sion, section or part of this act shall be adjudged by any court of
5 competent jurisdiction to be invalid, such judgment shall not affect,
6 impair, or invalidate the remainder thereof, but shall be confined in
7 its operation to the clause, sentence, paragraph, subdivision, section
8 or part thereof directly involved in the controversy in which such judg-
9 ment shall have been rendered. It is hereby declared to be the intent of
10 the legislature that this act would have been enacted even if such
11 invalid provisions had not been included herein.

12 § 5. Section 5 of a chapter of the laws of 2025 amending the general
13 business law and the mental hygiene law relating to requiring warning
14 labels on addictive social media platforms, as proposed in legislative
15 bills numbers S. 4505 and A. 5346, is amended to read as follows:

16 § 5. This act shall take effect [~~on the one hundred eightieth day~~
17 ~~after the office of the attorney general shall promulgate rules and~~
18 ~~regulations necessary to effectuate the provisions of this act, provided~~
19 ~~that the office of the attorney general shall notify the legislative~~
20 ~~bill drafting commission upon the occurrence of the enactment of the~~
21 ~~rules and regulations necessary to effectuate and enforce the provisions~~
22 ~~of section three of this act in order that the commission may maintain~~
23 ~~an accurate and timely effective data base of the official text of the~~
24 ~~laws of the state of New York in furtherance of effectuating the~~
25 ~~provisions of section 44 of the legislative law and section 70-b of the~~
26 ~~public officers law~~] January 1, 2027. Effective immediately, the addi-
27 tion, amendment and/or repeal of any rule or regulation necessary for
28 the implementation of this act on its effective date are authorized to
29 be made and completed on or before such effective date.

30 § 6. This act shall take effect immediately and sections one and two
31 of this act shall take effect on the same date and in the same manner as
32 a chapter of the laws of 2025 amending the general business law and the
33 mental hygiene law relating to requiring warning labels on addictive
34 social media platforms, as proposed in legislative bills numbers S. 4505
35 and A. 5346, takes effect.