STATE OF NEW YORK

5114

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

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

AN ACT to amend the general business law, in relation to requiring online products targeted towards children provide certain features to protect child users

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

Section 1. The general business law is amended by adding a new article 39-FFF to read as follows:

ARTICLE 39-FFF
CHILD USE OF ONLINE PRODUCTS

Section 899-oo. Definitions.
899-pp. Child use of online products.

§ 899-oo. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Bureau" shall mean the bureau of internet and technology in the office of the New York attorney general.

2. "Child" or "children" shall mean a consumer or consumers under eighteen years of age.

3. "Child user" shall mean a child accessing an online product with a device.

4. "Online product" shall mean an online service, feature, or platform that is accessible to users with a digital device.

5. "Targeted towards child users" shall mean that the entity offering an online product should know that its product is accessible to and used by children. The bureau may consider such factors as the entity offering an online product's internal research about such product's users, existing evidence of user behavior, whether advertisements featured on the online product, including third-party advertisements, are likely to appeal to children, the content of complaints received about the product

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

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from parents, children, or other individuals that indicate the age of users accessing the online product, content and design features of the product such as animation, musical or audio content, the presence of children or influencers popular with children, how the entity offering an online product describes and promotes the product, and any other characteristic the bureau deems relevant when determining how an entity offering an online product should know that such online product is accessible to and used by children.

§ 899-pp. Child use of online products. 1. Requirement for certain settings. (a) All entities offering an online product targeted towards child users in this state shall utilize screen time limitation features which allow for the parent or guardian of a child user to limit the amount of time the child user is able to access the online product and when the child user is able to access the online product.

(b) No entities offering an online product targeted towards child users in this state shall utilize a method of providing content to a child user which promotes harmful or illegal activity.

(c) The bureau shall have the discretion to ban auto-play, push notifications, prompts, in-app purchases, or any other feature in an online product targeted towards child users that it deems to be designed to inappropriately amplify the level of engagement a child user has with such product.

2. Penalties. (a) Whenever the attorney general shall believe from evidence satisfactory to them that there is a violation of this section, they may bring an action in the name and on behalf of the people of the state of New York, in a court of justice having jurisdiction to issue an injunction, to enjoin and restrain the continuation of such violation.

(b) The attorney general shall provide written notice to the entity offering the online product targeted towards child users of alleged violations at least ninety days before initiating any action described in paragraph (a) of this subdivision. The entity offering the online product targeted towards child users shall then have an opportunity to cure any alleged violation of this section within such ninety days. If such alleged violation has been cured, the entity offering the online product targeted towards child users shall send written notice to the attorney general who shall then retain discretion as to whether or not to pursue an action against such entity offering the online product targeted towards child users.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall apply to all online products targeted towards child users in this state which are made available to the public or which are updated on or after such effective date. Effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.