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:

Section 1. Section 1 of 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, is amended to read as follows:

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

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

LBD08661-02-6

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

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

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

§ 2. The article heading and sections 1520, 1521, 1522, 1523, 1524, 1525, and 1526 of the general business law, as added by 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, are amended to read as follows:

WARNING LABELS FOR ADDICTIVE [~~SOCIAL MEDIA~~] **FEATURE** PLATFORMS

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

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

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

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

[~~3.~~] **4.** "Autoplay" shall mean when [~~a piece of media~~] **content** is automatically played without any manual input from a covered user.

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

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

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

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

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

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

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

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

~~(b) notifications related to user health or safety, including information related to data security or threats;~~

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

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

~~(e) notifications required to comply with state, federal, or local laws or regulations;~~

~~(f) notifications required to operate the addictive social media platform; or~~

~~(g) notifications otherwise found by the attorney general to serve a valid purpose unrelated to prolonging use of such platform.~~] 9. "Social media platform" shall have the same meaning as subdivision five of section eleven hundred of this chapter.

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

"The Surgeon General has warned that while social media may have benefits for some young users, excessive use may be associated with significant mental health harms."

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

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

3. A covered operator shall be prohibited from:

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

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

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

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

[~~4.~~] **(c)** Deploying any other design feature or mechanism which intentionally serves to inhibit or subvert the purpose of this article.

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

§ 1524. Rulemaking authority. The attorney general [~~shall~~] **is authorized to** promulgate such rules and regulations as are necessary to effectuate and enforce the provisions of this article.

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

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

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

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

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

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

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

§ 3. Section 7.48 of the mental hygiene law, as added by 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, is REPEALED.

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

§ 5. Section 5 of 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, is amended to read as follows:

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

§ 6. This act shall take effect immediately and sections one and two of this act shall take effect on the same date and in the same manner as 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, takes effect.