STATE OF NEW YORK

10416

IN SENATE

May 15, 2026

Introduced by Sen. GONZALEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT to amend the general business law, in relation to social media open application programming

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 42-A to read as follows:

ARTICLE 42-A

SOCIAL MEDIA OPEN APPLICATION PROGRAMMING INTERFACE ACCESS

Section 1120. Definitions.

1121. Required open API access with social media for third-party development tools.

1122. API access report.

1123. Violations and remedies.

1124. Application.

§ 1120. Definitions. As used in this article:

1. "Application programming interface" or "API" means a standards-based interface that permits third-party applications to retrieve data and send instructions through the use of non-proprietary technologies that are commonly used and recognized by businesses on behalf of a user or authorized representative with no special effort.

2. "Authorized representative" means a person who has received written authorization from a user to take actions on behalf of a user on a social media platform.

3. "Content" means statements or comments made by users and media that are created, posted, shared, or otherwise interacted with by users on an internet-based service or application. "Content" does not include media put on a service or application exclusively for the purpose of cloud storage, transmitting files, or file collaboration.

4. "Public or semipublic internet-based service or application" excludes a service or application used to facilitate communication within a business or enterprise among employees or affiliates of the busi-

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

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ness or enterprise, provided that access to the service or application is restricted to employees or affiliates of the business or enterprise using the service or application.

5. "Social media company" means a person or entity that owns or operates one or more social media platforms.

6. "Social media platform" means a public or semipublic internet-based service or application that has users in New York and that meets both of the following criteria:

(a) A substantial function of the service or application is to connect users in order to allow users to interact socially with each other within the service or application. A service or application that provides email or direct messaging services shall not be considered to meet this criterion on the basis of that function alone.

(b) The service or application allows users to do all of the following:

(i) construct a public or semipublic profile for purposes of signing into and using the service or application;

(ii) populate a list of other users with whom an individual shares a social connection within the system; and

(iii) create or post content viewable by other users, including, but not limited to, on message boards, in chat rooms, or through a landing page or main feed that presents the user with content generated by other users.

§ 1121. Required open API access with social media for third-party development tools. 1. A social media platform must implement and maintain a standards-based application programming interface that permits third-party applications to retrieve data specified in subdivision two of this section at no cost, and for a user or a user's authorized representative, to be used for the user's benefit.

2. A social media platform must provide the following information to its current users or their authorized representatives through the API consistent with subdivision one of this section:

(a) The user's personal data that the social media platform controls, including, without limitation:

(i) data generally available to account holders, including user's name, username or handle, profile photo, bio, and location;

(ii) user data or data based on actions taken by the user generated by a user collected by the social media platform that forms the basis for social recommendations, including without limitation user follows and publicly available follower data, as well as the social recommendations, groups, topics, boards, and hashtags, users may follow;

(iii) third-party data which is either (A) generally available to all account holders, or (B) made available to the user by the action of that third-party, and which is collected by the social media company to make content decisions that directly or indirectly impact a user; and

(iv) user settings, including notification and privacy settings, muted/blocked accounts and keywords.

(b) Social media platform produced or recommended data that is available to the user, including without limitation:

(i) content that is directed or recommended to the user by the social media platform in surface areas, including direct messages, comments on user posts, mentions, tagged comments, and tagged stories;

(ii) social media platform produced data or compilations of data that is visible in personalized surface areas, including timeline and recommendations;

(iii) content freely available to a user as a result of a user's actions, including content generally available to groups, servers, and communities joined by the user; and

(iv) notifications regarding actions on the social media platform.

(c) Data that is generally available to all account holders about the user's friends or followers that the social media platform uses to make filtering or ranking decisions relating to a user, including, without limitation, data that is available to the user about other accounts on the platform, including name, username or handle, profile photo and number of followers or persons following.

3. A social media platform must provide access through the API necessary to allow third-party applications on behalf of any current user to write, update or take action on:

(a) The user's personal data that the social media platform controls, including, without limitation:

(i) data that is generally available to all account holders, including user's name, username or handle, profile photo, bio, and location;

(ii) user data and data generated by a user and collected by the social media platform that forms the basis for social recommendations, including user follows and follower data, as well as the topics users may follow;

(iii) third-party data which is either (A) generally available to all account holders, or (B) made available to user by the action of the third-party, and which is collected by the social media company to make user safety decisions, including who users block and mute; and

(iv) user settings, including notification and privacy settings, and muted/blocked keywords.

(b) All safety or preference controls that can be applied to other users and content, including, without limitation, muting, blocking, reporting, hiding comments or replies, accepting user requests, or related controls.

4. A social media platform must conduct routine testing, conducted not less than quarterly, conduct ongoing monitoring, and make all updates necessary to ensure the API functions properly, including:

(a) Assessments to verify that the API is fully and successfully implementing privacy and security features.

(b) A status dashboard to allow developers to determine the operationality of the API.

(c) Functionality to enable piecewise retrieval of large data sets, including filtering, sorting, and pagination, or ability to query deltas since a given timestamp.

(d) Maximum latency thresholds necessary to allow developers to access any required data in a reasonable manner.

(e) Reasonable error handling, including standard error codes.

(f) Versioning of the API.

5. A social media platform must make publicly accessible, by posting directly on its website or via a publicly accessible hyperlink or hyperlinks, complete accompanying documentation reasonably necessary for developers to access the API. This documentation shall include, without limitation:

(a) API syntax, function names, required and optional parameters supported and their data types, return variables and their types/structures, exceptions and exception handling methods and their returns, as well as sample data for each data type.

(b) The software components and configurations an application must use in order to successfully interact with the API and process its response or responses.

(c) All applicable technical requirements and attributes necessary for an application to be registered with any authorization server or servers deployed in conjunction with the API.

(d) Change logs for any updates to the API.

6. A social media platform may deny or discontinue any user or authorized representative's application's access to the API if:

(a) the social media platform reasonably determines, consistent with access requirements clearly established in its terms and conditions, that allowing a user or authorized representative to connect or remain connected to the API would present an unacceptable level of risk to the security of the social media platform or its users; and

(b) the social media platform makes this determination using objective, verifiable criteria that are applied fairly and consistently across all applications and developers through which users may seek access to the platform; provided that the social media platform must retain records of any decision to restrict API access to any user or authorized representative, including the user, date, time, documented misuse and record of notification of violation.

§ 1122. API access report. 1. On a semiannual basis in accordance with subdivision two of this section, a social media company shall submit to the attorney general an API access report. The API access report shall include, for each social media platform owned or operated by the company, information on API utilization and access decisions made pursuant to section eleven hundred twenty-one of this article, including all of the following:

(a) the current features included in the API;

(b) if a social media company has filed its first report, a complete and detailed description of any changes to the API since the previous report;

(c) a detailed description of how the social media company has responded to additional features added to the platform since the previous API access report; and

(d) any denials or discontinuations of any person to the API, including a complete and detailed description of the bases for such denial or discontinuation.

2. (a) A social media company shall electronically submit a semiannual API access report pursuant to subdivision one of this section, covering activity within the third and fourth quarters of the preceding calendar year, to the attorney general no later than April first of each year, and shall electronically submit a semiannual API access report pursuant to subdivision one of this section, covering activity within the first and second quarters of the current calendar year, to the attorney general no later than October first of each year.

(b) Notwithstanding paragraph (a) of this subdivision, a social media company shall electronically submit its first API access report pursuant to subdivision one of this section, covering activity within the third quarter of two thousand twenty-six, to the attorney general no later than January first, two thousand twenty-seven, and shall electronically submit its second API access report pursuant to subdivision one of this section, covering activity within the fourth quarter of two thousand twenty-six, to the attorney general no later than April first, two thousand twenty-seven. A social media platform shall submit its third report

no later than October first, two thousand twenty-seven, in accordance with paragraph (a) of this subdivision.

3. The attorney general shall make all API access reports submitted pursuant to this section available to the public in a searchable repository on its official internet website.

§ 1123. Violations and remedies. 1. (a) A social media company that violates the provisions of this article may be enjoined in any court of competent jurisdiction.

(b) A social media company shall be considered in violation of the provisions of this article if the social media company does any of the following:

(i) fails to provide or maintain open API access in accordance with section eleven hundred twenty-one of this article;

(ii) fails to timely submit to the attorney general reports required pursuant to section eleven hundred twenty-two of this article; or

(iii) materially omits or misrepresents required information in a report submitted pursuant to section eleven hundred twenty-two of this article.

2. Actions for relief pursuant to this article shall be prosecuted exclusively in a court of competent jurisdiction by the attorney general in the name of the people of the state of New York or a city corporation counsel on behalf of a locality upon their own complaint or upon the complaint of a board, officer, person, corporation, or association.

§ 1124. Application. This article shall not apply to a social media company that generated less than one hundred million dollars in gross revenue during the preceding calendar year or to an internet-based service or application for which interactions between users are limited to direct messages, commercial transactions, consumer reviews of products, sellers, services, events, or places, or any combination thereof.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.