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people it "treats or categorizes as belonging" to someone under the age of 14.

Mar. 26, 2024



By Lawrence Mower, Tampa Bay Times (via TNS).

Florida governor Ron DeSantis signed a bill on March 25 blocking most kids from social media websites, setting up an expected court battle that could prevent the legislation from ever taking effect.

House Bill 3, passed by lawmakers with bipartisan support this month, forbids kids 13 and younger from creating social media accounts and requires the platforms to

seek out and remove their profiles. Kids 14 and 15 would need parents' consent.

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First Amendment right to free speech.

It's not clear which media platforms would be affected by Florida's legislation, which takes effect on Jan. 1, 2025.

HB 3 applies to platforms that have "addictive features" such as infinite scrolling and push alerts — and in which at least 10% of users are kids under 16 who spend at least two hours per day on the platform.

The legislation requires those platforms to automatically delete the accounts of people it "treats or categorizes as belonging" to someone under the age of 14.

Lawmakers expect the legislation to be challenged in court. House Speaker Paul Renner, who made the bill a priority this year, said Monday that he expected the social media coalition NetChoice to sue soon after the bill is signed.

"You know what? We're going to beat 'em," Renner said.

Carl Szabo, NetChoice vice president and general counsel, called HB 3 "an unconstitutional law (that) will protect exactly zero Floridians."

"We're disappointed to see Gov. DeSantis sign onto this route," Szabo said in a statement Monday. "There are better ways to keep Floridians, their families and their data safe and secure online without violating their freedoms."

Lawmakers are also expecting a challenge to the part of the bill that would bar anyone under 18 from accessing adult websites. The bill requires those sites to adopt anonymous third-party age verification software, which could require visitors to show a government ID or submit to a facial scan.

After a federal appeals court upheld Texas' age verification law this month, the

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The legislation illustrates lawmakers' difficulty trying to protect kids online without running afoul of the courts.

The rate of teen anxiety and depression has risen along with the prevalence of social media, and some studies have linked longer social media use to worse mental health. U.S. Surgeon General Vivek Murthy warned about the effects of social media use last year.

Still, researchers say there is little data indicating that one is causing the other.

Lawmakers have used damning rhetoric against social media platforms, calling them "digital fentanyl." On Monday, Renner accused such platforms of engaging in "digital trafficking" of children.

Lawmakers originally wanted a blanket ban on all kids under 16 from accessing social media, but DeSantis vetoed the legislation over legal questions and concerns that it took rights away from parents.

Lawmakers have acknowledged that social media platforms have some benefits for kids. During testimony, teens told how they communicated with their friends online or set up businesses.

Free speech groups including PEN America had condemned the legislation as a violation of the First Amendment and urged DeSantis to veto it. Federal judges have struck down similar limits on books, video games and the internet over the decades, even when governments passed those measures to protect kids.

"The Constitution states that lawmakers do not have the authority to dictate the ideas and information that parents may choose to allow their families to access,"

PEN America Florida Director Katie Blankenship said in a statement earlier this

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