

Roads Taken, Not Taken and Halted: A Brief Review of the American Regulations Regarding Youth Social Media Use

Krystyna Mokrzycka

Doctoral School of Social Sciences, Jagiellonian University, Poland

Abstract

Concern continues to grow over social media design: endless scrolling, personalised algorithms and addictive features increasingly compete for the users' attention, facilitating the risk of harm. In response, new regulations are being proposed at both national and international levels. This article examines how US state law-makers – among the first to take action – have attempted to regulate the impact of social media on children's mental health, following the US Surgeon General's 2023 Advisory on Social Media and Youth Mental Health. To conduct this review, Bill texts from 37 states have been chosen, collected and reviewed. Subsequently, the proposed measures are evaluated under the theory of placebo policies to further assess the potential disparities between their declared impact, their consequences and the law-makers' intention behind their introduction. Concluding that some measures are well researched while others rely mostly on their emotional content, this analysis hopes to increase the theoretical understanding of these regulatory efforts and to serve as a knowledge base for other jurisdictions.

Keywords: Social media; children and social media; legislative placebo; harms to mental health.

1. Introduction

While part of our daily life, social media platforms are still largely a *terra incognita*: never-ending, with infinite scrolling, their perils under-explored and their future hard to predict. This uncertain ground, paired with the increasing daily use of social media,¹ has been dubbed a health crisis.² Beyond the commonly described dangers such as graphic materials or cyberbullying, the way social media features are designed is starting to raise concerns. Personalised algorithms and addictive features are ever-present in order to gain the valuable 'commodity' of consumers' attention.³ As a result, new regulations are being proposed at both the international and national levels.⁴ The United States was among the first to act when its Surgeon General's 2023 Advisory on Social Media and Youth Mental Health was issued. This document was one of the first to address the health harms potentially caused by social media, highlighting platform design as a key factor in its negative impact on young people's mental health. Following the publication of the Advisory, nearly all US states have introduced measures to address its key concerns. The aim of this article is to review Bills from 37 US states regulating the alleged impact of social media platform design on youth mental health.⁵ The regulations and measures introduced are evaluated through the theory of placebo policies, to assess

¹ Pew Research Center, Social Media Fact Sheet.

² Bouygyes, "Social Media is a Public Health Crisis"

³ A similar view is mentioned in Bhargava, "Ethics of the Attention Economy."

⁴ Committee on the Internal Market and Consumer Protection of the European Parliament, Final Compromise Amendments 1–22 on the Draft Report.

⁵ For a list of those, including their current proceeding status, refer to Appendix 1. Note that the author intentionally only describes state regulations introduced upon the US Public Health Service, Social Media and Youth Mental Health issuance. Therefore, Bills related to the general relationship between minors and technology (whether at the federal or state level) but introduced earlier (such as The Kids Online Safety and Privacy Act) do not fall under the scope of this review.



Except where otherwise noted, content in this journal is licensed under a [Creative Commons Attribution 4.0 International Licence](https://creativecommons.org/licenses/by/4.0/). As an open access journal, articles are free to use with proper attribution. ISSN: 2652-4074 (Online)

any potential disparities between their declared impact, their consequences and the law-makers' intention behind their introduction. This article showcases the Surgeon General's recommendations and analyses the regulations introduced as a result in light of the placebo policy concept. This theoretical framework serves the purpose of examining whether the proposed measures prioritise effective solutions or their goal is rather to simply signal the law-makers' intention to handle the problems described above, and to subsequently manage the complex societal emotions they induce. The key findings are that the US law-makers have made commendable efforts to address social media harms, particularly through mental health and education-focused regulations, though some measures suffer from over-reliance on techno-solutionism and emotionally driven narratives. More problematic are laws targeting minors' use of social media, which often lack a clear understanding of user behaviour and thus risk functioning as ineffective, placebo-driven policies.

2. The Surgeon General's Advisory and Its Roots

Children and adolescents actively engage with social media. While the exact percentage varies depending on the researched population cohort, for teenagers studies indicate usage at or above 90 per cent.⁶ The reasons for this are similar to the motivations of anyone choosing to use social media platforms, regardless of their age, including staying in touch with others, forming new relationships – whether romantic⁷ or platonic⁸ – and engaging with content. For school-aged children, social media are a key communication tool for classmates and teachers, facilitating group chats for class updates, activities and study materials.⁹

Despite these benefits, drawbacks also exist. Digital safety has long been a heavily discussed topic. Analysing expert reports and advisories reveals that, until the mid-2010s, the primary concerns about children's online presence centred on the people they might encounter¹⁰ or the content to which they could be exposed,¹¹ as well as the exposure to sexual advances and solicitation.¹² These dangers have not diminished over time; however, new problems have continued to emerge simultaneously. During the late 2000s and early 2010s, awareness developed of growth in cyberbullying, closely tied to teen mental health and correlating with worsening depression symptoms,¹³ anxiety¹⁴ and, in some cases, attempted suicide.¹⁵ Subject literature also highlights the emergence of communities promoting harmful behaviours (with pro-anorexia groups being among the most notable examples),¹⁶ or platforms encouraging the posting of heavily retouched photos. The latter have been widely criticised for fostering unattainable beauty standards, which have led many to develop significant body image insecurities.¹⁷

One common denominator of these dangers is that none originates solely from the internet. Retouched photos appear in traditional media, threats can come through calls or notes and harmful individuals exist beyond the virtual world. Researchers in the mid-2010s, however, cast a spotlight on an issue going far deeper in its origins: the feature design, including factors contributing to increased screen time in adolescents,¹⁸ and, disputably, the whole generation's shortened attention span.¹⁹ In 2015, Microsoft Canada issued a Consumer Insights brochure titled 'Attention Spans'. The document contained claims such as, 'If there's no need to stay tuned in, why not move onto the next new and exciting thing for another hit of dopamine?'²⁰ Quippy and sarcastic in 2015, this remark could easily constitute a hallmark feature of the social media landscape in the 2020s. For several years, researchers have highlighted the connection between social media use and dopamine release, demonstrating how platforms are designed to trigger the brain's reward system. This process encourages addictive tendencies²¹ – particularly

⁶ Pew Research Center, *Teens, Social Media and Technology 2022*; American Academy of Child & Adolescent Psychiatry, *Social Media and Teens*.

⁷ Vaterlaus, "Perceived Influence of Media and Technology."

⁸ Smith, "Belonging and Loneliness in Cyberspace"; Clarke, "Early Adolescents' Use of Social Networking Sites"; Chambers, "Social Media and Teenage Friendships."

⁹ O'Keeffe, "Impact of Social Media on Children."

¹⁰ Massandjé, "Dangers of Internet Use."

¹¹ Potter, "Internet, Cyberporn, and Sexual Exploitation of Children"; Livingstone, "Adolescents Experiencing Internet-Related Mental Health Difficulties."

¹² boyd, "The Conundrum of Visibility."

¹³ Gámez-Guadix, "Longitudinal and Reciprocal Relations."

¹⁴ Nixon, "Current Perspectives."

¹⁵ Dooley, "Cyberbullying Versus Face-to-Face Bullying."

¹⁶ Boero, "Pro-Anorexia Communities."

¹⁷ Perloff, "Social Media Effects."

¹⁸ Mora-Monteros, "Evolution of Screen Use."

¹⁹ Anderson, "Competition for Attention"; Usmani, "Future of Mental Health."

²⁰ Microsoft Canada, "Consumer Insights. Attention Spans."

²¹ Cannito, "Role of Stress."

in adolescents, impairing their self-regulation and leading to developing impulsive screen time habits.²² Researchers have also found a connection – albeit correlational – between increased consumption of short audiovisual content (‘reels’) and decreased attention spans in both students²³ and adults.²⁴

Given the widespread nature and potential consequences of these issues, the urgency of regulating the digital environment has become evident. For these reasons, in 2023, the US Surgeon General issued the Advisory on Social Media and Youth Mental Health, a document that calls for a holistic approach to assess the benefits and risks surrounding social media. The Surgeon General proposed solutions aimed at children and adolescents, their parents and caregivers, technology companies, researchers and policy-makers. Duties imposed on the latter are the focus of this article.

The Surgeon General issued five main directives on what policy-makers can do about what he dubbed the ongoing crisis:

1. Strengthen protections to ensure greater safety for children and adolescents interacting with all social media platforms, by:
 - a. Developing age-appropriate health and safety standards for technology platforms.
 - b. Require a higher standard of data privacy for children and adolescents.
 - c. Pursue policies that further limit access – in ways that minimize the risk of harm—to social media for all children and adolescents.
2. Ensure technology companies share data relevant to the health impact of their platforms with independent researchers and the public in a manner that is timely, sufficiently detailed, and protects privacy.
3. Support the development, implementation, and evaluation of digital and media literacy curricula in schools and within academic standards.
4. Support increased funding for future research on the benefits and harms of social media use.
5. Engage with international partners working to protect children and adolescents against online harm to their health and safety.²⁵

Based on the Bills examined in this article, policy-makers have primarily adhered to the proposals outlined in sections 1(b), 1(c), 3 and 4. Additionally, they implemented measures such as restricting access to inappropriate content, enforcing data protection or regulating children’s legal status as social media creators. While important, these solutions were not covered in this review, given the scope of its objectives.

Following an analysis of the proposed regulations from 37 states, the strategies they encompass can be broadly categorised into five distinct groups:

1. Prohibiting or restricting the use of social media in any way (with a focus on minors).
2. Proposals for introducing digital and media literacy curricula in schools.
3. Introducing any kind of built-in age-verification requirement and/or parental supervision embedded in the applications while using social media.
4. Introducing regulations focusing on harm to mental health/well-being and supporting potentially relevant research.
5. Proposing regulations concerning the liability of companies offering social media platforms that may be harmful (especially to minors) due to their design (the focus on design rather than content present in the medium here is crucial).

The next section provides a concise overview of selected regulations within each of these categories and evaluates specific proposed solutions. Some of the Bills have already been enacted, some remain pending and some have not advanced further in the legislative process.

The objective of this review is to examine how policy-makers have attempted to translate the Surgeon General’s recommendations into legislative action rather than focusing on their practical implications or implementation. Even the rationale behind the least feasible regulations offers a valuable foundation for further exploration, potentially informing future legislative efforts, both within and beyond the United States.

²² Westbrook, “Striatal Dopamine Synthesis Capacity.”

²³ Haliti-Sylaj, “Impact of Short Reels.”

²⁴ Alghamdi, “Impact of TikTok.”

²⁵ US Public Health Service, Social Media and Youth Mental Health, 15.

3. Theories of Placebo Policies and Legislative Placebo

The section above outlined the seriousness and urgency of the perils posed by the virtual environment. Paired with the growing pressure to undertake counter-measures, this creates a pressing point for policy-makers. Notably, the Surgeon General continued to explore additional ways to protect social media users from its potential harm. In June 2024, he suggested the possibility of mandating warning labels – similar to those found on cigarette packages – that would notify users of the significant mental health risks associated with social media upon entering such platforms. As he says, '[a] surgeon general's warning label, which requires congressional action, would regularly remind parents and adolescents that social media has not been proved safe'.²⁶

Handling such tension can lead to an increase in societal approval, even if short-lived and built on promises rather than actual steps taken. Such a phenomenon can be described as a 'placebo policy', a term first used by Gustafsson and Richardson (1979).²⁷ The authors address the question of what some policies are fundamentally designed to accomplish. One motivation they distinguished was creating the appearance of addressing a problem without providing an actual solution (similar to a placebo used in medicine, where instead of interacting with one's system, it creates the illusion of a medical intervention taking place). This approach is often used to placate public concerns, allowing politicians to claim that they have acted on an issue while sidestepping substantial change. Such policies might involve reinterpreting the problem in a way that minimises its significance or redirects attention, satisfying just the immediate societal demands.²⁸ While serving as effective tools for politicians to manage their agendas, placebo policies are often revealed to be superficial in nature, potentially resulting in the re-emergence of the unresolved issues they were intended to address, as noted by Stringer and Richardson.²⁹ More recently, placebo policies were further theorised by Alan McConnell:

At a very basic level, a placebo policy is a policy produced partially or significantly 'for show', and hence, policy-making is driven in part by the desire to demonstrate that government is 'doing something' to tackle a tough policy problem.³⁰

McConnell also notes that placebo policies come across as a very useful tool to manage societal emotions connected with issues such as complex policy challenges, alongside the rapid emergence of media crises or scandals as well as public sector under-performance.³¹ Studying these policies involves three main goals: capturing their evidence through research; explaining their specific dynamics within various governance contexts; and evaluating their impact on public perceptions and the ethical implications.³²

Mateusz Stępień studied how a legal outlook on placebo policies could be formed. According to him, using a legal placebo must mean that 'legislators (who *de facto* hold political power) issue normative acts which, to the best of their knowledge, do not have real effects, such as the protection or multiplication of values that underlie them'.³³ The legislators, according to Stępień, 'intentionally deceive society by introducing legal acts which, as they are fully aware, will not solve the "diagnosed" problem'.³⁴ He also notes that one should distinguish such cynically introduced laws from those that may not be the best reaction to the problem at hand, but are genuinely proposed to actually offer some sort of solution.³⁵ He suggests the following characteristics of a *legislative placebo*: (1) an intervention, consisting of preparation and enactment of a legislation, (2) formally undertaken by the legislature, realistically animated by the centre of legislative power, (3) intended for solving a given social problem, (4) where the creators know or allow that such legislation is defective and will not practically lead to the officially communicated goals, and (5) despite being aware of the foregoing, it still is enacted.³⁶ Stępień's framework thus once again focuses on the law-makers' intention to manage societal emotions rather than solve an emerging issue, taking into consideration their role within the political and legal system. Tied closely to the legislative aspect of placebo policies, this approach aids the evaluation of US regulations reviewed in this article.

²⁶ Murthy, "Surgeon."

²⁷ Gustafsson, "Concepts of Rationality," 417.

²⁸ Gustafsson, "Concepts of Rationality," 417.

²⁹ Stringer, "Managing the Political Agenda"

³⁰ McConnell, "Use of Placebo Policies," 2.

³¹ McConnell, "Use of Placebo Policies," 4–5.

³² McConnell, "Use of Placebo Policies," 10–12.

³³ Stępień, "Neutralization of Values in Law," 106.

³⁴ Stępień, "Neutralization of Values in Law," 106.

³⁵ Stępień, "Neutralization of Values in Law," 106.

³⁶ Stępień, Zarys koncepcji placebo legislacyjnego, 81.

This framework, naturally, is not without methodological challenges. Perhaps the most significant lies in its heavy reliance on assessing legislative intent. While certain documents explicitly articulate the law-makers' rationale for proposing specific solutions, such clarity is the exception rather than the rule. More often, legislative intent is not readily discernible from the text itself. As a result, its interpretation is highly susceptible to subjective bias, raising legitimate concerns about whether it constitutes a reliable basis for evaluating a policy. Despite this issue, the rationale for selecting this concept for analysis stems from a critical examination of the proposed solutions. Referring to McConnell's identification of areas most prone to placebo policies – particularly the sudden emergence of media scandals or public sector organisational under-performance – it is evident that the social media crisis aligns closely with this framework. While its growth is not sudden, as mentioned previously, the crisis and its connection to public health have only gained mainstream recognisability over the past few years, leading to the problem being widely discussed with little to no open denial.³⁷ The Surgeon General's report points out this organisational under-performance and is itself a call for the reforms described by McConnell. Given this pressure on law-makers, as well as the potential gain in societal trust, the risk of implementing placebo policies is tangible. To preserve the image of a decisive and responsive body, the authorities strive to act swiftly despite the issues requiring complex, intrusive frameworks for effective resolution. Prioritising such immediate, superficial solutions over comprehensive long-term strategies could be described as cynical; however, although the placebo regulations are deemed inherently flawed, the literature also acknowledges their potential to foster a public perception of safety and governmental attentiveness³⁸ – which are, overall, beneficial states to be achieved. Consequently, my objective is to evaluate the assumption that the introduced policies bear characteristics of placebo policies and assess its validity in relation to the regulations currently being developed.

4. A Review of the Proposed Regulations

4.1. Regulations Prohibiting or Restricting the Use of Social Media in Any Way (with a Focus on Children)

This section covers restrictions imposed on social media users. Most of the Bills described intend to prohibit the use of social media on school grounds during school hours. A great example of this was introduced in *HB 1463 2023* (Florida), according to which a private school is required to establish a policy regarding students' use of personal wireless communication devices on school property or during school events. This policy must prohibit device use during school hours, except for classroom instruction, emergencies or communication with parents, siblings or legal guardians.³⁹ *HB 1986 2023* (Massachusetts) proposes the establishment of standardised guidelines for school districts. These guidelines would address the use of social media by students during school hours and provide strategies for managing issues within schools that stem from social media use outside of school hours.⁴⁰ *HB 379 2023* (Florida) states that regulations shall prohibit and prevent students from accessing social media platforms via school district-provided internet, except when explicitly directed by a teacher for educational purposes. Additionally, it mandates a prohibition on the use of TikTok, or any similar successor platform, on district-owned devices, through the school district's internet, or as a medium for communication or promotion by any district school, school-sponsored club, extracurricular organisation or athletic team.⁴¹

There is also legislation limiting access hours outside school. An example is *SB 152 2023* (Utah), proposing that a social media company must restrict a Utah minor's account access from 10.30 p.m. to 6.30 a.m. unless the applicable law allows a modification.⁴² *HB 271 2024* (Alaska) contains a similar proposition.⁴³ *S 7694 2024* (New York) suggests that the operator of an addictive social media platform shall provide a mechanism allowing a verified parent to prevent their child from accessing such platform between the hours of 12 a.m. and 6 a.m. This Bill proposes another solution found among those focusing on access restriction, proposing that parents should be able to restrict their child's access to addictive social media platforms to a length of time per day (rather than to certain hours).⁴⁴

³⁷ Microsoft Canada, "Consumer Insights: Attention Spans."

³⁸ Stępień, "Exploring Legislative Placebo"; Aviram, "The Placebo Effect of Law."

³⁹ *HB 1463 Childhood Mental Health, Safety, and Welfare 2023* (Florida).

⁴⁰ *HB 1986 Resolve Relative to Children's Mental Health in Social Media 2023* (Massachusetts).

⁴¹ *HB 379 Technology in K–12 Public Schools 2023* (Florida).

⁴² *SB 152 Social Media Regulation Amendments 2023* (Utah); a very similar provision can be found in *HB 2294 Virginia Social Media Regulation Act; established, penalties. 2025* (Virginia).

⁴³ *HB 271 An Act Relating to Social Media and Minors; and Providing for an Effective Date 2024* (Alaska).

⁴⁴ *S 7694 AN ACT to Amend the General Business Law, in Relation to Enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids Act Prohibiting the Provision of an Addictive Feed to a Minor 2024* (New York).

Another group of restrictive regulations suggests complete TikTok bans, introduced in Montana⁴⁵ and Hawai'i.⁴⁶ Law-makers cited national security concerns over data collection and potential espionage by its Chinese parent company, ByteDance,⁴⁷ rather than child protection or mental health, with the Hawai'i regulation referring to this issue only through citing publicists dubbing the app 'digital fentanyl'. With the regulations serving a completely different purpose, children's mental health was used merely as a rhetorical tool, weakly justifying national security-related concerns.

While restricting social media use during schooltime or late-night hours may benefit the minors, it may not represent the best strategy for addressing the concerns outlined in the Surgeon General's report. It is true that research demonstrates that late-night social media activity can have detrimental effects on an individual's mental and physical well-being;⁴⁸ however, the proposed measures possess little efficacy in terms of meaningfully supporting young social media users in navigating this complex issue. Numerous readily conceivable methods to circumvent the proposed restrictions render their effectiveness questionable. For such regulations to achieve their intended purpose, platforms would need to be universally inaccessible during nighttime hours by design, applying indiscriminately to all users. This approach, however, inevitably raises concerns about whether such measures verge on excessive paternalism, particularly in relation to adult users. Nonetheless, addressing this issue more comprehensively would require engaging in solving the multifaceted issue beyond fostering the superficial sense of safety (as mentioned in the end of Section 3), which the law-makers often appear reluctant to choose.

4.2. Regulations Including Proposals for Introducing Digital and Media Literacy Curricula in Schools

This group of regulations appears to have been most vigorously enacted by the reviewed states. The law-makers employ a range of terminology to describe the skillsets in question. While the overarching goals of these regulations are largely consistent and aligned, some proposals introduce particularly intriguing concepts.

In *SB 1573 2024* (Arizona), it is proposed that the State Department of Education shall identify practices, make recommendations for instruction in digital citizenship and make available on its website a list of resources on media literacy. The key definition here is 'digital citizenship', being 'a diverse set of skills related to current technology and social media, including the norms of appropriate, responsible, and healthy behavior'.⁴⁹ Media literacy includes the foundational skills that lead to it.⁵⁰

A unique regulation among these was proposed through *HB 1463 2023* (Florida). Aside from the curriculum, it covered digital learning itself, with a strict limitation that no more than 10 per cent of the instructional time given in a traditional school setting for Pre-Kindergarten through Grade 8 in a public school may be delivered in an electronic or a digital format.⁵¹

Notably, *HB 379 2023* (Florida) deviates from a simple definition of digital citizenship by presenting a more intricate and expansive description of a curriculum component. It addresses the social, emotional and physical effects of social media. This component must encompass, but is not limited to, the negative impacts of social media on mental health, including addiction, the spread of misinformation, the ways in which social media manipulates behaviour and the enduring nature of shared content online.⁵² *SB 287 2024* (Indiana), aside from the focus on the well-researched social media perils, proposed a curriculum

⁴⁵ *SB 419 Ban TikTok in Montana 2023* (Montana).

⁴⁶ *HR 206 Urging the United States Congress to Pass the "Protecting Americans From Foreign Adversary Controlled Applications Act" to Divest Ownership of TikTok or Be Subject to a Nationwide Ban 2024* (Hawai'i).

⁴⁷ For example, "TikTok's continued operation in Montana serves as a valuable tool to the People's Republic of China to conduct corporate and international espionage in Montana and may allow the People's Republic of China to track the real-time locations of public officials, journalists, and other individuals adverse to the Chinese Communist Party's interests," as written in *SB 419 Ban TikTok in Montana 2023* (Montana), or "TikTok's parent company, ByteDance, is headquartered in Beijing, China, and under Chinese law, companies operating in China are compelled to share their data with the government upon request," as written in *HR 206 Urging The United States Congress to Pass the "Protecting Americans From Foreign Adversary Controlled Applications Act" to Divest Ownership of TikTok or Be Subject to a Nationwide Ban 2024* (Hawai'i).

⁴⁸ Touitou, "Disruption of Adolescents' Circadian Clock"; Adeoye, "Use of Digital Social Media at Night"; Mireku, "Night-Time Screen-Based Media Device Use"

⁴⁹ *SB 1573 An Act Amending title 15, Chapter 2, Article 2, Arizona Revised Statutes, by Adding Section 15-249.19; Relating to the Department of Education 2024* (Arizona).

⁵⁰ Same definition is found in a similar *AB 787 Pupil Instruction: Digital Citizenship and Media Literacy: Survey 2023* (California); *SB 5626 Expanding and Enhancing Media Literacy and Digital Citizenship in K-12 Education 2024* (Washington); *HB 560 Relative to Media Literacy in Schools 2024* (Massachusetts); *SB 74 Digital Wellness, Citizenship, and Safe Technology Commission Amendments 2023* (Utah); *HB 254 Consumer Protection – Social Media Regulation and Safety for Children 2023* (Maryland); and *HB 2420 Schools: Directing State Department of Education to Develop Best Practices and Recommendations for Instruction in Digital Citizenship, Internet Safety, and Media Literacy; Effective Date 2023* (Oklahoma) follow similar steps in that regard.

⁵¹ *HB 1463 Childhood Mental Health, Safety, and Welfare 2023* (Florida).

⁵² *HB 379 Technology in K-12 Public Schools 2023* (Florida).

covering the relationship between users and content providers, the providers' incentives to shape user behaviour and methods used to influence that behaviour.⁵³ Remarkably, no other state has introduced a similar proposal.

4.3. Proposals Introducing Any Kind of Age-Verification Requirement and/or Parental Supervision While Using Social Media

When regulations within this category are introduced, they frequently stipulate that unauthorised minors must have any existing accounts deleted and are prohibited from creating new accounts independently (such as *HB 254 2023* (Maryland),⁵⁴ *SB 396 2023* (Arkansas),⁵⁵ *HF 712 2023* (Iowa)⁵⁶ or *SB 162 2023* (Louisiana)⁵⁷). In this situation, most of them require a legal guardian's consent for a minor to set up an account on a social media platform. An interesting exception here was *HB 254 2023* (Maryland) (not enacted), going in the direction of creating so-called 'joint accounts', where each large social media platform allows the parents or guardians of an authorised minor to create a joint social media account with the authorised minor.⁵⁸ This might raise ethical concerns regarding a child's privacy (outside the scope of this review). Similarly, *SB 162 2023* (Louisiana) states that a social media company must allow a parent or guardian who consents to a Louisiana minor's account to enable supervision, including viewing privacy settings, setting time limits, scheduling breaks and receiving notifications when the minor reports an issue.⁵⁹

In 2024, *HB 3* was enacted in Florida, according to which social media platforms must assess user accounts to determine whether they belong to individuals aged 15 years or younger, using age-related data and account categorisation for content and ad targeting. Accounts found to belong to users under 14 years must be terminated. Additionally, parents or users can request account termination.⁶⁰ In Wisconsin, an interesting concept of a *youth account* was proposed. According to *SB 385 2024*, social media companies must ensure that all accounts created are designated as such, with the possibility of removing the status upon the user's age verification.⁶¹ This proposition, having raised numerous concerns even beyond the legal realm,⁶² has failed to pass pursuant to Senate Joint Resolution.

The verification methods for both the age of an individual interested in setting up an account and parental consent constitute another interesting area of these regulations. In some cases, they involve standard documents such as an ID card or a driver's licence (*SB 396 2023* (Arkansas),⁶³ and in the case of *S 1982 2024* (New Jersey) also presented during a video-conference with an authorised person,⁶⁴ and sometimes a designed system (as in *H 644 2023* (North Carolina)).⁶⁵

Of course, not every state thought of such elaborate ways to avoid letting a minor into the dangerous world of social media; in *HB 591 2023* (Florida), the law-makers chose to simply employ a disclaimer. As the Bill states, a social media platform should require a minor to accept the following statement:

This application may be harmful to your mental health and may use design features that have addictive qualities or present unverified information or that may be manipulated by [insert platform name] for your viewing. This application may also collect your personal data to further manipulate your viewable content and may share your personal data with others.⁶⁶

This regulation appears considerably less convincing than other policies mentioned in this section. The disclaimer provided is neither informative nor persuasive. It fails to elucidate the harms that may befall users, and it does not specify which features

⁵³ *SB 287 A Bill for an Act to Amend the Indiana Code Concerning Education 2024* (Indiana).

⁵⁴ *HB 254 Consumer Protection – Social Media Regulation and Safety for Children 2023* (Maryland).

⁵⁵ *SB 396 To Create the Social Media Safety Act; to Require Age Verification for Use of Social Media; And to Clarify Liability for Failure to Perform Age Verification for Use of Social Media and Illegal Retention of Data 2023* (Arkansas).

⁵⁶ *HF 712 A Bill for an Act Relating to Social Media Users Under Eighteen Years of Age, Making Penalties Applicable, and Including Applicability Provisions 2023* (Iowa).

⁵⁷ *SB 162 Creates the Secure Online Child Interaction and Age Limitation Act. 2023* (Louisiana).

⁵⁸ *HB 254 Consumer Protection – Social Media Regulation and Safety for Children 2023* (Maryland).

⁵⁹ *SB 162 Creates the Secure Online Child Interaction and Age Limitation Act (8/1/23) (EN INCREASE GF EX See Note) 2023* (Louisiana).

⁶⁰ *HB 3 Online Protections for Minors 2024* (Florida).

⁶¹ *SB 385 Use of Social Media Platforms by Minors, Granting Rule-Making Authority, and Providing a Penalty 2024* (Wisconsin).

⁶² Masnick, "Wisconsin Pushing Bill."

⁶³ *SB 396 To Create the Social Media Safety Act; To Require Age Verification for Use of Social Media; And to Clarify Liability for Failure to Perform Age Verification for Use of Social Media and Illegal Retention of Data 2023* (Arkansas).

⁶⁴ *S 1982 Requires Age Verification and Parent or Guardian Consent for Minor's Use of Social Media Platform; Prohibits Certain Messaging Between Adults and Minors on Social Media Platform. 2024* (New Jersey).

⁶⁵ *H 644 Social Media Algorithmic Control in IT Act* (North Carolina).

⁶⁶ *SB 792 Social Media Protection for Minors 2023* (Florida).

of the platform require attention. In fact, it stands as a quintessential example of a legislative placebo. It is highly improbable that law-makers genuinely believe that such a disclaimer would meaningfully mitigate the harmful effects of social media usage. This is further supported by the research consistently showing that government-mandated disclaimers rarely achieve the intended protective outcomes.⁶⁷ Assuming the legislators' competence in the formulation of effective legislation, it can only be inferred that, in this instance, they have permitted the enactment of a (potentially) flawed and ineffective law.

4.4. Introducing Regulations Focusing on Harm to Mental Health/Well-being and Supporting Potential Research Regarding Them

This set of regulations is less structured than those discussed previously but is no less significant. The Bills clarify how legislators define mental health and its related harms, highlighting their connection to broader well-being.

The authors of *PA SB 22* (Pennsylvania) suggest that social media use among teens is associated with negative emotions, including higher rates of depression and anxiety. They also refer to research suggesting that social media can exacerbate offline violence and that suicide and self-harm rates among American teenagers have risen significantly in recent years.⁶⁸ *HB 1463 2023* (Florida) also refers to research claiming that excessive digital media use has been linked to various negative outcomes, such as disrupted sleep patterns, exposure to harmful online relationships and content, self-harm and suicidal thoughts, and Attention Deficit Hyperactivity Disorder (ADHD). The law-makers also claim that chronic sensory stimulation from excessive screen time can mimic early-stage dementia, affecting concentration, memory, orientation and self-care.⁶⁹ *HF 192 2023* (Minnesota) turns to the notion of *digital well-being*, which seems to encompass a much broader meaning than just mental health. It recognises several dimensions affected by excessive social media use, including sleep disturbances, eye strain and other physiological changes, as well as mental health, social well-being and cognitive functioning, leading to distractions, reduced academic performance and an increase in symptoms of ADHD.⁷⁰

While some of these claims – such as those regarding disruptive sleep patterns and their consequences⁷¹ – are unquestionably valid, others are fraught with insufficiently examined assertions – for example, those concerning the alleged ‘increase in ADHD’⁷² or linking the general decline in mental health directly to social media without taking numerous other factors into consideration.⁷³ This line of reasoning is undoubtedly capable of eliciting action; however, it also conveys an air of unwarranted panic, perpetuating the placebo-like character of the proposed measures. It would unquestionably behove law-makers aiming to implement the Surgeon General’s recommendations for their arguments to be underpinned by sound evidence.

H 644 2023 (North Carolina) is one of the few Bills to consider the potentially harmful relationship between data use and health (it refers to increasing ‘unhealthy social media use’ induced by data exploitation).⁷⁴ *AB 1282 2024* (California) requires the purposefully set up commission to report a statewide strategy related to mental health risks associated with the use of social media by children and youth. Its novelty lies in defining ‘children and youth’ as individuals up to 26 years of age,⁷⁵ a very desirable direction to follow considering that the adolescent brain is biologically predisposed to adapt, as shown by heightened sensitivity to social and emotional information.⁷⁶ Constant exposure to algorithmically tailored content on social media creates a continuous flow of information, exacerbating the issues related to adolescent vulnerabilities.

When examining the more significant dangers highlighted, the concept of addiction emerges recurrently. A consensus can be found in the definition of addiction, generally characterised as the use of one or more social media platforms, marked by an

⁶⁷ Green, “Evidence on the Effects of Mandatory Disclaimers.”

⁶⁸ *SB 22 AN ACT Amending Title 50 (Mental Health) of the Pennsylvania Consolidated Statutes, Providing for Protection of Minors on Social Media; and Imposing Penalties 2023* (Pennsylvania).

⁶⁹ *HB 1463 Childhood Mental Health, Safety, and Welfare 2023* (Florida).

⁷⁰ *HF 192 A Bill for an Act Relating to Education Finance; Promoting Digital Well-being Education and Training for the Health, Mental Well-Being, and Learning of all Minnesota Students as It Relates to the Use of Digital Media; Appropriating Money for A Minnesota-Based Organization that Collaborates with Communities to Promote Digital Well-Being 2023* (Minnesota).

⁷¹ Compare with the references for similar claims in n 50.

⁷² While the number of diagnosed ADHD cases has recently increased in the United States, research suggests that it is due to an overall increase in diagnostic processes and awareness, as well as the current formulation of diagnostic criteria, rather than a true rise in prevalence. See Gascon, “Do We Over-diagnose ADHD?” and Abdelnour, “ADHD Diagnostic Trends.”

⁷³ Such factors include the global housing crisis – see Caliyurt, “Mental Health Consequences”; and the rapidly increasing rate of climate change – see Palinkas, “Global Climate Change.”

⁷⁴ *HB 644 Social Media Algorithmic Control in IT Act 2023* (North Carolina).

⁷⁵ *AB 1282 An Act to Add and Repeal Part 4.3 (Commencing with Section 5888) of Division 5 of the Welfare and Institutions Code, Relating to Mental Health 2023* (California).

⁷⁶ Crone, “Understanding Adolescence.”

inability to stop despite the desire to do so, causing physical, mental, emotional, developmental or material harm to the child user.⁷⁷ However, some differences in the definition also appear. *HB 271 2024* (Arkansas) addresses addiction by prohibiting social media platforms from utilising technologies to tailor content for minors based on their personal data, preferences or behaviour. Additionally, it forbids the use of features, designs or mechanisms that encourage or reward excessive or compulsive platform use or exploit the psychological vulnerabilities of minors.⁷⁸ *SB 89 2024* (Utah) allows individuals to file a lawsuit against a social media company to seek damages for any addiction, financial, physical or emotional harm suffered by a Utah minor with an account after October 1, 2024 as a result of using the platform.⁷⁹ While the definition of addiction in this context appears vague, the proposal itself represents a positive step forward in addressing the issue. The concept of addiction will play a crucial role in the next section, where it is used to directly explore the underlying mechanisms that contribute to the harm inflicted on an individual. In this context, addiction serves as both a consequence and a process, with its implications extending beyond mere behavioural dependency to encompass the psychological, emotional and social forces that drive compulsive engagement with social media platforms.

Overall, these measures seem to display a techno-solutionist attitude on the law-makers' side, similar to one criticised by Angel and boyd with respect to the authors of the Kids Online Safety Act. As they argue, historical evidence shows that such approaches rarely achieve their intended outcomes. Rather than helping vulnerable youth or improving design, this framing is more likely to encourage performative safety measures, reinforce techno-solutionist logic and divert resources away from evidence-based alternatives.⁸⁰ Simply put, these measures are notoriously ineffective, yet they create a façade of a decisive, responsive state authority. This, in turn, heavily underscores their placebo-like characteristic.

4.5 Proposing Regulations Concerning the Liability of Companies Offering Social Media Platforms that May be Harmful (Especially to Minors) Due to Their Design

Finally, certain states have enacted regulations addressing the direct liability of companies for providing products that are inherently harmful and hazardous by design. In these legislative efforts, law-makers focus primarily on user-driven algorithms, which may or may not incorporate addictive features, and the potential risks they pose to users. The Bills that do not rely principally on the addiction framework typically focus on regulating aspects such as advertising practices, data usage or the management of user-generated content (UGC). *SF 2101 2023* (Minnesota) states that a social media platform with more than one million account holders operating in Minnesota is prohibited from using a social media algorithm to target UGC at an account holder under the age of 18 years (with some exceptions).⁸¹ In *HB 2155 2023* (Texas), a social media platform operator is liable to a minor who receives UGC through an algorithm if the operator knew, or should reasonably have known, that the user was a minor.⁸² According to *Rev Stat § 51:1753 2024* (Louisiana), a minor account holder shall be protected from unsolicited adult messages (unless previously connected with such adult), targeted ads using personal data (except age and location) and excessive data collection beyond necessary purposes.⁸³

SB 222 2023 (Kansas) states that any provider of an online platform shall be treated as the publisher or speaker of information published by a user of such online platform if such provider knew or should have known such provider used an algorithm to make personalised recommendations to a user of such online platform, and such posts materially contributed to a physical or severe emotional injury to such a user. An algorithm here means any computational process, model, or other automated means of processing to rank, order, promote, recommend, amplify or similarly alter the delivery or display of information, and the online platform is any digital service that facilitates interactions between two or more independent users who interact through the internet.⁸⁴ What is particularly compelling about this regulation is the dual requirement of both employing such an algorithm and demonstrating its contribution to user harm. However, the nature of the harm inflicted remains ambiguously defined, as emotional injury may be interpreted in various ways depending on the context. For example, as per *Kentucky Revised Statutes Chapter 600 – Introductory matters 600.020 Definitions for KRS Chapters 600 to 645*, it means

⁷⁷ *S 1964 An Act Prohibiting the Use of Certain Addictive Practices or Features by Social Media Platforms and Supplementing Title 56 of the Revised Statutes 2024* (New Jersey) defined in a corresponding manner in *SB 89 2024* (Utah).

⁷⁸ *HB 271 An Act Relating to Social Media and Minors; and Providing for an Effective Date. 2024* (Alaska).

⁷⁹ *SB 89 This Bill Changes When the Provisions of the Utah Social Media Regulation Act Become Effective 2024* (Utah).

⁸⁰ Angel, "Techno-Legal Solutionism."

⁸¹ *SF 2101 A Bill for an Act Relating to Consumer Protection; Prohibiting Certain Social Media Algorithms that Target Children; Proposing Coding for New Law in Minnesota Statutes, Chapter 325F 2023* (Minnesota).

⁸² *HB 2155 An Act Relating to Prohibiting Social Media Platforms from Using Certain Social Media Algorithms to Target Minors. 2023* (Texas).

⁸³ *Louisiana Laws Revised Statutes Title 51 – Trade and Commerce §51:1753. Prohibition on Data Collection for Certain Accounts and Advertising 2024* (Louisiana).

⁸⁴ *SB 222 An Act Concerning Information Technology; Relating to Online Platforms and Removal of Liability Protections Therefore; Requiring Wireless Communication Device Vendors to Provide Parental Notification of Application Downloads by a Minor. 2023* (Kansas).

an injury to the mental or psychological capacity or emotional stability of a child as evidenced by a substantial and observable impairment in the child's ability to function within a normal range of performance and behaviour with due regard to his or her age, development, culture, and environment as testified to by a qualified mental health professional.⁸⁵

But, as per The Children's Centre for Communication/Beverly School for the Deaf's *'Where Communication Comes First' Manual*, it is 'an impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within the normal range of performance and behaviour'.⁸⁶ Although these definitions may not differ substantially, they do exhibit notable divergences, which may undermine the regulation's capacity to fully address the range of harm associated with social media use. A particularly concerning limitation is the narrow focus on only severe emotional injuries, thereby overlooking potentially significant outcomes, such as social media addiction. Therefore, this section would greatly benefit from a linguistic refinement that not only clarifies the scope of harm but also reflects the multifaceted nature of social media's impact, ensuring that all relevant forms of damage, from emotional distress to behavioural addiction, are adequately considered. Such an adjustment would strengthen its effectiveness and better align it with the evolving understanding of the psychological risks posed by social media platforms.

While addiction is a recurring theme in mental health-related Bills, in algorithm-focused legislation, the concept of an 'addictive platform/feed' similarly addresses concerns about the psychological impact of digital environments. The recently enacted *S 7694 2024* (New York) defines an 'addictive feed' as a website, online service or mobile application where media shared or generated by users is recommended, selected or prioritised based on information linked to the user or their device, either concurrently or sequentially. However, this definition excludes certain cases such as those where media are chosen by privacy settings or device data, or when the user requests it.⁸⁷ *S 1964 2024* (New Jersey) prohibits a social media platform from using 'any practice, design, feature, or affordance that would cause child users to become addicted to the platform'.⁸⁸ As per *H 644 2023* (North Carolina), intended to combat social media addiction by requiring that social media platforms respect the privacy of North Carolina users' data and do not use a North Carolina minor's data for advertising or algorithmic recommendations and to make willful violations of data user privacy an unfair practice,⁸⁹ an algorithmic recommendation is one of 'suggested, promoted, or ranked information'. User data may be used in such recommendations only when the user has been notified and consents to the use of the data in such a manner.

AB 2273 2022 (California) mandates that businesses offering online services, products or features likely to be accessed by children adhere to specific requirements. These include configuring all default privacy settings to ensure a high level of privacy, as outlined in the regulations.⁹⁰ Approved by the state governor in September 2024, *SB 976* (California) directly follows this up. According to its text, an 'addictive feed' is defined as an internet website, online service, online application or mobile application where multiple pieces of user-generated media are recommended, selected or prioritised for display to a user based on information provided by the user or linked to their device.⁹¹ This definition excludes certain cases, such as those where information is not persistently linked to the user, is explicitly requested without recommendation or is a part of private communication, or when the media are simply the next item in a pre-existing sequence from the same source and, in the case of audio or video content, it is not automatically played. The Bill bans operators from providing addictive feeds unless they lack knowledge of the user being a minor, reasonably determine otherwise or obtain parental consent. It would also require an operator to annually report the number of minor users, both those with parental consent for addictive feeds and those with or without access controls enabled.⁹²

The legislation discussed in this section provides a compelling example of policies that are unlikely to serve merely a placebo function. These regulations establish the grounds for accountability in a clear and comprehensive manner. Discrepancies in terminology across different jurisdictions may exist, and they do not appear to arise from a deliberate intent to propose flawed legislation; rather, they reflect less optimal phrasing. While it may be tempting to ascribe these issues to a malicious legislative intent, is important to recognise that sometimes weak legislation is just that, with no hidden agenda behind its creation. Although

⁸⁵ *Kentucky Revised Statutes Chapter 600 – Introductory Matters 600.020 Definitions for KRS Chapters 600 to 645 2022* (Kentucky).

⁸⁶ The Children's Center for Communication/Beverly School for the Deaf. *Where Communication Comes First*.

⁸⁷ *S 7694 An Act to Amend the General Business Law, in Relation to Enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids Act Prohibiting the Provision of an Addictive Feed to a Minor 2024* (New York).

⁸⁸ *S 1964 An Act Prohibiting the Use of Certain Addictive Practices or Features by Social Media Platforms and Supplementing Title 56 of the Revised Statutes 2024* (New Jersey).

⁸⁹ *H 644 Social Media Algorithmic Control in IT Act 2024* (North Carolina).

⁹⁰ *AB 2273 The California Age-Appropriate Design Code Act 2022* (California).

⁹¹ *SB 976 Protecting Our Kids from Social Media Addiction Act 2024* (California).

⁹² *SB 976 Protecting our Kids from Social Media Addiction Act 2024* (California).

the placebo policy framework offers few tools to discern between those (other than one's subjective interpretation and willingness to see a flaw for what it simply might be), it is rather safe to assume that, in this case, there is no hidden agenda.

5. Discussion

The conclusions following my analysis are to some extent optimistic. The US law-makers must be praised for their efforts to understand how the addictive features work. Here, the introduced regulations reflect the potential perils accordingly, and the proposed measures appear adequately chosen. The legislative has the potential to be effective and does not come from the cynical place mentioned in the introductory parts of this text. Similar observations can be made regarding regulations addressing school curricula on the safe use of digital social media platforms. While most of the mental health-related regulations can generally be evaluated positively, certain elements of narrative construction (as noted previously) can be identified, as well as the excessive reliance on the techno-solutionist paradigm. Nonetheless, these concerns do not significantly raise doubts about whether the Bills were introduced with the specific intent of producing only superficial effects. The real challenges emerge with laws that impose direct prohibitions or obligations on minors using social media and their guardians. These regulations either reveal a profound misunderstanding of how such users engage with these platforms or suggest an underlying motivation to present a solution that serves more as an ineffective smokescreen. However, it seems like a viable perspective that ongoing dialogue with professionals and impartial experts will guide the development of well-structured, human-centred policies that truly benefit social media users, rather than merely signalling a reactive stance to an escalating issue.

6. Conclusions

As the awareness of social media harms grows, new measures are being proposed, highlighting the need for effective navigation of the complex landscape. This review examined regulations introduced by 37 American states in response to the US Surgeon General's recommendations, focusing on how these proposals may, in some cases, function as legislative placebos. The goal of this analysis was to provide an overview of the approaches American law-makers have been adopting to address this public health crisis and critically scrutinise their approaches. While law-makers have provided a comprehensive general framework for handling social media-related issues, doubts may be raised as to the justification for some of the measures introduced. It could be said that there is a fair share of fear-based rhetoric in the analysed regulations, often overshadowing evidence-based statements that would support the applied solutions just as well. As more countries strive to introduce regulations for a fair and just digital environment, such heavy reliance on argumentation appealing to emotions may not serve as a solid base. Given the widely available research results, it is to be hoped that further legislative attempts in this field will find a more solid and stable knowledge base.

Acknowledgement

This paper presents results of the research conducted as a part of the research project 'Consumer Law and the Attention Economy (CLAE)', funded by the Polish National Science Centre (project number: 2022/45/B/HS5/01419), realised at the Jagiellonian University in Kraków, Poland. The Principal Investigator of this project is Przemysław Pałka.

Bibliography

Primary Sources

- AB 1282 An Act to Add and Repeal Part 4.3 (Commencing with Section 5888) of Division 5 of the Welfare and Institutions Code, Relating to Mental Health* 2023 (California).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:CA2023000A1282&verid=CA2023000A1282_20230901_0_A&.
- AB 2273 The California Age-Appropriate Design Code Act* 2022 (California).
https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=202120220AB2273&showamends=false.
- AB 787 Pupil Instruction: Digital Citizenship and Media Literacy: Survey* 2023 (California).
<https://legiscan.com/CA/text/AB787/id/2762901/California-2023-AB787-Amended.html>.
- H 644 Social Media Algorithmic Control in IT Act* 2023 (North Carolina).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:NC2023000H644&verid=NC2023000H644_20230425_0_S&.
- HB 1463 Childhood Mental Health, Safety, and Welfare* 2023 (Florida). <https://www.flsenate.gov/Session/Bill/2023/1463>.
- HB 1986 Resolve Relative to Children's Mental Health in Social Media* 2023 (Massachusetts).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:MA2023000H1986&verid=MA2023000H1986_20230216_0_I&.
- HB 2155 An Act Relating to Prohibiting Social Media Platforms from Using Certain Social Media Algorithms to Target Minors.* 2023 (Texas). <https://legiscan.com/TX/text/HB2155/2023>.
- HB 2294 Virginia Social Media Regulation Act; Established, Penalties* 2025 (Virginia).
<https://legiscan.com/VA/text/HB2294/id/3042500/Virginia-2025-HB2294-Introduced.html>.
- HB 2420 Schools; Directing State Department of Education to Develop Best Practices and Recommendations for Instruction in Digital Citizenship, Internet Safety, and Media Literacy; Effective Date* 2023 (Oklahoma).
<https://legiscan.com/OK/text/HB2420/id/2652474/Oklahoma-2023-HB2420-Introduced.pdf>.
- HB 254 Consumer Protection – Social Media Regulation and Safety for Children* 2023 (Maryland).
<https://legiscan.com/MD/text/HB254/id/2662450/Maryland-2023-HB254-Introduced.pdf>.
- HB 271 An Act Relating to Social Media and Minors; and Providing for an Effective Date* 2024 (Alaska).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:AK2023000H271&verid=AK2023000H271_20240116_0_I&.
- HB 3 Online Protections for Minors* 2024 (Florida). <https://www.flsenate.gov/Session/Bill/2024/3/BillText/er/PDF>.
- HB 379 Technology in K–12 Public Schools* 2023 (Florida).
<https://www.flsenate.gov/Session/Bill/2023/379/BillText/er/PDF>.
- HB 560 Relative to Media Literacy in Schools* 2024 (Massachusetts). <https://legiscan.com/MA/text/H560/id/2743940>.
- HF 192 A Bill for an Act Relating to Education Finance; Promoting Digital Well-Being Education and Training for the Health, Mental Well-Being, and Learning of All Minnesota Students as It Relates to the Use of Digital Media; Appropriating Money for a Minnesota-Based Organization that Collaborates with Communities to Promote Digital Well-Being* 2023 (Minnesota).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:MN2023000H192&verid=MN2023000H192_20230109_0_I&.
- HF 712 A Bill for an Act Relating to Social Media Users Under Eighteen Years of Age, Making Penalties Applicable, and Including Applicability Provisions* 2023 (Iowa). <https://legiscan.com/IA/text/HF712/2023>.
- HR 206 Urging the United States Congress to Pass the “Protecting Americans from Foreign Adversary Controlled Applications Act” to Divest Ownership of TikTok or Be Subject to a Nationwide Ban* 2024 (Hawai'i).
https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:HI2023000HR206&verid=HI2023000HR206_20240308_0_I&.
- Kentucky Revised Statutes Chapter 600 – Introductory matters 600.020 Definitions for KRS Chapters 600 to 645.* 2022 (Kentucky). <https://law.justia.com/codes/kentucky/2022/chapter-600/section-600-020>.
- Louisiana Laws Revised Statutes Title 51 – Trade and Commerce §51:1753. Prohibition on Data Collection for Certain Accounts and Advertising* 2024 (Louisiana). <https://law.justia.com/codes/louisiana/revised-statutes/title-51/rs-51-1753>.
- S 1964 An Act Prohibiting the Use of Certain Addictive Practices or Features by Social Media Platforms and Supplementing Title 56 of the Revised Statutes* 2024 (New Jersey). https://www.njleg.state.nj.us/bill-search/2024/S1964/bill-text?f=S2000&n=1964_I.
- S 1982 Requires Age Verification and Parent or Guardian Consent for Minor's Use of Social Media Platform; Prohibits Certain Messaging Between Adults and Minors on Social Media Platform.* 2024 (New Jersey).
https://legiscan.com/NJ/text/S1982/id/2875596/New_Jersey-2024-S1982-Introduced.html.

- S 7694 *An Act to Amend the General Business Law, in Relation to Enacting the Stop Addictive Feeds Exploitation (SAFE) for Kids Act Prohibiting the Provision of an Addictive Feed to a Minor* 2024 (New York). <https://legiscan.com/NY/text/S07694/id/3006663>.
- SB 152 *Social Media Regulation Amendments* 2023 (Utah). <https://www.billtrack50.com/billdetail/1549158>.
- SB 1573 *An Act Amending Title 15, Chapter 2, Article 2, Arizona Revised Statutes, by Adding Section 15-249.19; Relating to the Department of Education.* 2024 (Arizona). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:AZ2024000S1573&verid=AZ2024000S1573_20240129_0_I&.
- SB 162 *Creates the Secure Online Child Interaction and Age Limitation Act* 2023 (Louisiana). <https://legiscan.com/LA/text/SB162/id/2832206/Louisiana-2023-SB162-Chaptered.pdf>.
- SB 22 *An Act Amending Title 50 (Mental Health) of the Pennsylvania Consolidated Statutes, Providing for Protection of Minors on Social Media; and Imposing Penalties* 2023 (Pennsylvania). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:PA2023000S22&verid=PA2023000S22_20230919_0_A&.
- SB 222 *An Act Concerning Information Technology; Relating to Online Platforms and Removal of Liability Protections Therefore; Requiring Wireless Communication Device Vendors to Provide Parental Notification of Application Downloads by a Minor* 2023 (Kansas). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:KS2023000S222&verid=KS2023000S222_20230208_0_I&.
- SB 287 *A Bill for an Act to Amend the Indiana Code Concerning Education.* 2024 (Indiana). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:IN2024000S287&verid=IN2024000S287_20240205_0_N&.
- SB 385 *Use of Social Media Platforms by Minors, Granting Rule-Making Authority, and Providing a Penalty* 2024 (Wisconsin). <https://legiscan.com/WI/text/SB385/id/2836702/Wisconsin-2023-SB385-Introduced.pdf>.
- SB 396 *To Create the Social Media Safety Act; To Require Age Verification for Use of Social Media; And to Clarify Liability for Failure to Perform Age Verification for Use of Social Media and Illegal Retention of Data.* 2023 (Arkansas). <https://legiscan.com/AR/text/SB396/id/2781419/Arkansas-2023-SB396-Chaptered.pdf>.
- SB 419 *Ban TikTok in Montana* 2023 (Montana). <https://leg.mt.gov/bills/2023/billhtml/SB0419.htm>.
- SB 5626 *Expanding and Enhancing Media Literacy and Digital Citizenship in K–12 Education.* 2024 (Washington). <https://lawfilesexst.leg.wa.gov/biennium/2023-24/Pdf/Amendments/House/5626-S%20AMH%20ED%20H1736.3.pdf>.
- SB 74 *Digital Wellness, Citizenship, and Safe Technology Commission Amendments* 2023 (Utah). <https://trackbill.com/bill/utah-senate-bill-74-digital-wellness-citizenship-and-safe-technology-commission-amendments/2296572>.
- SB 792 *Social Media Protection for Minors* 2023 (Florida). <https://www.billtrack50.com/billdetail/1571503>.
- SB 89 *This Bill Changes When the Provisions of the Utah Social Media Regulation Act Become Effective* 2024 (Utah). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:UT2024000S89&verid=UT2024000S89_20240119_0_E&.
- SB 976 *Protecting Our Kids from Social Media Addiction Act* 2024 (California). https://custom.statenet.com/public/resources.cgi?mode=show_text&id=ID:bill:CA2023000S976&verid=CA2023000S976_20240425_0_A&.
- SF 2101 *A Bill for an Act Relating to Consumer Protection; Prohibiting Certain Social Media Algorithms that Target Children; Proposing Coding for New Law in Minnesota Statutes, Chapter 325F* 2023 (Minnesota). <https://www.billtrack50.com/billdetail/1584955>.

Secondary Sources

- Abdelnour, Elie, Madeline O. Jansen and Jessica A. Gold. “ADHD Diagnostic Trends: Increased Recognition or Overdiagnosis?” *Missouri Medicine* 119, no 5 (2022): 467–473.
- Adeoye, Adeponle Olayode and Ayodele Samuel Jegede. “Use of Digital Social Media at Night, Awareness of the Associated Risks, Beliefs and Driving Factors.” *Italian Sociological Review*, 15 May 2023, 263–277. <https://doi.org/10.13136/ISR.V13I2.661>.
- Alghamdi, Rahaf and Njod Aljabr. “The Impact of TikTok Employees’ Attention Span.” *International Journal of Professional Business Review* 9, no 11 (2024): e05144. <https://doi.org/10.26668/businessreview/2024.v9i11.5144>.
- American Academy of Child & Adolescent Psychiatry. (2018). *Social Media and Teens*. https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Social-Media-and-Teens-100.aspx.
- Anderson, Simon P. and André De Palma. “Competition for Attention in the Information (Overload) Age.” *The RAND Journal of Economics* 43, no 1 (2012): 1–25. <https://doi.org/10.1111/j.1756-2171.2011.00155.x>.

- Angel, María P. and danah boyd. "Techno-Legal Solutionism: Regulating Children's Online Safety in the United States." In *Proceedings of the Symposium on Computer Science and Law*, 86–97. <https://doi.org/10.1145/3614407.3643705>.
- Aviram, Amitai. "The Placebo Effect of Law: Law's Role in Manipulating Perceptions." *George Washington Law Review*, 75 (2009): 54.
- Bhargava, Vikram R. and Manuel Velasquez. "Ethics of the Attention Economy: The Problem of Social Media Addiction." *Business Ethics Quarterly* 31, no 3 (2021): 321–359. <https://doi.org/10.1017/beq.2020.32>.
- Boero, Natalie and C. J. Pascoe. "Pro-Anorexia Communities and Online Interaction: Bringing the Pro-Ana Body Online." *Body & Society* 18, no 2 (2012): 27–57. <https://doi.org/10.1177/1357034X12440827>.
- boyd, danah, Alice Marwick, Parry Aftab and Maeve Koeltl. "The Conundrum of Visibility: Youth Safety and the Internet." *Journal of Children and Media* 3, no 4 (2009): 410–419. <https://doi.org/10.1080/17482790903233465>.
- Caliyurt, Okan. "The Mental Health Consequences of the Global Housing Crisis." *Alpha Psychiatry* 23, no 6 (2022): 264–265. <https://doi.org/10.5152/alphapsychiatry.2022.17112022>.
- Cannito, Loreta, Eugenia Annunzi, Caterina Viganò, Bernardo Dell'Oso, Matteo Vismara, Pier Luigi Sacco, Riccardo Palumbo and Claudio D'Addario. "The Role of Stress and Cognitive Absorption in Predicting Social Network Addiction." *Brain Sciences* 12, no 5 (2022): 643. <https://doi.org/10.3390/brainsci12050643>.
- Chambers, Deborah. "Social Media and Teenage Friendships." In *Social Media and Personal Relationships*, edited by Deborah Chambers, 82–101. London: Palgrave Macmillan.
- Clarke, Barbie H. "Early Adolescents' Use of Social Networking Sites to Maintain Friendship and Explore Identity: Implications for Policy." *Policy & Internet* 1, no 1 (2009): 55–89. <https://doi.org/10.2202/1944-2866.1018>.
- Committee on the Internal Market and Consumer Protection of the European Parliament. (2023). *Final Compromise Amendments 1–22 on the Draft Report. Kim Van Sparrentak (PE750.069v01-00). Addictive Design of Online Services and Consumer Protection in the EU Single Market (2023/2043(INI))*. https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/IMCO/DV/2023/10-25/15-CAs_AddictiveDesignEN.pdf.
- Crone, Eveline A. and Ronald E. Dahl. "Understanding Adolescence as a Period of Social–Affective Engagement and Goal Flexibility." *Nature Reviews Neuroscience* 13, no 9 (2012): 636–650. <https://doi.org/10.1038/nrn3313>.
- Dooley, Julian J., Jacek Pyżalski and Donna Cross. "Cyberbullying Versus Face-to-Face Bullying: A Theoretical and Conceptual Review." *Zeitschrift Für Psychologie/Journal of Psychology* 217, no 4 (2009): 182–188. <https://doi.org/10.1027/0044-3409.217.4.182>.
- Gámez-Guadix, Manuel, Izaskun Orue, Peter K. Smith and Esther Calvete. "Longitudinal and Reciprocal Relations of Cyberbullying With Depression, Substance Use, and Problematic Internet Use Among Adolescents." *Journal of Adolescent Health* 53, no 4 (2013): 446–452. <https://doi.org/10.1016/j.jadohealth.2013.03.030>.
- Gascon, Abigaëlle, Dominick Gamache, Diane St-Laurent and Annie Stipanovic. "Do We Over-Diagnose ADHD in North America? A Critical Review and Clinical Recommendations." *Journal of Clinical Psychology* 78, no 12 (2022): 2363–2380. <https://doi.org/10.1002/jclp.23348>.
- Green, Kesten C. and J. Scott Armstrong. "Evidence on the Effects of Mandatory Disclaimers in Advertising." *Journal of Public Policy & Marketing* 31, no 2 (2012): 293–304. <https://doi.org/10.1509/jppm.12.053>.
- Gustafsson, Gunnel, and J.J. Richardson. "Concepts of Rationality and the Policy Process." *European Journal of Political Research* 7, no 4 (1979): 415–436. <https://doi.org/10.1111/j.1475-6765.1979.tb00916.x>.
- Haliti-Sylaj, Trendeline and Alisa Sadiku. "Impact of Short Reels on Attention Span and Academic Performance of Undergraduate Students." *Eurasian Journal of Applied Linguistics* 10, no 3 (2024): 60–68. <http://dx.doi.org/10.32601/ejal.10306>.
- Livingstone, Sonia, Mariya Stoilova, Line Indrevoll Stänicke, Reidar Schei Jessen, Richard Graham, Elisabeth Staksrud and Tine Jensen. "Young People Experiencing Internet-Related Mental Health Difficulties: The Benefits and Risks of Digital Skills." Zenodo, August 9, 2022. <https://doi.org/10.5281/ZENODO.6976423>.
- Microsoft Canada, Consumer Insights. (2015). *Attention Spans*. https://www.sergiogridelli.it/wp-content/uploads/2015/07/AttentionSpans_report.pdf.
- Mireku, Michael O., Mary M. Barker, Julian Mutz, Iroise Dumontheil, Michael S.C. Thomas, Martin Rösli, Paul Elliott and Mireille B. Toledano. "Night-Time Screen-Based Media Device Use and Adolescents' Sleep and Health-Related Quality of Life." *Environment International* 124 (2019): 66–78. <https://doi.org/10.1016/j.envint.2018.11.069>.
- Mora-Monteros, Maëlle, Joan-Carles Suris, Lorraine Chok, Agnieszka Siwiak, Sophie Stadelmann and Yara Barrense-Dias. "Evolution of Screen Use Among Youth Between 2012 and 2020 in Switzerland." *Archives de Pédiatrie* 30, no 8 (2023): 563–566. <https://doi.org/10.1016/j.arcped.2023.09.001>.
- Nixon, Charisse. "Current Perspectives: The Impact of Cyberbullying on Adolescent Health." *Adolescent Health, Medicine and Therapeutics*, August 2014, 143. <https://doi.org/10.2147/AHMT.S36456>.
- O'Keeffe, Gwenn Schurgin, Kathleen Clarke-Pearson and Council on Communications and Media. "The Impact of Social Media on Children, Adolescents, and Families." *Pediatrics* 127, no 4 (2011): 800–804. <https://doi.org/10.1542/peds.2011-0054>.

- Palinkas, Lawrence A. and Marleen Wong. "Global Climate Change and Mental Health." *Current Opinion in Psychology* 32 (2020): 12–16. <https://doi.org/10.1016/j.copsyc.2019.06.023>.
- Perloff, Richard M. "Social Media Effects on Young Women's Body Image Concerns: Theoretical Perspectives and an Agenda for Research." *Sex Roles* 71, nos 11–12 (2014): 363–377. <https://doi.org/10.1007/s11199-014-0384-6>.
- Pew Research Center. (2022). *Teens, Social Media and Technology 2022*. <https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022>.
- Pew Research Center. (2024). *Social Media Fact Sheet*. <https://www.pewresearch.org/internet/fact-sheet/social-media>.
- Potter, Roberto Hugh and Lyndy A. Potter. "The Internet, Cyberporn, and Sexual Exploitation of Children: Media Moral Panics and Urban Myths for Middle-Class Parents?" *Sexuality and Culture* 5, no 3 (2001): 31–48. <https://doi.org/10.1007/s12119-001-1029-9>.
- Shariff, Shaheen. *Cyber-Bullying: Issues and Solutions for the School, the Classroom and the Home*. London: Routledge, 2008.
- Smith, Douglas, Trinity Leonis and S. Anandavalli. "Belonging and Loneliness in Cyberspace: Impacts of Social Media on Adolescents' Well-Being." *Australian Journal of Psychology* 73, no 1 (2021): 12–23. <https://doi.org/10.1080/00049530.2021.1898914>.
- Stępień, Mateusz. "Neutralization of Values in Law in the Face of Political Value Dynamics. A Case of Using Law as Placebo." In *Neutralization of Values in Law*, edited by Krzysztof Pałeczki, 78–115. Warsaw: Wolters Kluwer, 2013.
- Stępień, Mateusz. *Zarys koncepcji placebo legislacyjnego*. Warsaw: Scholar, 2024.
- Stępień, Mateusz and Wojciech Zomerski. "Exploring Legislative Placebo: A New Framework for Understanding Deliberate Ineffective Legislation." *The Theory and Practice of Legislation*, May 26, 2025, 1–32. <https://doi.org/10.1080/20508840.2025.2507465>.
- Stringer, Joan K., and J. J. Richardson. "Managing the Political Agenda: Problem Definition and Policy Making in Britain." *Parliamentary Affairs* 33, no 1 (1980): 23–39. <https://doi.org/10.1093/oxfordjournals.pa.a051831>.
- Stroud, Natalie Jomini. "Attention as a Valuable Resource." *Political Communication* 34, no 3 (2017): 479–489. <https://doi.org/10.1080/10584609.2017.1330077>.
- Masnack, Mike. "Wisconsin Pushing Bill That Requires Websites to Treat All Users as if They're Children." *Techdirt* (blog), August 14, 2023. <https://www.techdirt.com/2023/08/14/wisconsin-pushing-bill-that-requires-websites-to-treat-all-users-as-if-theyre-children>.
- The Children's Center for Communication/Beverly School for the Deaf. (2020). *Where Communication Comes First: Parent Manual*. <https://cccbsd.org/wp-content/uploads/2020/05/Parent-Handbook-20-21.pdf>.
- Touitou, Yvan, David Touitou and Alain Reinberg. "Disruption of Adolescents' Circadian Clock: The Vicious Circle of Media Use, Exposure to Light at Night, Sleep Loss and Risk Behaviors." *Journal of Physiology – Paris* 110, no 4 (2016): 467–479. <https://doi.org/10.1016/j.jphysparis.2017.05.001>.
- US Public Health Service. (2023). *Social Media and Youth Mental Health. The US Surgeon General's Advisory*. <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>.
- Usmani, Sadia Suhail, Medha Sharath and Meghana Mehendale. "Future of Mental Health in the Metaverse." *General Psychiatry* 35, no 4 (2022): e100825. <https://doi.org/10.1136/gpsych-2022-100825>.
- Vaterlaus, J. Mitchell, Sarah Tulane, Brandon D. Porter and Troy E. Beckert. "The Perceived Influence of Media and Technology on Adolescent Romantic Relationships." *Journal of Adolescent Research* 33, no 6 (2018): 651–671. <https://doi.org/10.1177/0743558417712611>.
- Murthy, Vivek. "Surgeon General: Why I'm Calling for a Warning Label on Social Media Platforms." *New York Times*, June 17, 2024. <https://www.nytimes.com/2024/06/17/opinion/social-media-health-warning.html>.
- Westbrook, Andrew, Arko Ghosh, Ruben Van Den Bosch, Jessica I. Määttä, Lieke Hofmans and Roshan Cools. "Striatal Dopamine Synthesis Capacity Reflects Smartphone Social Activity." *IScience* 24, no 5 (2021): 102497. <https://doi.org/10.1016/j.isci.2021.102497>.
- Ahuja, Neha. "Commercial Creations: The Role of End User License Agreements in Controlling the Exploitation of User Generated Content." *The John Marshall Review of Intellectual Property Law* 16 (2017): 383–410. <https://repository.law.uic.edu/cgi/viewcontent.cgi?article=1416&context=ripl>.