

ASSEMBLY RESOLUTION No. 167

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED DECEMBER 5, 2022

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

SYNOPSIS

Urges President and Congress to enact legislation that requires parental consent for children under 16 years of age to use social media and other websites.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ASSEMBLY RESOLUTION** urging the President and Congress to
2 enact legislation that requires certain protections and parental
3 consent for children 16 years of age and younger to use social
4 media and other websites.

5
6 **WHEREAS**, The use of social media has become a regular part of the
7 modern communication landscape, allowing individuals to connect
8 with family and friends and expanding access to local, national, and
9 global news; and

10 **WHEREAS**, For many teens and children, the use of social media has
11 become as ubiquitous as the use of Internet generally, with 95
12 percent of teenagers having access to an Internet-enabled cellphone
13 and 45 percent of teenagers reporting that they use social media
14 constantly, according to a 2018 PEW Research Center survey; and

15 **WHEREAS**, The rise of social media use amongst teenagers has
16 coincided with the rise in rates of depression, anxiety, and suicide
17 amongst teenagers, and although a causal relationship between
18 social media use and mental health is not clearly understood ,
19 certain social media platforms, including Facebook and Instagram,
20 have known of the negative mental health impacts of their social
21 media platforms on teenagers and have done very little to address
22 these issues; and

23 **WHEREAS**, Recognizing the effects that Internet use had on children
24 and teens, Congress enacted the Children’s Online Privacy
25 Protection Act of 1998 (COPPA) (15 U.S.C. ss.6501–6506), which
26 required the Federal Trade Commission to issue and enforce
27 regulations concerning children’s online privacy; and

28 **WHEREAS**, The primary goal of COPPA, which was to create parental
29 controls over the personal information of children under 13 years of
30 age that is collected, used, or disclosed by the operators of Internet
31 websites, was noble at its inception, but as the usage of the Internet
32 by children and teens has evolved, the methods used to combat the
33 negative impacts of Internet usage must also evolve; and

34 **WHEREAS**, More recently, legislation was introduced in Congress, the
35 “Kids Online Safety Act” (S.B.3663), which if enacted, would
36 establish new safety measures to protect children and teens against
37 online material that promotes or creates a heightened risk of
38 stalking, cyberbullying, exploitation, addiction, self-harm, or other
39 risks to the physical or mental health of children under 16 years of
40 age; and

41 **WHEREAS**, S.B.3663, among other things, requires websites used by
42 children under 16 years of age, including social media platforms, to
43 provide parents with safeguards that would allow the parent to limit
44 the ability of individuals to contact or locate the child, to limit time
45 spent by the child on the website, to limit features that increase or
46 extend the use of websites with auto-play, rewards, or notifications,
47 to prevent the viewing of the personal information of the child and
48 algorithmic recommendations that use the child’s personal

1 information, and to delete the child's account and request removal
2 of personal information; and

3 **WHEREAS**, Although S.B.3663 would establish many protections that
4 can assist parents in safeguarding their children online, it would not
5 require websites to obtain parental consent before a child may open
6 an account, which would be a key element in this effort; and

7 **WHEREAS**, As Internet usage continues to evolve, it is important for
8 parents to have the tools to safeguard their children from the
9 evolving threats that exist online, thus it is altogether fitting and
10 proper for the President and Congress to enact legislation that
11 requires parental consent for children under 16 years of age to open
12 accounts and utilize social media and other websites used by
13 children; now, therefore,

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15 **BE IT RESOLVED** by the General Assembly of the State of New
16 Jersey:

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18 1. This House respectfully urges the President of the United
19 States and Congress to enact legislation that would require parental
20 consent for children 16 years of age and younger to open accounts
21 with websites used by children, such as social media websites.

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23 2. Copies of this resolution, as filed with the Secretary of State,
24 shall be transmitted by the Clerk of the General Assembly to the
25 President of the United States, the Chair of the Federal Trade
26 Commission, the Chair of the Federal Communications
27 Commission, and each member of the United States Congress
28 elected from this State.

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31 STATEMENT

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33 This bill urges the President and Congress to enact legislation
34 that requires certain protections and parental consent for children 16
35 years of age and younger to open accounts with and utilize social
36 media websites and other websites used by children.

37 The use of social media has become a regular part of the modern
38 communication landscape for individuals to connect and
39 communicate with family, friends, and colleagues and even to
40 access local, national, and global news. For many teens and
41 children, the use of social media has become as ubiquitous as the
42 use of Internet generally. The rise of social media use amongst
43 teenagers has sadly coincided with the rise in rates of depression,
44 anxiety, and suicide amongst teenagers, and there is evidence that
45 certain social media platforms have known of the negative mental
46 health impacts of their social media platforms on teenagers and
47 have done very little to address those issues.

1 Recognizing the effects that Internet use has had on children and
2 teens, Congress enacted the Children’s Online Privacy Protection
3 Act (COPPA) in 1998, which required the Federal Trade
4 Commission to issue and enforce regulations concerning children’s
5 online privacy. The primary goal of COPPA, which was to place
6 parental controls over the personal information of children under 13
7 years of age, was noble at its inception, but the methods used to
8 combat the negative impacts of Internet usage have to evolve.

9 The “Kids Online Safety Act” (S.B.3663), which if enacted,
10 would create new federally-mandated safety measures to protect
11 children and teens online, including, among other things,
12 requirements for websites used by children under 16 years of age,
13 including social media platforms, to provide the parents of children
14 under 16 years of age with safeguards that would allow the parent
15 to limit certain website features. Although S.B.3663 creates many
16 protections that will assist parents in safeguarding their children
17 online, it does not require websites to obtain parental consent before
18 a child may open an account, which would be a key element in this
19 effort. As the Internet and the usage of it continues to evolve, it is
20 important for parents to have the tools to safeguard their children
21 from the evolving threats that exist online.