Maryland Kids Code

Bill to mitigate the addictive and harmful features of social media platforms - SUPPORT

SB0571 and HB0603, authored by Senators Kramer and West and Delegates Solomon and Wilson

What would the Maryland Kids Code do? The Maryland Kids Code would help mitigate some of the addictive and harmful features of social media platforms to better protect kids. The Code requires that platforms design online products and services likely to be accessed by kids and teens with their wellbeing and safety in mind. This language is critical because it expands protections for kids to a broad range of platforms, even sites that aren’t specifically targeted toward children.

The bill also requires that platforms use the strictest privacy settings by default and to provide clear and digestible privacy notices and community standards. Platforms must also include reporting tools that are easy to use by kids and parents if they see a platform violating the code. These settings and tools enable kids and teens to learn about data privacy and online safety, and encourages their autonomy in using reporting tools, while ensuring that kids are not intentionally exposed to harmful content or contacts. The bill would prohibit platforms from collecting and retaining personal information of kids that is not necessary to the service of the product, minimizing the mining and exploitation of children’s data.

Finally, the Code requires covered platforms to perform regular Data Protection Impact Assessments (DPIA). If a company’s DPIA finds one of their design features - like autoplay or endless scroll - is not consistent with the best interests of children, the company must implement a plan to mitigate or eliminate the harm.

Why is this bill needed to protect Maryland’s kids online? The Maryland Kids Code is desperately needed to protect kids and families. Kids’ internet usage is at an all-time high. Teens spend an average of 4.5 hours per day on their phones, with about a quarter of them spending as much as 5 to 8 hours in front of their screens every day. Up to 95% of youth ages 13-17 report using social media “almost constantly.” Nearly half of teens report that they feel addicted to their phones.

Social media companies intentionally use manipulative design features to increase kids’ engagement online in order to make more money from advertising. Features like endless scroll, low friction designs, and repeat notifications (or ‘nudging’) pull youth back into apps and extend their attention and time online. Ultimately, these features endanger our kids by compromising their privacy, driving kids toward harmful and extreme content, and exposing risky contacts and behaviors online. The bill flips the script by placing the responsibilities on tech companies, instead of parents and teens, to keep kids safe.

The time to act is NOW. The U.S. Surgeon General’s Advisory on Social Media and Youth Mental Health indicated that when it comes to social media we must “urgently take action to create safe and healthy digital environments that minimize harm and safeguard children’s and adolescents’ mental health and well-being during critical stages of development.”