



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2064

Introduced 2/6/2025, by Sen. Karina Villa

SYNOPSIS AS INTRODUCED:

New Act
815 ILCS 505/2HHHH new

Creates the Youth Social Media Engagement Act. Creates the Commission on Youth Social Media Engagement. Provides that the Commission shall develop a resource bank of existing evidence-based and research-based scholarly articles pertaining to the mental and physical health impacts of social media use by youth, Internet safety, and cybersecurity and make recommendations to the General Assembly. Sets forth provisions concerning membership; terms; compensation; and administrative support. Provides that, on and after January 1, 2027, a social media platform operating in the State shall establish a function to provide users who are under the age of 18 with information about the user's engagement with social media. Provides that a violation of specified provisions is an unlawful practice under the Consumer Fraud and Deceptive Business Practices Act. Amends the Consumer Fraud and Deceptive Business Practices Act to make conforming changes. Effective immediately.

LRB104 09138 SPS 19194 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Youth
5 Social Media Engagement Act.

6 Section 5. Findings and intent. The General Assembly finds
7 and declares:

8 (a) On May 23, 2023, U.S. Surgeon General Dr. Vivek Murthy
9 released a Social Media and Youth Mental Health advisory to
10 recognize the growing impact of social media on youth mental
11 health and well-being as a significant public health challenge
12 that requires immediate awareness and action.

13 (b) The advisory includes recommendations for policymakers
14 to address this issue, including to "strengthen protections to
15 ensure greater safety for children interacting with all social
16 media platforms".

17 (c) In the United States, up to 95% of youth ages 13 to 17
18 report using social media platforms, and a third of youth
19 report using social media "almost constantly".

20 (d) A study of youth in the United States ages 12 to 15
21 found that youth who spend 3 or more hours a day on social
22 media had double the risk of experiencing poor mental health
23 outcomes, including experiencing symptoms of depression and

1 anxiety. As of 2021, the average time spent on social media for
2 this age group is 3.5 hours a day, with one in 4 youth spending
3 5 or more hours a day on the platforms, and one in 5 youth
4 spending 7 or more hours a day on social media.

5 (e) A systematic review of 42 studies on the effects of
6 excessive social media use found a consistent relationship
7 between social media use and poor sleep quality, reduced sleep
8 duration, sleep difficulties, and depression among youth.

9 (f) Social media sites are designed to maximize user
10 engagement, which can encourage excessive social media use and
11 behavioral dysregulation. Youth undergo critical periods of
12 brain development, and social media exposure and frequent use
13 may be associated with distinct changes in the developing
14 brain, including overstimulation of the amygdala, triggering
15 pathways similar to those in individuals with substance use or
16 gambling addictions.

17 (g) The Illinois Children's Mental Health Partnership
18 developed goals in 2022. One of the goals was to "increase
19 public awareness on all issues connected to child mental
20 health and wellness to decrease stigma and promote acceptance,
21 and strengthen children, families, and communities to identify
22 needs and access support with resources and funding".

23 (h) Understanding more about how technology and health
24 intersect can help solve certain societal problems and improve
25 the mental and physical health of Illinois youth.

26 (i) It is a matter of statewide concern to provide

1 research-based education and interventions, including
2 resources on the effects of social media use on brain
3 development, how to mitigate the risks associated with social
4 media use, and how to maintain well-being while interacting in
5 online environments, to help youth make informed decisions on
6 responsible social media use.

7 Section 10. Commission on Youth Social Media Engagement.

8 (a) The Commission on Youth Social Media Engagement is
9 created. The Commission shall develop a resource bank of
10 existing evidence-based and research-based scholarly articles
11 pertaining to the mental and physical health impacts of social
12 media use by youth, Internet safety, and cybersecurity and
13 make recommendations to the General Assembly concerning
14 practical avenues to inform local community organizations,
15 parents, youth, and the general public about the resource bank
16 in a manner that allows for the collection of disaggregated
17 data on how often the materials are accessed.

18 (b) The Commission shall consist of the following members:

19 (1) the Director of the Department of Public Health or
20 the Director's designee, who shall serve as Chair of the
21 Commission;

22 (2) the Director of the Department of Healthcare and
23 Family Services or the Director's designee;

24 (3) the State Superintendent of Education or the State
25 Superintendent's designee;

1 (4) 4 members appointed by the Governor, of which 3
2 members shall represent the interests of social media
3 platforms;

4 (5) 5 members appointed by the President of the
5 Senate, of which one member shall represent the interests
6 of parents, one member shall be between the ages of 16 and
7 25 years of age, one member with experience as a youth
8 mental health professional such as a social worker, child
9 adolescent psychiatrist, or other professional
10 specializing in youth mental health, and not more than one
11 of whom may be a current member of the General Assembly;

12 (6) 5 members appointed by the Speaker of the House of
13 Representatives, of which one member shall represent the
14 interests of parents, one youth member shall be between
15 the ages of 16 and 25 years of age, one member shall have
16 experience as a youth mental health professional such as a
17 social worker, child adolescent psychiatrist, or other
18 professional specializing in youth mental health, and not
19 more than one of whom shall be a current member of the
20 General Assembly;

21 (7) 5 members appointed by the Minority Leader of the
22 Senate, of which one member shall represent the interests
23 of parents, one youth member shall be between the ages of
24 16 and 25 years of age, one member shall have experience as
25 a youth mental health professional such as a social
26 worker, child adolescent psychiatrist, or other

1 professional specializing in youth mental health, and not
2 more than one of whom shall be a current member of the
3 General Assembly; and

4 (8) 5 members appointed by the Minority Leader of the
5 House of Representatives, of which one member shall
6 represent the interests of parents, one youth member shall
7 be between the ages of 16 and 25 years of age, one member
8 shall have experience as a youth mental health
9 professional such as a social worker, child adolescent
10 psychiatrist, or other professional specializing in youth
11 mental health, and not more than one of whom shall be a
12 current member of the General Assembly.

13 (c) The Commission shall have the following duties:

14 (1) establish and adopt goals and guiding principles
15 for conducting a review of relevant research to compile a
16 resource bank that will be used to inform youth, parents,
17 and the greater community of the mental health risks
18 associated with youth social media use;

19 (2) develop a review and selection process for the
20 resource bank materials;

21 (3) identify the scholarly articles and materials that
22 will be a part of the resource bank by following the
23 process outlined by the Commission;

24 (4) ensure, to the extent possible, the resource bank
25 materials are youth-friendly, culturally sensitive, and
26 available in both English and Spanish, and may include

1 Internet links to scholarly articles, resources, and
2 materials about the mental and physical health impacts of
3 social media use, Internet safety, and cybersecurity from
4 entities that the Commission finds reliable;

5 (5) when possible, as part of the resource bank,
6 identify what grade or age-group materials are appropriate
7 for;

8 (6) engage with relevant community stakeholders,
9 including youth, for input on what type of information
10 should be included within the resource bank; and

11 (7) consider what avenues of distribution for the
12 resource bank will inform local community organizations,
13 parents, youth, and the general public about the resource
14 bank in a manner that allows for the collection of
15 disaggregated data on how often the materials are
16 accessed.

17 (d) The appointing authorities shall make appointments to
18 the Commission as soon as practicable after the effective date
19 of this Act, and the Chair of the Commission shall convene the
20 first meeting by September 15, 2025. Subsequent meetings of
21 the Commission shall convene at the call of the Chair of the
22 Commission. A majority of all the appointed members of the
23 Commission shall constitute a quorum for the transaction of
24 business and all recommendations of the Commission shall
25 require approval of a majority of the members of the
26 Commission. Meetings of the Commission are subject to the Open

1 Meetings Act.

2 (e) Members of the Commission shall serve without
3 compensation.

4 (f) The Department of Public Health shall provide
5 administrative support to the Commission.

6 (g) On or before December 31, 2025, the Commission shall
7 submit to the General Assembly a written report that:

8 (1) describes the process selected by the Commission
9 to create the resource bank;

10 (2) compiles the resource bank materials selected
11 through the Commission's selected process; and

12 (3) makes recommendations to the General Assembly
13 regarding practical avenues to inform local community
14 organizations, parents, youth, and the general public
15 about the resource bank in a manner that allows for the
16 collection of disaggregated data on how often the
17 materials are accessed.

18 (h) This Section is repealed on January 1, 2027.

19 Section 15. Social media platform health requirements for
20 youth.

21 (a) As used in this Section, "social media platform" means
22 an Internet-based service, website, or application that:

23 (1) has more than 100,000 active users in Illinois;

24 (2) permits an Illinois resident to become a
25 registered user, establish an account, or create a public

1 or semi-public profile for the purpose of allowing users
2 to create, share, and view user-generated content through
3 the account or profile;

4 (3) enables one or more users to create or post
5 content that can be viewed by other users of the medium;
6 and

7 (4) includes a substantial function to allow users to
8 interact socially with each other within the service or
9 application.

10 For the purpose of this definition, a service or
11 application that provides electronic mail or direct messaging
12 services does not satisfy the criteria of paragraph (4) on the
13 basis of that function alone.

14 "Social media platform" does not include an Internet-based
15 service or application in which the predominant or exclusive
16 function is:

17 (1) providing electronic mail;

18 (2) facilitating commercial transactions, if the
19 interaction with other users or account holders is
20 generally limited to:

21 (A) the ability to upload a post and comment on
22 reviews or the ability to display lists or collections
23 of goods for sale or wish lists; and

24 (B) the primary function of the platform is
25 focused on online shopping or e-commerce rather than
26 interactions between users or account holders;

1 (3) facilitating teleconferencing and video
2 conferencing features that are limited to certain
3 participants in the teleconference or video conference and
4 are not posted publicly or for broad distribution to other
5 users;

6 (4) facilitating crowd-sourced content for reference
7 guides such as encyclopedias and dictionaries;

8 (5) providing cloud-based electronic services,
9 including cloud-based services that allow collaborative
10 editing by invited users;

11 (6) consisting primarily of news, sports,
12 entertainment, or other content that is preselected by the
13 provider and not user generated, and any chat, comment, or
14 interactive functionality that is provided incidental to,
15 directly related to, or dependent upon provision of the
16 content; or

17 (7) interactive gaming, virtual gaming, or an online
18 service that allows the creation and uploading of content
19 for the purpose of interactive or virtual gaming;

20 (8) providing information concerning businesses,
21 products, or travel information, including user reviews or
22 rankings of businesses or products;

23 (9) facilitating communication within a business or an
24 enterprise among employees or affiliates of the business
25 or enterprise so long as access to the service or
26 application is restricted to employees or affiliates of

1 the business or enterprise;

2 (10) selling enterprise software to businesses,
3 governments, or nonprofit organizations;

4 (11) providing a streaming service that streams only
5 licensed media in a continuous flow from the service,
6 website, or application to the end user and does not
7 require a user or account holder to obtain a license for
8 the media by agreement with a social media platform's
9 terms of service;

10 (12) providing an online service, website, or
11 application that is used by or under the direction of an
12 educational entity, including a learning management
13 system, a student engagement program, or a subject- or
14 skill-specific program, for which the majority of the
15 content is created or posted by the provider of the online
16 service, website, or application and the ability to chat,
17 comment, or interact with other users is directly related
18 to the provider's content;

19 (13) providing or obtaining technical support for a
20 platform, product, or service;

21 (14) providing career development opportunities,
22 including professional networking, job skills, learning
23 certifications, and job posting and application services;

24 (15) focused on facilitating academic or scholarly
25 research; or

26 (16) reporting or disseminating news information, as

1 protected by the United States Constitution.

2 (b) On and after January 1, 2027, a social media platform
3 operating in this State shall establish a function that
4 either:

5 (1) meets the criteria described in subsection (c) and
6 is informed by the standards established under subsection
7 (d); or

8 (2) displays a pop-up or full screen notification to a
9 user who attests to being under the age of 18:

10 (A) when the user has spent one cumulative hour on
11 the social media platform during a 24-hour period; or

12 (B) when the user is on a social media platform
13 between the hours of 10 p.m. and 6 a.m.

14 The notification described in this paragraph shall
15 repeat at least once every 30 minutes after the initial
16 notification.

17 (c) A social media platform that establishes the function
18 described in paragraph (1) of subsection (b) shall provide
19 users who are under the age of 18 with information about youth
20 engagement with social media that helps the user understand
21 the impact of social media on the developing brain and the
22 mental and physical health of youth users. The information
23 shall be supported by data from peer-reviewed scholarly
24 articles or the sources included in the resource bank
25 developed by the Commission on Youth Social Media Engagement.

26 (d) The Department of Public Health, in consultation with

1 the Department of Innovation and Technology, shall establish
2 standards for the functions established by social media
3 platforms under subsection (b). The standards shall:

4 (1) recommend intervals for notification frequency
5 that are similar to those in paragraph (2) of subsection
6 (b);

7 (2) provide sample messaging for the content of the
8 notification;

9 (3) be informed by data and research on the efficacy
10 of notifications;

11 (4) be informed by the resource bank developed by
12 the Commission on Youth Social Media Engagement; and

13 (5) recommend the age range of users who would most
14 benefit from notifications.

15 Section 20. Enforcement. A violation of Section 15 is an
16 unlawful practice under the Consumer Fraud and Deceptive
17 Business Practices Act. All remedies, penalties, and authority
18 granted to the Attorney General by that Act shall be available
19 to him or her for the enforcement of Section 15.

20 Section 25. Rulemaking.

21 (a) The Department of Public Health may adopt necessary
22 rules to administer and enforce this Act.

23 (b) The Department of Public Health shall consult with the
24 Department of Innovation and Technology before adopting any

1 rules that relate to the standards established under
2 subsection (f) of Section 15.

3 Section 30. Severability. If any provision of this Act or
4 its application to any person or circumstance is held invalid,
5 the invalidity of that provision or application does not
6 affect other provisions or applications of this Act that can
7 be given effect without the invalid provision or application.

8 Section 90. The Consumer Fraud and Deceptive Business
9 Practices Act is amended by adding Section 2HHHH as follows:

10 (815 ILCS 505/2HHHH new)

11 Sec. 2HHHH. Violations of the Youth Social Media
12 Engagement Act. A person who violates Section 15 of the Youth
13 Social Media Engagement Act commits an unlawful practice
14 within the meaning of this Act.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.