

Subject Consumer protection: regulating social media platforms

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## Overview

This bill imposes new prohibitions and requirements on social media platforms operating in Minnesota. The bill is based largely on legislative recommendations in the Minnesota attorney general’s February 2024 “[Report on Emerging Technology and its Effect on Youth Well-Being](#),” which the legislature directed the attorney general (AG) to complete in [2023 Minn. Laws, ch. 57, art. 1, § 4, subd. 3](#).

## Summary

Section	Description
1	<p><b>Citation.</b></p> <p>Provides a short title for the act, which is codified in its own new chapter of Minnesota Statutes.</p>
2	<p><b>Definitions.</b></p> <p>Defines key terms for this chapter. Importantly, “account holder” is any social media account holder, while “user” just refers to an account holder in Minnesota. The scope of “social media platform” is set largely within the definition in this section.</p>
3	<p><b>Scope; exclusions.</b></p> <p>Subjects a social media platform to this chapter if it is active in Minnesota and meets the threshold in paragraph (a). Paragraph (b) specifies how a social media platform may determine whether an account holder is a Minnesota-based user.</p>
4	<p><b>Requirements for social media platforms.</b></p> <p>Imposes new prohibitions and requirements on social media platforms.</p> <p><b>Subd. 1. Content optimization.</b> Requires a platform to provide a user interface that allows users to indicate what content they do or do not want, and the algorithm must respect those preferences. A platform is specifically prohibited</p>

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from pushing content to users that does not align with users' preferences simply to maximize users' time and engagement on the platform.

**Subd. 2. Account holder daily limits.** Requires platforms to set limits for “new account holders” or highly active account holders to limit their impact on Minnesota-based users. As discussed on page 25 of the AG report, discourse on platforms can be distorted or dominated by a small minority of account holders. Frequently, these account holders may have recently created “burner” accounts, and they are often some of the most active account holders on a platform.

**Subd. 3. Default privacy settings.** Requires specific default privacy settings for users. Generally, these default settings focus on keeping user-generated content within a user's chosen social network. Also prohibits the platform from allowing user-generated content to be scraped and utilized by generative AI, without a user's consent. Specifies that a user may opt to change these default settings.

**Subd. 4. Option for heightened protection.** Requires platforms to allow users to easily opt into a set of specified heightened protections. These heightened protections include prohibiting platforms from using features (e.g., infinite content feeds, auto-play of next videos, etc.) that encourage increased use, and prohibiting visual counts of “likes,” etc., on user-generated content.

Provides that users can opt-in to these on a specific platform or change a setting on a device (i.e., their phone or tablet) so that they will automatically be opted-in to these heightened protections across all platforms on the device. Also provides that any device with parental controls enabled will automatically be opted-into heightened protections.

**Subd. 5. Transparency requirements.** In paragraph (a), requires platforms to post certain information about how their algorithms operate, how they enact the requirements in this bill, information about product experiments on users, and other relevant data on platform use. Also, in paragraph (b), requires platforms to provide users an explanation for each piece of recommended content for why the algorithm is promoting it to them.

5      **Enforcement.**

Provides for enforcement by a private right of action. Includes fee-shifting and civil penalties up to \$10,000 per violation. Also provides for AG enforcement under § 8.31.

6      **Severability.**

Specifies that the rest of the chapter is not affected if a court holds a certain provision invalid.

Section	Description
7	<b>Effective date.</b> Provides an extended effective date of July 1, 2025.



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