

H.823

Introduced by Representatives Arsenault of Williston and Goodnow of  
Brattleboro

Referred to Committee on

Date:

Subject: Commerce and trade; consumer protection; social media warning  
labels

Statement of purpose of bill as introduced: This bill proposes to require  
persons that operate social media platforms to place warning labels on the  
platforms that warn their users of the mental health dangers of using social  
media.

An act relating to social media warning labels

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 9 V.S.A. chapter 63, subchapter 1F is added to read:

Subchapter 1F. Social Media Warning Labels

§ 2470oo. WARNING LABELS AND NOTIFICATIONS

(a) Requirements. A person shall include a mental health warning label on  
a social media platform it operates that:

(1) follows the guidelines developed by the Attorney General pursuant  
to subsection (b) of this section;

1           (2) appears in a size that is easily readable by the average user each time  
2           a user accesses the platform;

3           (3) warns a user of potential negative mental health impacts of accessing  
4           the platform;

5           (4) provides the user with access to resources to address the potential  
6           negative mental health impacts of social media and includes the website and  
7           telephone number of a national suicide prevention and mental health crisis  
8           hotline system, including the 988 Suicide and Crisis Lifeline; and

9           (5) only disappears when the user:

10           (A) exits the platform; or

11           (B) acknowledges the potential for harm and chooses to hide or  
12           minimize the label.

13           (b) Guidelines. The Attorney General, in consultation with the  
14           Commissioner of Health, shall develop guidelines for the mental health  
15           warning label to be used by social media platforms in order to conform with  
16           the requirements of this section. The guidelines shall be based on current  
17           evidence regarding the negative mental health impacts of social media  
18           platforms. The Attorney General shall review and revise the guidelines as  
19           appropriate.

20           (c) Prohibitions. As it pertains to a warning label required by this section, a  
21           social media platform shall not:

1           (1) provide the warning label exclusively in the social media platform's  
2           terms and conditions;

3           (2) include extraneous information in the warning label that obscures the  
4           visibility or prominence of the warning label; or

5           (3) allow a user to disable the warning label, except as provided under  
6           subdivision (a)(5) of this section.

7           (d) Time used on platform.

8           (1) Except as provided in subdivision (2) of this subsection, a social  
9           media platform shall display a conspicuous pop-up notification not less than  
10          once every 30 minutes for a user who is actively using the platform. The  
11          notification shall:

12           (A) inform the user:

13           (i) that the user has actively used the platform for the relevant  
14          consecutive period of time; and

15           (ii) of the total time the user has actively used the platform that  
16          calendar day; and

17           (B) only disappear upon the user closing the notification.

18           (2) A social media platform may allow a user to customize the period of  
19          time resulting in the notification, provided that the maximum time period shall  
20          not exceed 60 minutes.

21          (e) Enforcement and rulemaking.

1           (1) A person that violates this section or rules adopted pursuant to this  
2           section commits an unfair and deceptive act in commerce in violation of  
3           section 2453 of this chapter.

4           (2) The Attorney General shall have the same authority under this  
5           section to make rules, conduct civil investigations, bring civil actions, and  
6           enter into assurances of discontinuance as provided in this chapter.

7           (f) Definitions. As used in this section, “social media platform” means a  
8           website, mobile application, or internet medium that:

9           (1) permits a person to become a registered user, establish an account, or  
10          create a profile for the purpose of allowing users to create, share, and view  
11          user-generated content through such an account or profile;

12          (2) enables one or more users to generate content that can be viewed by  
13          other users of the medium; and

14          (3) primarily serves as a medium for users to interact with content  
15          generated by other users of the medium.

16       Sec. 2. SOCIAL MEDIA WARNING LABEL GUIDELINES

17          The Attorney General shall publish the guidelines for social media warning  
18          labels pursuant to 9 V.S.A. § 2470oo(b) on or before April 1, 2027.

1      Sec. 3. EFFECTIVE DATES

2            This act shall take effect on July 1, 2027, except that this section (effective  
3            dates) and Sec. 2 (social media warning label guidelines) shall take effect on  
4            July 1, 2026.