

1 H.823
2 Introduced by Representatives Arsenault of Williston and Goodnow of
3 Brattleboro
4 Referred to Committee on
5 Date:
6 Subject: Commerce and trade; consumer protection; social media warning
7 labels
8 Statement of purpose of bill as introduced: This bill proposes to require
9 persons that operate social media platforms to place warning labels on the
10 platforms that warn their users of the mental health dangers of using social
11 media.

12 An act relating to social media warning labels
13 It is hereby enacted by the General Assembly of the State of Vermont:
14 Sec. 1. 9 V.S.A. chapter 63, subchapter 1F is added to read:
15 Subchapter 1F. Social Media Warning Labels
16 § 2470oo. WARNING LABELS AND NOTIFICATIONS
17 (a) Requirements. A person shall include a mental health warning label on
18 a social media platform it operates that:
19 (1) follows the guidelines developed by the Attorney General pursuant
20 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.