

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0476.01 Richard Sweetman x4333

HOUSE BILL 25-1287

HOUSE SPONSORSHIP

Caldwell and Lukens,

SENATE SPONSORSHIP

Pelton B. and Michaelson Jenet,

House Committees

Health & Human Services
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING TOOLS TO PROTECT MINOR USERS OF SOCIAL MEDIA.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill establishes certain requirements for social media companies and social media platforms in order to protect Colorado minor users. Specifically, the bill:

- Relocates, with amendments, certain language requiring a social media platform to include a function that provides minor users information about their engagement in social media, which language was enacted in 2024 by House Bill 24-1136;

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- Requires a social media company to implement an age assurance system to determine whether a current or prospective Colorado user on the social media company's social media platform is a minor;
- Requires a social media company to provide tools and settings for a minor user to control their own experience using a social media platform;
- Requires a social media company to provide tools and settings for parents to support a minor user of a social media platform;
- Specifies minimum capabilities for the tools and settings;
- Requires a social media company to take additional specific measures to maximize the privacy and security of minor users;
- Prohibits a social media platform from leading or encouraging a minor or parent to provide personal information, provide consent, disable safeguards or parental tools, or forgo privacy or security protections using a mechanism or interface that is designed to substantially subvert or impair, or that is manipulated with the effect of substantially subverting or impairing, user autonomy, decision-making, or choice;
- Deems the use of a design, algorithm, or feature to increase, sustain, or extend a minor user's engagement with, or use of, a social media platform to be processing that presents a heightened risk of harm to minors, as defined in existing law, and therefore subject to certain data analysis requirements; and
- Authorizes the attorney general to adopt rules to implement the bill.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
 3 finds and declares that:

4 (a) Colorado has a compelling interest in safeguarding the
 5 well-being and privacy of minors in the state;

6 (b) More than 90% of United States teenagers have smartphones
 7 and use social media, with nearly half stating they are online almost
 8 constantly. Almost 40% of children ages 8 to 12 use social media, and the

1 number is growing.

2 (c) Social media platforms use addictive design features that cause
3 young users to spend more time on social media than they otherwise
4 would, impacting sleep patterns, academic performance, and overall
5 health. Prolonged and unregulated social media use has been linked to
6 adverse effects on the mental health of minors, including significantly
7 higher rates of depression, anxiety, suicidal ideation, and self-harm.

8 (d) As the United States surgeon general has reported, recent
9 evidence has identified reasons for concern about social media usage by
10 children and adolescents. This evidence includes a study concluding that
11 the risk of poor mental health outcomes doubles for children and
12 adolescents who use social media at least 3 hours a day and research
13 finding that social media usage is linked to a variety of negative health
14 outcomes, including low self-esteem and disordered eating, for adolescent
15 girls.

16 (e) Colorado and the entire nation are facing an ongoing youth
17 mental health crisis, with rates of adolescent suicides, depressive
18 episodes, and feelings of sadness and hopelessness on the rise in recent
19 years;

20 (f) The proliferation of social media services also has led to the
21 widespread collection and utilization of personal information, exposing
22 minors to potential privacy and identity-related harms;

23 (g) Creating a safer social media environment for minors requires
24 that Colorado take action to protect minors from negative mental health
25 impacts and safeguard their privacy and personal information;

26 (h) Colorado has a long history of enacting safeguards around
27 products and activities that pose risks to minors, including regulations on

1 motor vehicles, medications, addictive substances, and products and
2 services targeted to children;

3 (i) Social media platforms are designed without sufficient tools to
4 allow minors to manage their use of the platforms or to allow for
5 adequate parental support;

6 (j) Age-appropriate tools are needed to allow minors and their
7 parents to set appropriate boundaries, particularly for features and settings
8 that cause excessive use. In addition, it is critical that the security and
9 privacy of minors using social media are adequately protected.

10 (k) To ensure minors and their parents have access to tools and
11 safeguards for a safer social media environment, age assurance is needed.

12 (2) Therefore, the general assembly declares that it is essential that
13 Colorado act to require that social media companies provide
14 common-sense protections for minor users in this state.

15 **SECTION 2.** In Colorado Revised Statutes, **amend with**
16 **amended and relocated provisions** part 16 of article 1 of title 6 as
17 follows:

18 **6-1-1601. Definitions.** AS USED IN THIS PART 16, UNLESS THE
19 CONTEXT OTHERWISE REQUIRES:

20 (1) "AGE ASSURANCE SYSTEM" MEANS MEASURES REASONABLY
21 CALCULATED TO ENABLE A SOCIAL MEDIA COMPANY TO IDENTIFY WITH AN
22 ACCURACY RATE OF AT LEAST NINETY-FIVE PERCENT WHETHER A CURRENT
23 OR PROSPECTIVE COLORADO USER IS:

24 (a) A MINOR; OR

25 (b) A CHILD FOR PURPOSES OF THE "CHILDREN'S ONLINE PRIVACY
26 PROTECTION ACT OF 1998", 18 U.S.C. SEC. 6501, ET SEQ.

27 (2) "CHILD" MEANS AN INDIVIDUAL WHO IS UNDER THIRTEEN

1 YEARS OF AGE.

2 (3) "COLORADO MINOR USER" OR "MINOR USER" MEANS A
3 COLORADO RESIDENT WHO IS UNDER EIGHTEEN YEARS OF AGE AND WHO
4 HAS, REGISTERS, ESTABLISHES, OR OPENS AN ACCOUNT OR PROFILE TO USE
5 A SOCIAL MEDIA PLATFORM.

6 (4) "COLORADO USER" MEANS A COLORADO RESIDENT WHO HAS,
7 REGISTERS, ESTABLISHES, OR OPENS AN ACCOUNT OR PROFILE TO USE A
8 SOCIAL MEDIA PLATFORM.

9 (5) "CONNECTED ACCOUNT" MEANS AN ACCOUNT OR USER ON A
10 SOCIAL MEDIA PLATFORM, WHICH ACCOUNT OR USER IS CONNECTED TO
11 ANOTHER ACCOUNT OR USER BY:

12 (a) SENDING A REQUEST TO CONNECT TO ANOTHER ACCOUNT OR
13 USER AND HAVING THE REQUEST TO CONNECT ACCEPTED BY THE OTHER
14 ACCOUNT HOLDER OR USER; OR

15 (b) RECEIVING A REQUEST TO CONNECT FROM ANOTHER ACCOUNT
16 OR USER AND ACCEPTING THE REQUEST TO CONNECT.

17 (6) "COVERED FEATURE" MEANS:

18 (a) AN AUTO-PLAY FEATURE, INCLUDING AUTOMATIC PLAYING OF
19 MEDIA CONTENT;

20 (b) SCROLLING OR PAGINATION THAT LOADS ADDITIONAL CONTENT
21 AS LONG AS THE USER CONTINUES SCROLLING;

22 (c) EPHEMERAL CONTENT FEEDS;

23 (d) NOTIFICATION AND ALERT FEATURES;

24 (e) REWARDS FEATURES, INCLUDING REWARDS FOR TIME SPENT ON
25 A SOCIAL MEDIA PLATFORM;

26 (f) A PERSONALIZED RECOMMENDATION SYSTEM;

27 (g) ENGAGEMENT FEATURES SUCH AS COMMENTS, LIKES, TAGS,

1 AND OTHER FORMS OF FEEDBACK, INCLUDING QUANTIFICATION OF SUCH
2 FEATURES, REGARDING ANY ITEM GENERATED BY A USER; AND

3 (h) GEOLOCATION FEATURES THAT SHARE OR PROVIDE
4 INFORMATION ABOUT THE GEOLOCATION OF A MINOR USER TO OTHER
5 USERS ON A SOCIAL MEDIA PLATFORM.

6 (7) "DEVICE" HAS THE MEANING SET FORTH IN SECTION
7 24-37.5-902 (3).

8 (8) "IDENTIFIED OR IDENTIFIABLE INDIVIDUAL" HAS THE MEANING
9 SET FORTH IN SECTION 6-1-1303 (16).

10 (9) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN
11 YEARS OF AGE.

12 (10) "PARENT" MEANS A PARENT OR LEGAL GUARDIAN OF A MINOR.

13 (11) "PERSONAL DATA" HAS THE MEANING SET FORTH IN SECTION
14 6-1-1303 (17).

15 (12) "PERSONALIZED RECOMMENDATION SYSTEM" MEANS A FULLY
16 OR PARTIALLY AUTOMATED SYSTEM USED TO SUGGEST, PROMOTE, OR
17 RANK CONTENT, INCLUDING OTHER USERS OR POSTS, BASED ON THE
18 PERSONAL DATA OF USERS.

19 (13) "SOCIAL MEDIA COMPANY" MEANS A PERSON THAT OWNS OR
20 OPERATES ONE OR MORE SOCIAL MEDIA PLATFORMS.

21 (14) (a) "SOCIAL MEDIA PLATFORM" MEANS AN INTERNET-BASED
22 SERVICE OR APPLICATION THAT HAS USERS IN COLORADO AND MEETS
23 BOTH OF THE FOLLOWING CRITERIA:

24 (I) A SUBSTANTIAL FUNCTION OF THE SERVICE OR APPLICATION IS
25 TO ALLOW USERS TO INTERACT SOCIALLY WITH EACH OTHER WITHIN THE
26 SERVICE OR APPLICATION; AND

27 (II) THE SERVICE OR APPLICATION ALLOWS A USER TO:

1 (A) BECOME A REGISTERED USER, ESTABLISH AN ACCOUNT,
2 CONSTRUCT A PUBLIC OR SEMIPUBLIC PROFILE FOR PURPOSES OF SIGNING
3 INTO AND USING THE SERVICE OR APPLICATION, OR POPULATE A LIST OF
4 OTHER USERS OR ACCOUNTS WITH WHOM AN INDIVIDUAL SHARES A SOCIAL
5 CONNECTION WITHIN THE SERVICE OR APPLICATION; AND

6 (B) CREATE OR POST CONTENT THAT IS VIEWABLE BY OTHER
7 USERS.

8 (b) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
9 INTERNET-BASED SERVICE OR APPLICATION IF THE PREDOMINANT OR
10 EXCLUSIVE FUNCTION OF THE SERVICE OR APPLICATION IS:

11 (I) PROVIDING INTERNET ACCESS OR BROADBAND SERVICE;

12 (II) PROVIDING ELECTRONIC MAIL;

13 (III) PROVIDING DIRECT MESSAGING WHEREBY MESSAGES ARE
14 SENT BETWEEN DEVICES BY ELECTRONIC MEANS, ARE SHARED BETWEEN
15 A SENDER AND A RECIPIENT, ARE VISIBLE ONLY TO THE SENDER AND THE
16 RECIPIENT, ARE NOT POSTED PUBLICLY, AND ARE NOT EMBEDDED INTO A
17 SOCIAL MEDIA PLATFORM;

18 (IV) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
19 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
20 ENTERPRISE, SO LONG AS ACCESS TO THE SERVICE OR APPLICATION IS
21 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
22 ENTERPRISE;

23 (V) SELLING ENTERPRISE SOFTWARE TO BUSINESSES,
24 GOVERNMENTS, OR NONPROFIT ORGANIZATIONS;

25 (VI) PROVIDING CLOUD-BASED ELECTRONIC STORAGE, INCLUDING
26 CLOUD-BASED STORAGE THAT ALLOWS COLLABORATIVE EDITING BY
27 INVITED USERS;

1 (VII) FACILITATING TELECONFERENCING AND VIDEO
2 CONFERENCING FEATURES THAT ARE LIMITED TO CERTAIN PARTICIPANTS
3 IN THE TELECONFERENCE OR VIDEO CONFERENCE AND ARE NOT POSTED
4 PUBLICLY OR FOR BROAD DISTRIBUTION TO OTHER USERS;

5 (VIII) FACILITATING CROWD-SOURCED CONTENT FOR REFERENCE
6 GUIDES, SUCH AS ENCYCLOPEDIAS, EDUCATIONAL MATERIALS, AND
7 DICTIONARIES;

8 (IX) FACILITATING ONLINE SHOPPING OR E-COMMERCE IF THE
9 RELATED INTERACTIONS BETWEEN USERS OR ACCOUNT HOLDERS ARE
10 LIMITED TO:

11 (A) THE ABILITY TO POST AND VIEW COMMENTS AS PART OF
12 RATINGS AND REVIEWS OF PRODUCTS;

13 (B) THE ABILITY TO DISPLAY LISTS OR COLLECTIONS OF GOODS FOR
14 SALE OR WISH LISTS; AND

15 (C) OTHER FUNCTIONS THAT ARE FOCUSED ON ONLINE SHOPPING
16 OR E-COMMERCE RATHER THAN OTHER INTERACTIONS BETWEEN USERS OR
17 ACCOUNT HOLDERS;

18 (X) PROVIDING A STREAMING SERVICE THAT:

19 (A) STREAMS ONLY LICENSED AND NOT USER-GENERATED MEDIA
20 CONTENT IN A CONTINUOUS FLOW FROM THE SERVICE, WEBSITE, OR
21 APPLICATION TO THE END USER; AND

22 (B) DOES NOT REQUIRE A USER OR ACCOUNT HOLDER TO AGREE TO
23 THE SERVICE'S OR APPLICATION'S TERMS OF SERVICE IN ORDER TO OBTAIN
24 A LICENSE TO ACCESS THE MEDIA CONTENT;

25 (XI) PROVIDING NEWS, SPORTS, ENTERTAINMENT, OR OTHER
26 CONTENT THAT IS PRESELECTED BY THE PROVIDER AND NOT
27 USER-GENERATED;

1 (XII) PROVIDING AN ONLINE SERVICE, WEBSITE, OR APPLICATION
2 THAT IS USED BY OR UNDER THE DIRECTION OF AN EDUCATIONAL ENTITY,
3 INCLUDING A LEARNING MANAGEMENT SYSTEM, A STUDENT ENGAGEMENT
4 PROGRAM, OR A SUBJECT- OR SKILL-SPECIFIC PROGRAM, WHERE THE
5 CONTENT IS PREDOMINANTLY CREATED OR POSTED BY THE PROVIDER OF
6 THE ONLINE SERVICE, WEBSITE, OR APPLICATION, AND THE ABILITY TO
7 CHAT, COMMENT, OR INTERACT WITH OTHER USERS IS DIRECTLY RELATED
8 TO THE PROVIDER'S CONTENT;

9 (XIII) PROVIDING OR OBTAINING TECHNICAL SUPPORT FOR A
10 SOFTWARE PLATFORM, PRODUCT, OR SERVICE;

11 (XIV) PROVIDING CAREER DEVELOPMENT OPPORTUNITIES,
12 INCLUDING PROFESSIONAL NETWORKING, JOB SKILLS, LEARNING
13 CERTIFICATIONS, AND JOB POSTING AND APPLICATION SERVICES;

14 (XV) FACILITATING ACADEMIC OR SCHOLARLY RESEARCH;

15 (XVI) PROVIDING INTERACTIVE GAMING, VIRTUAL GAMING, OR AN
16 ONLINE SERVICE THAT ALLOWS THE CREATION AND UPLOADING OF
17 CONTENT FOR THE PURPOSE OF INTERACTIVE GAMING, EDUCATIONAL
18 ENTERTAINMENT, OR OTHER ENTERTAINMENT, AND THE COMMUNICATION
19 RELATED TO THAT CONTENT; OR

20 (XVII) REPORTING OR DISSEMINATING NEWS INFORMATION FOR A
21 MASS MEDIUM, AS DEFINED IN SECTION 13-90-119 (1)(a).

22 (c) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
23 INTERNET-BASED SERVICE OR APPLICATION IF:

24 (I) THE CONTENT THAT IS POSTED OR CREATED IS PREDOMINANTLY
25 POSTED OR CREATED BY THE PROVIDER OF THE INTERNET-BASED SERVICE
26 OR APPLICATION AND NOT USER-GENERATED; AND

27 (II) THE ABILITY TO CHAT, COMMENT, OR INTERACT WITH OTHER

1 USERS IS DIRECTLY RELATED TO THE PROVIDER'S CONTENT.

2

3 **6-1-1602. [Formerly 6-1-1601] Social media platform - minor**

4 **users.** (1) On or after January 1, 2026, a social media platform must
5 ~~establish~~ INCLUDE a function that either:

6 (a) Meets the criteria in subsection (2) of this section and ~~be~~ IS
7 informed by the standards established in ~~subsection (5)~~ SUBSECTION (4)
8 of this section; or

9 (b) Displays a pop-up or full screen notification to a user who
10 attests to being under ~~the age of~~ eighteen YEARS OF AGE when the user:

11 (I) Has spent one cumulative hour on the social media platform
12 during a twenty-four-hour period; or

13 (II) Is on a social media platform between the hours of 10 p.m.
14 and 6 a.m.

15 (2) The function ~~established pursuant to~~ DESCRIBED IN subsection
16 (1) of this section must provide users who are under ~~the age of~~ eighteen
17 YEARS OF AGE with information about their engagement in social media
18 that helps the user understand the impact of social media on the
19 developing brain and the mental and physical health of ~~youth~~ MINOR
20 users. The information must be supported by data from peer-reviewed
21 scholarly articles or the sources included in the mental health and
22 technology resource bank established in section 22-2-127.8 (1).

23 (3) If the social media platform ~~establishes~~ INCLUDES the function
24 described in subsection (1)(b) of this section, the function must repeat at
25 least every thirty minutes after the initial notification.

26 ~~(4) (a) As used in this section, "social media platform" means an~~
27 ~~internet-based service, website, or application that:~~

1 ~~(I) Has more than one hundred thousand active users in Colorado;~~

2 ~~(II) Permits a person to become a registered user, establish an~~
3 ~~account, or create a public or semipublic profile for the purpose of~~
4 ~~allowing users to create, share, and view user-generated content through~~
5 ~~the account or profile;~~

6 ~~(III) Enables one or more users to create or post content that can~~
7 ~~be viewed by other users of the medium; and~~

8 ~~(IV) Includes a substantial function to allow users to interact~~
9 ~~socially with each other within the service or application. A service or~~
10 ~~application that provides electronic mail or direct messaging services~~
11 ~~does not meet the criterion described in this subsection (4) on the basis of~~
12 ~~that function alone.~~

13 ~~(b) "Social media platform" does not include an internet-based~~
14 ~~service or application in which the predominant or exclusive function is:~~

15 ~~(I) Providing electronic mail;~~

16 ~~(II) Facilitating commercial transactions, if the interaction with~~
17 ~~other users or account holders is generally limited to:~~

18 ~~(A) The ability to upload a post and comment on reviews or the~~
19 ~~ability to display lists or collections of goods for sale or wish lists; and~~

20 ~~(B) The primary function of the platform is focused on online~~
21 ~~shopping or e-commerce rather than interactions between users or~~
22 ~~account holders;~~

23 ~~(III) Facilitating teleconferencing and video conferencing features~~
24 ~~that are limited to certain participants in the teleconference or video~~
25 ~~conference and are not posted publicly or for broad distribution to other~~
26 ~~users;~~

27 ~~(IV) Facilitating crowd-sourced content for reference guides such~~

- 1 as encyclopedias and dictionaries;
- 2 ~~(V) Providing cloud-based electronic services, including~~
3 ~~cloud-based services that allow collaborative editing by invited users;~~
- 4 ~~(VI) Consisting primarily of news, sports, entertainment, or other~~
5 ~~content that is preselected by the provider and not user generated and any~~
6 ~~chat, comment, or interactive functionality that is provided incidental to,~~
7 ~~directly related to, or dependent upon provision of the content;~~
- 8 ~~(VII) Interactive gaming, virtual gaming, or an online service that~~
9 ~~allows the creation and uploading of content for the purpose of interactive~~
10 ~~or virtual gaming;~~
- 11 ~~(VIII) Providing information concerning businesses, products, or~~
12 ~~travel information, including user reviews or rankings of businesses or~~
13 ~~products;~~
- 14 ~~(IX) Facilitating communication within a business or an enterprise~~
15 ~~among employees or affiliates of the business or enterprise, so long as~~
16 ~~access to the service or application is restricted to employees or affiliates~~
17 ~~of the business or enterprise;~~
- 18 ~~(X) Selling enterprise software to businesses, governments, or~~
19 ~~nonprofit organizations;~~
- 20 ~~(XI) Providing a streaming service that streams only licensed~~
21 ~~media in a continuous flow from the service, website, or application to the~~
22 ~~end user and does not require a user or account holder to obtain a license~~
23 ~~for the media by agreement with a social media platform's terms of~~
24 ~~service;~~
- 25 ~~(XII) Providing an online service, website, or application that is~~
26 ~~used by or under the direction of an educational entity, including a~~
27 ~~learning management system, a student engagement program, or a~~

1 ~~subject- or skill-specific program, for which the majority of the content~~
2 ~~is created or posted by the provider of the online service, website, or~~
3 ~~application and the ability to chat, comment, or interact with other users~~
4 ~~is directly related to the provider's content;~~

5 ~~(XIII) Providing or obtaining technical support for a platform,~~
6 ~~product, or service;~~

7 ~~(XIV) Providing career development opportunities, including~~
8 ~~professional networking, job skills, learning certifications, and job~~
9 ~~posting and application services;~~

10 ~~(XV) Focused on facilitating academic or scholarly research; or~~

11 ~~(XVI) Reporting or disseminating news information for a mass~~
12 ~~medium, as defined in section 13-90-119.~~

13 (5) (4) The chief information officer in the office of information
14 technology, in consultation with the director of the center for health and
15 environmental data division of the Colorado department of public health
16 and environment and the temporary stakeholder group established in
17 section 22-2-127.8, shall establish standards for a user tool or function
18 that meets the requirements of subsection (1) of this section for a social
19 media platform. The standards must:

20 (a) Recommend intervals for notification frequency that are
21 similar to those in subsection (3) of this section;

22 (b) Provide sample messaging for the content of the notification;

23 (c) Be informed by data and research on the efficacy of
24 notifications; and

25 (d) Recommend the age range of users who would most benefit
26 from notifications.

27 **6-1-1603. Age assurance system required - requirements for**

1 **social media companies - review process - appeals - collection and**
2 **retention of personal data restricted - effective date contingent upon**
3 **certification of the attorney general - notice to the revisor of statutes.**

4 (1) A SOCIAL MEDIA COMPANY SHALL IMPLEMENT AN AGE ASSURANCE
5 SYSTEM TO DETERMINE WHETHER A CURRENT OR PROSPECTIVE COLORADO
6 USER ON THE SOCIAL MEDIA COMPANY'S SOCIAL MEDIA PLATFORM IS A
7 MINOR.

8 (2) (a) A SOCIAL MEDIA COMPANY SHALL PROVIDE A COLORADO
9 USER THAT THE SOCIAL MEDIA COMPANY IDENTIFIES AS A MINOR THROUGH
10 THE USE OF AN AGE ASSURANCE SYSTEM WITH TOOLS AND SAFEGUARDS
11 FOR COLORADO MINOR USERS, INCLUDING THOSE TOOLS AND SAFEGUARDS
12 DESCRIBED IN SECTIONS 6-1-1602, 6-1-1604, AND 6-1-1605.

13 (b) A SOCIAL MEDIA COMPANY SHALL TREAT A COLORADO USER
14 WHO DOES NOT PARTICIPATE IN AN AGE ASSURANCE SYSTEM, OR FOR
15 WHOM AN AGE ASSURANCE SYSTEM DOES NOT RESULT IN A
16 DETERMINATION, AS A MINOR USER. A COLORADO USER WHO IS DEEMED
17 TO BE A MINOR USER MAY APPEAL THE DETERMINATION THROUGH THE
18 REVIEW PROCESS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION.

19 (3) (a) A SOCIAL MEDIA COMPANY SHALL:

20 (I) IMPLEMENT A REVIEW PROCESS THAT ALLOWS A COLORADO
21 USER TO APPEAL THE COLORADO USER'S AGE DESIGNATION BY SUBMITTING
22 INFORMATION TO ESTABLISH THE COLORADO USER'S AGE WITHIN THIRTY
23 DAYS AFTER THE DETERMINATION IS MADE; AND

24 (II) REVIEW INFORMATION SUBMITTED BY A COLORADO USER
25 PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION AND MAKE A
26 DETERMINATION WITHIN THIRTY DAYS AFTER THE COLORADO USER'S
27 SUBMISSION OF THE INFORMATION.

1 (b) NOTHING IN THIS SECTION REQUIRES THE USE OF
2 GOVERNMENT-ISSUED IDENTIFICATION.

3 (4) A SOCIAL MEDIA COMPANY SHALL:

4 (a) COLLECT PERSONAL DATA OF A COLORADO USER ONLY AS
5 STRICTLY NECESSARY FOR AGE ASSURANCE;

6 (b) UPON DETERMINING WHETHER A COLORADO USER IS A MINOR
7 USER, RETAIN ANY PERSONAL DATA COLLECTED FROM THE USER FOR AGE
8 ASSURANCE FOR NO MORE THAN THIRTY DAYS, SOLELY FOR THE PURPOSE
9 OF EVALUATING AN AGE DETERMINATION APPEAL. IF NO APPEAL IS
10 SUBMITTED WITHIN THIRTY DAYS, A SOCIAL MEDIA COMPANY SHALL
11 IMMEDIATELY DELETE ANY PERSONAL DATA COLLECTED FROM THE USER
12 FOR AGE ASSURANCE, EXCEPT THE DETERMINATION OF WHETHER THE USER
13 IS OR IS NOT A MINOR. IF A USER APPEALS AN AGE DETERMINATION USING
14 THE PROCESS DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION, A SOCIAL
15 MEDIA COMPANY SHALL RETAIN ANY PERSONAL DATA COLLECTED FROM
16 THE USER FOR AGE ASSURANCE FOR THE SOLE PURPOSE OF EVALUATING
17 THE APPEAL WITHIN THIRTY DAYS AFTER ITS SUBMISSION. AFTER THE
18 DETERMINATION OF THE APPEAL, A SOCIAL MEDIA COMPANY SHALL
19 IMMEDIATELY DELETE ANY PERSONAL DATA COLLECTED FROM THE USER
20 FOR AGE ASSURANCE, EXCEPT THE DETERMINATION OF WHETHER THE USER
21 IS A MINOR.

22 (c) SEGREGATE AND NOT COMBINE A COLORADO USER'S PERSONAL
23 DATA COLLECTED FOR AGE ASSURANCE WITH ANY OTHER PERSONAL DATA
24 OF THE USER, EXCEPT WHETHER THE USER IS OR IS NOT DETERMINED TO BE
25 A MINOR; AND

26 (d) NOT STORE OR USE ANY PERSONAL DATA OF A COLORADO USER
27 COLLECTED FOR AGE ASSURANCE FOR ANY OTHER PURPOSE EXCEPT WHERE

1 NECESSARY FOR COMPLIANCE WITH ANY APPLICABLE PROVISIONS OF STATE
2 OR FEDERAL LAW OR REGULATION.

3 (5) (a) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO
4 THE CONTRARY, THIS SECTION TAKES EFFECT OCTOBER 1, 2027; EXCEPT
5 THAT THIS SECTION TAKES EFFECT ONLY IF, ON OR BEFORE OCTOBER 1,
6 2027, THE ATTORNEY GENERAL CERTIFIES THAT NEITHER A COLORADO
7 STATE COURT, THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
8 COLORADO, THE UNITED STATES COURT OF APPEALS FOR THE TENTH
9 CIRCUIT, NOR THE UNITED STATES SUPREME COURT HAS HELD, IN A
10 DECISION THAT HAS NOT BEEN OVERTURNED OR STAYED AND THAT
11 OTHERWISE REMAINS LAW, THAT THE USE OF AN AGE ASSURANCE SYSTEM
12 AS DESCRIBED IN THIS PART 16 VIOLATES THE STATE CONSTITUTION OR
13 THE UNITED STATES CONSTITUTION. NOTHING IN THIS SUBSECTION (5)(a)
14 PRECLUDES FUTURE ACTION TO CONFORM TO SUCH A COURT DECISION IF
15 THIS CERTIFICATION CANNOT BE PROVIDED.

16 (b) IF THE ATTORNEY GENERAL MAKES A CERTIFICATION AS
17 DESCRIBED IN SUBSECTION (5)(a) OF THIS SECTION, THE ATTORNEY
18 GENERAL SHALL NOTIFY THE REVISOR OF STATUTES IN WRITING OF THE
19 DATE WHEN THE CERTIFICATION HAS OCCURRED BY EMAILING THE
20 WRITTEN NOTICE TO REVISOROFSTATUTES.GA@COLEG.GOV.

21 **6-1-1604. Tools for Colorado minor users required - minimum**
22 **capabilities - default setting.** (1) A SOCIAL MEDIA COMPANY SHALL
23 PROVIDE A COLORADO MINOR USER WITH READILY ACCESSIBLE AND
24 EASY-TO-USE TOOLS AND SETTINGS TO PROTECT THE COLORADO MINOR
25 USER'S HEALTH AND SAFETY, WHICH TOOLS AND SETTINGS, AT A MINIMUM,
26 INCLUDE THE ABILITY TO:

27 (a) DISABLE COVERED FEATURES, INCLUDING THE ABILITY TO

1 DISABLE A PERSONALIZED RECOMMENDATION SYSTEM WHILE STILL
2 ALLOWING THE DISPLAY OF CONTENT IN A CHRONOLOGICAL OR OTHER
3 NONPERSONALIZED FORMAT;

4 (b) SET TIME LIMITS FOR THE MINOR'S DAILY USAGE OF A SOCIAL
5 MEDIA PLATFORM ACROSS DEVICES;

6 (c) SCHEDULE MANDATORY BREAKS FOR THE MINOR DURING
7 SELECTED DAYS AND TIMES ACROSS DEVICES;

8 (d) MANAGE [REDACTED] CONSENT REQUIREMENTS AS DESCRIBED IN
9 SECTION 6-1-1308.5 (3)(a); AND

10 (e) REPORT PROBLEMS, UNWANTED CONTACT, AND
11 POLICY-VIOLATIVE CONTENT AND ACTIVITY TO THE SOCIAL MEDIA
12 COMPANY.

13 (2) A SOCIAL MEDIA PLATFORM SHALL ENABLE THE ABILITY
14 DESCRIBED IN SUBSECTION (1)(a) OF THIS SECTION BY DEFAULT.

15 [REDACTED]
16 **6-1-1605. Colorado minor user accounts - requirements for**

17 **social media companies - safeguards - default settings.** (1) A SOCIAL
18 MEDIA COMPANY SHALL TAKE MEASURES TO MAXIMIZE THE PRIVACY AND
19 SECURITY OF COLORADO MINOR USERS, INCLUDING MEASURES TO:

20 (a) COMPLY WITH ALL PROVISIONS WITHIN PART 13 OF THIS
21 ARTICLE 1, INCLUDING APPLICABLE RESTRICTIONS ON DATA COLLECTION
22 FROM MINOR USER ACCOUNTS AND MEASURES TO PROTECT THE
23 CONFIDENTIALITY, SECURITY, AND INTEGRITY OF PERSONAL INFORMATION
24 COLLECTED FROM A MINOR USER;

25 (b) PROVIDE AN EASILY ACCESSIBLE AND UNDERSTANDABLE
26 NOTICE, AS DESCRIBED IN SECTION 6-1-1308(1), SPECIFICALLY FOR MINOR
27 USERS, WHICH NOTICE:

1 (I) DESCRIBES ANY INFORMATION THE SOCIAL MEDIA COMPANY
2 COLLECTS FROM A MINOR USER, INCLUDING GEOLOCATION INFORMATION;

3 ■
4 (II) EXPLAINS HOW THE INFORMATION MAY BE USED OR
5 DISCLOSED; AND

6 (III) INCLUDES A DESCRIPTION OF HOW ALL PERSONALIZED
7 RECOMMENDATION SYSTEMS ARE USED BY THE SOCIAL MEDIA COMPANY
8 TO PROVIDE INFORMATION TO MINORS AND INFORMATION REGARDING HOW
9 MINORS OR THEIR PARENTS CAN OPT OUT OF OR CONTROL SUCH SYSTEMS;

10 (c) CONFIGURE THE FOLLOWING DEFAULT SETTINGS:

11 (I) RESTRICT PUBLIC ACCESS TO A USER'S PERSONAL DATA
12 COLLECTED BY OR SHARED ON THE SOCIAL MEDIA PLATFORM;

13 (II) DISABLE SEARCH ENGINE INDEXING OF MINOR PROFILES OR
14 ACCOUNTS;

15 (III) RESTRICT THE VISIBILITY OF A MINOR USER'S ACCOUNT TO
16 ONLY CONNECTED ACCOUNTS;

17 (IV) PREVENT THE RECOMMENDATION OR DISPLAY OF A MINOR
18 USER'S ACCOUNT TO ADULT USERS TO WHOM THE MINOR IS NOT
19 CONNECTED;

20 (V) RESTRICT THE VISIBILITY OF INFORMATION POSTED BY A
21 MINOR USER SO THAT IT APPEARS ONLY TO USERS WITH CONNECTED
22 ACCOUNTS;

23 (VI) LIMIT A MINOR USER'S DIRECT MESSAGING CAPABILITIES TO
24 ALLOW DIRECT MESSAGING ONLY WITH CONNECTED ACCOUNTS;

25 (VII) PROVIDE A MINOR USER WITH CLEAR AND CONSPICUOUS
26 WARNINGS WHEN CONTENT SHARED BY THE MINOR ON THE SOCIAL MEDIA
27 PLATFORM MAY CONTAIN THE MINOR'S GEOLOCATION INFORMATION; AND

1 (VIII) NOT DISPLAY A MINOR USER'S LOCATION TO OTHER USERS
2 UNLESS THE MINOR EXPRESSLY AND UNAMBIGUOUSLY SHARES THEIR
3 LOCATION WITH A SPECIFIC USER;

4 (d) ALLOW A MINOR TO DOWNLOAD A FILE WITH ALL INFORMATION
5 ASSOCIATED WITH THE MINOR USER'S ACCOUNT; AND

6 (e) UPON REQUEST OF A MINOR USER:

7 (I) DELETE THE MINOR USER'S ACCOUNT; OR

8 (II) DELETE ANY INFORMATION OR MATERIAL THE MINOR USER
9 MADE PUBLICLY AVAILABLE ON OR THROUGH THE SOCIAL MEDIA
10 PLATFORM.

11 (2) A SOCIAL MEDIA COMPANY SHALL:

12 (a) CONFIGURE ALL DEFAULT SETTINGS FOR A MINOR USER'S
13 ACCOUNT ON THE SOCIAL MEDIA PLATFORM TO THE OPTION AVAILABLE
14 THAT PROVIDES THE MOST PROTECTIVE LEVEL OF PRIVACY AND SECURITY
15 FOR THE MINOR USER; AND

16 (b) NOT PROVIDE A MINOR USER WITH A SINGLE SETTING THAT
17 MAKES ALL OF THE DEFAULT SETTINGS LESS PROTECTIVE AT ONCE.

18 **6-1-1606. Social media platforms - user autonomy.** A SOCIAL
19 MEDIA PLATFORM SHALL NOT LEAD OR ENCOURAGE A COLORADO MINOR
20 USER OR A PARENT OF A COLORADO MINOR USER TO PROVIDE PERSONAL
21 INFORMATION, PROVIDE CONSENT, DISABLE SAFEGUARDS, OR FORGO
22 PRIVACY OR SECURITY PROTECTIONS REQUIRED UNDER THIS PART 16 USING
23 ANY MECHANISM OR INTERFACE THAT IS DESIGNED TO SUBSTANTIALLY
24 SUBVERT OR IMPAIR, OR THAT IS MANIPULATED WITH THE EFFECT OF
25 SUBSTANTIALLY SUBVERTING OR IMPAIRING, USER AUTONOMY,
26 DECISION-MAKING, OR CHOICE.

27 **6-1-1607. Social media companies - use of engagement designs,**

1 **algorithms, and features.** THE USE OF A DESIGN, ALGORITHM, OR
2 FEATURE TO INCREASE, SUSTAIN, OR EXTEND A COLORADO MINOR USER'S
3 ENGAGEMENT WITH, OR USE OF, A SOCIAL MEDIA PLATFORM IS
4 CONSIDERED PROCESSING THAT PRESENTS A HEIGHTENED RISK OF HARM
5 TO MINORS, AS DEFINED IN SECTION 6-1-1303 (14.5), AND IS SUBJECT TO
6 THE REQUIREMENTS OF SECTION 6-1-1309.5.

7 **6-1-1608. Collection of personal data restricted.** A SOCIAL
8 MEDIA PLATFORM SHALL COLLECT PERSONAL DATA ONLY AS IS
9 REASONABLY NECESSARY AND PROPORTIONATE TO PROVIDE OR MAINTAIN
10 A SPECIFIC PRODUCT OR SERVICE REQUESTED BY THE CONSUMER TO WHOM
11 THE DATA PERTAINS.

12 **6-1-1609. Violations - unfair or deceptive trade practice.** A
13 PERSON THAT KNOWINGLY OR RECKLESSLY VIOLATES THIS PART 16 OR
14 AIDS OR ABETS A VIOLATION OF THIS PART 16 COMMITS A DECEPTIVE
15 TRADE PRACTICE, AS DESCRIBED IN SECTION 6-1-105 (1)(iii).

16 **6-1-1610. Nondiscrimination in applicability.** NOTHING IN THIS
17 PART 16 MAY BE CONSTRUED TO DISCRIMINATE AGAINST A COLORADO
18 MINOR BASED ON RACE, COLOR, ETHNICITY, RELIGION, SEX, DISABILITY,
19 SEXUAL ORIENTATION, GENDER IDENTITY, GENDER EXPRESSION, OR
20 NATIONAL ORIGIN.

21 **6-1-1611. Duties and obligations not exclusive - remedies not**
22 **exclusive.** (1) THE DUTIES AND OBLIGATIONS IMPOSED BY THIS PART 16
23 ARE IN ADDITION TO ANY OTHER DUTIES OR OBLIGATIONS IMPOSED UNDER
24 LOCAL, STATE, OR FEDERAL LAW, AND THIS PART 16 DOES NOT RELIEVE
25 ANY PARTY FROM ANY DUTIES OR OBLIGATIONS IMPOSED UNDER LAW.

26 (2) THE REMEDIES OR PENALTIES PROVIDED BY THIS PART 16 ARE
27 IN ADDITION TO ANY OTHER REMEDIES OR PENALTIES AVAILABLE UNDER

1 LOCAL, STATE, OR FEDERAL LAW.

2 **6-1-1612. Severability.** IF ANY PROVISION OF THIS PART 16 OR THE
3 APPLICATION OF THIS PART 16 TO ANY PERSON OR CIRCUMSTANCE IS HELD
4 INVALID, SUCH INVALIDITY DOES NOT AFFECT OTHER PROVISIONS OR
5 APPLICATIONS OF THIS PART 16 THAT CAN BE GIVEN EFFECT WITHOUT THE
6 INVALID PROVISION OR APPLICATION, AND TO THIS END THE PROVISIONS OF
7 THIS PART 16 ARE DECLARED TO BE SEVERABLE.

8 **6-1-1613. Rules.** (1) THE ATTORNEY GENERAL MAY ADOPT RULES
9 TO IMPLEMENT THIS PART 16, INCLUDING RULES:

10 (a) IDENTIFYING AGE ASSURANCE SYSTEMS THAT CAN DETERMINE
11 WHETHER A USER IS A COLORADO MINOR;

12 (b) DESCRIBING AN APPROPRIATE REVIEW PROCESS FOR A USER
13 WHO APPEALS THEIR AGE DESIGNATION; AND

14 (c) PROVIDING ANY ADDITIONAL PRIVACY PROTECTIONS FOR AGE
15 ASSURANCE DATA.

16 (2) IF THE ATTORNEY GENERAL ADOPTS RULES PURSUANT TO
17 SUBSECTION (1) OF THIS SECTION, THE ATTORNEY GENERAL SHALL
18 PERIODICALLY REVIEW AND UPDATE THE RULES AS NECESSARY TO KEEP
19 PACE WITH EMERGING TECHNOLOGY.

20 **SECTION 3.** In Colorado Revised Statutes, 6-1-105, **add** (1)(iii)
21 as follows:

22 **6-1-105. Unfair or deceptive trade practices - definitions.**

23 (1) A person engages in a deceptive trade practice when, in the course of
24 the person's business, vocation, or occupation, the person:

25 (iii) KNOWINGLY OR RECKLESSLY VIOLATES OR AIDS OR ABETS
26 THE COMMISSION OF A VIOLATION OF PART 16 OF THIS ARTICLE 1.

27 **SECTION 4. Act subject to petition - effective date.** Section

1 6-1-1607, Colorado Revised Statutes, as added in section 2 of this act,
2 takes effect October 1, 2025; section 6-1-1603, Colorado Revised
3 Statutes, as added in section 2 of this act, takes effect October 1, 2027,
4 only if the attorney general makes a certification on or before October 1,
5 2027, as described in section 6-1-1603 (5), and the remainder of this act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2026 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.