

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0695.01 Michael Dohr x4347

HOUSE BILL 24-1136

HOUSE SPONSORSHIP

Pugliese and Amabile,

SENATE SPONSORSHIP

Cutter and Smallwood,

House Committees

Education
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING MEASURES TO ENCOURAGE HEALTHIER SOCIAL MEDIA**
102 **USE BY YOUTH.**

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 requires the department of education (department) to create and maintain a resource bank of evidence-based, research-based, and promising program materials and curricula pertaining to the mental health impacts of social media use by children and teens (youth). The resource bank will be used in elementary and secondary schools in the state. The department is required to convene a stakeholder group to assist

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.

in the creation of the resource bank.

The bill requires the department to expand local student wellness programs to include programs that address the impacts of problematic technology use on the mental and physical well-being of Colorado youth.

The bill requires a social media platform to display a pop-up warning to a user who is under the age of 18 when the user:

- Has spent one hour on social media platforms in a 24-hour period; and
- Is on a social media platform between the hours of 10 p.m. and 6 a.m.

The warning must state that data shows that youth who spend more than 3 hours per day on social media double the risk of experiencing poor mental health outcomes, including anxiety and depression symptoms. The warning must include links to resources on the platform for setting screen time limits and links to the health-effect data.

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

9 (b) The advisory includes recommendations for policymakers to
10 address this issue, including to "support the development,
11 implementation, and evaluation of digital and media literacy curricula in
12 schools and within academic standards" and "ensure technology
13 companies share data relevant to the health impacts of their platforms";

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

17 (d) A study of youth in the United States ages 12 to 15 found that

1 youth who spend three or more hours a day on social media had double
2 the risk of experiencing poor mental health outcomes, including
3 experiencing symptoms of depression and anxiety. As of 2021, the
4 average time spent on social media for this age group is three-and-a-half
5 hours a day, with one in four youth spending five or more hours a day on
6 the platforms, and one in seven spending seven or more hours a day on
7 social media.

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

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

19 (g) The 2020 Comprehensive Health Academic Standards in
20 Colorado include standards for comprehensive health and physical
21 education, among them the importance of identifying and managing the
22 risk and the impacts of modern technology and social media on students'
23 physical and personal wellness;

24 (h) Understanding more about how technology and health
25 intersect can help solve certain societal problems and improve the mental
26 and physical health of Coloradans. Providing free resources educators can
27 use while teaching comprehensive health will help educators meet the

1 essential skills outlined in the 2020 Comprehensive Health Academic
2 Standards.

3 (i) At the federal level, legislation and reforms to improve social
4 media platforms that youth access are slow-moving and do not meet the
5 demands and fast-moving nature of social media; and

6 (j) States recognize the growing impact of social media and
7 problematic technology use on youth mental health and the importance of
8 enacting legislation to address those concerns. States can exercise
9 leadership in this area rather than waiting for slow-moving federal
10 legislation to do so.

11 (2) The general assembly therefore declares that it is a matter of
12 statewide concern to provide research-based education and interventions,
13 including resources on the effects of social media use on brain
14 development, how to mitigate the risks associated with social media use,
15 and how to maintain well-being while interacting in online environments,
16 to help youth make informed decisions on responsible social media use.

17 **SECTION 2.** In Colorado Revised Statutes, **add** 22-2-127.8 as
18 follows:

19 **22-2-127.8. Social media impacts on mental health education**
20 **literacy - resource bank - technical assistance - reporting.** (1) (a) THE
21 DEPARTMENT SHALL CREATE AND MAINTAIN A RESOURCE BANK OF
22 EXISTING EVIDENCE-BASED, RESEARCH-BASED SCHOLARLY ARTICLES AND
23 PROMISING PROGRAM MATERIALS AND CURRICULA PERTAINING TO THE
24 MENTAL AND PHYSICAL HEALTH IMPACTS OF SOCIAL MEDIA USE BY YOUTH.
25 THE DEPARTMENT SHALL CONVENE A TEMPORARY STAKEHOLDER GROUP
26 TO ASSIST WITH THE CREATION AND DEVELOPMENT OF A PLAN FOR
27 ONGOING MAINTENANCE OF THE RESOURCE BANK BY THE DEPARTMENT.

1 THE STAKEHOLDER GROUP SHALL ALSO IDENTIFY AVENUES FOR
2 INFORMING LOCAL EDUCATION PROVIDERS, PARENTS, YOUTH, AND THE
3 PUBLIC ABOUT THE RESOURCE BANK. THE MATERIALS AND CURRICULA
4 MAY BE USED IN ELEMENTARY AND SECONDARY SCHOOLS IN THE STATE.
5 TO THE EXTENT POSSIBLE, THE RESOURCE BANK MATERIALS, SCHOLARLY
6 ARTICLES, AND CURRICULA MUST BE YOUTH-FRIENDLY, CULTURALLY
7 SENSITIVE, AND AVAILABLE IN BOTH ENGLISH AND SPANISH, AND MAY
8 INCLUDE INTERNET LINKS TO SCHOLARLY ARTICLES, RESOURCES, AND
9 MATERIALS ABOUT THE MENTAL AND PHYSICAL HEALTH IMPACTS OF
10 SOCIAL MEDIA USE FROM ENTITIES THAT THE DEPARTMENT FINDS
11 RELIABLE.

12 (b) TO CREATE THE RESOURCE BANK DESCRIBED IN SUBSECTION
13 (1)(a) OF THIS SECTION, THE DEPARTMENT SHALL CONVENE A TEMPORARY
14 STAKEHOLDER GROUP TO IDENTIFY THE SCHOLARLY ARTICLES,
15 MATERIALS, AND CURRICULA THAT WILL BE A PART OF THE RESOURCE
16 BANK.

17 (c) THE STAKEHOLDER GROUP MUST CONSIST OF NO MORE THAN
18 FIFTEEN MEMBERS, INCLUDING A DEPARTMENT REPRESENTATIVE AND,
19 WHEN POSSIBLE, A PERSON OR PEOPLE REPRESENTING EACH OF THE
20 FOLLOWING: EDUCATORS; SCHOOL MENTAL HEALTH PROFESSIONALS;
21 PARENTS; YOUTH BETWEEN THE AGES OF EIGHTEEN TO TWENTY-FIVE;
22 PUBLIC HEALTH ADVOCACY NON-PROFITS; AND YOUTH MENTAL HEALTH
23 PROFESSIONS SUCH AS A SOCIAL WORKER, CHILD ADOLESCENT
24 PSYCHIATRIST, OR OTHER PROFESSIONAL SPECIALIZING IN YOUTH MENTAL
25 HEALTH.

26 (d) WHEN POSSIBLE, AS PART OF THE RESOURCE BANK, THE
27 DEPARTMENT, WITH ASSISTANCE FROM THE STAKEHOLDER GROUP, SHALL

1 IDENTIFY WHAT GRADE OR AGE-GROUP MATERIALS ARE APPROPRIATE FOR,
2 AND WHEN POSSIBLE, WHEN A MATERIAL COULD BE USED FOR A STANDARD
3 WITHIN THE COMPREHENSIVE HEALTH EDUCATION STANDARDS.

4 (2) ON AND AFTER JULY 1, 2025, THE DEPARTMENT SHALL MAKE
5 THE MATERIALS IN THE RESOURCE BANK AVAILABLE WITHOUT CHARGE TO
6 LOCAL EDUCATION PROVIDERS, PROFESSIONAL EDUCATORS, PARENTS OR
7 GUARDIANS OF YOUTH, STUDENTS, AND COMMUNITY PROVIDERS. A LOCAL
8 EDUCATION PROVIDER IS NOT REQUIRED TO ADOPT OR IMPLEMENT ANY
9 MATERIAL OR CURRICULA FROM THE RESOURCE BANK. AT THE REQUEST OF
10 A LOCAL EDUCATION PROVIDER, THE DEPARTMENT SHALL PROVIDE
11 TECHNICAL ASSISTANCE TO THE LOCAL EDUCATION PROVIDER IN
12 DESIGNING AGE-APPROPRIATE CURRICULA PERTAINING TO MENTAL
13 HEALTH.

14 (3) THE MATERIALS AND RESOURCES IN THE RESOURCE BANK THAT
15 ARE AVAILABLE TO YOUTH MUST BE DEVELOPED AND UPDATED WITH
16 INPUT FROM YOUTH.

17 (4) LOCAL EDUCATION PROVIDERS ARE ENCOURAGED TO REPORT
18 TO THE DEPARTMENT ON THE EFFECTIVENESS OF THE RESOURCE BANK
19 MATERIALS AND CURRICULA AND TO RECOMMEND CHANGES TO IMPROVE
20 THE MATERIALS AND CURRICULA. THE DEPARTMENT IS ENCOURAGED TO
21 UPDATE THE RESOURCE BANK MATERIALS AND CURRICULA BASED ON
22 RECOMMENDATIONS FROM LOCAL EDUCATION PROVIDERS, PROFESSIONAL
23 EDUCATORS, PARENTS OR GUARDIANS OF YOUTH, STUDENTS, AND
24 COMMUNITY PROVIDERS.

25 (5) THE DEPARTMENT SHALL COLLECT DISAGGREGATED DATA ON
26 HOW OFTEN THE MATERIALS AND CURRICULA ARE ACCESSED AND INCLUDE
27 THAT INFORMATION AT THE DEPARTMENT'S ANNUAL "SMART ACT"

1 HEARING HELD PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2.

2 (6) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
3 REQUIRES, "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A
4 CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART
5 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY
6 THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE
7 30.5 OF THIS TITLE 22, THE COLORADO SCHOOL FOR THE DEAF AND THE
8 BLIND AUTHORIZED PURSUANT TO SECTION 22-80-102, AN APPROVED
9 FACILITY SCHOOL AS DEFINED IN SECTION 22-2-402, OR A BOARD OF
10 COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE
11 5 OF THIS TITLE 22 THAT OPERATES ONE OR MORE PUBLIC SCHOOLS.

12 **SECTION 3.** In Colorado Revised Statutes, 22-25-104, **amend**
13 (2) and (4.5); and **add** (3)(d) as follows:

14 **22-25-104. Colorado comprehensive health education program**
15 **- role of department of education - recommended curriculum**
16 **guidelines - allocation of funds - rules.** (2) The department of education
17 ~~shall have~~ HAS the authority to promote the development and
18 implementation of local comprehensive health education programs and
19 local student wellness programs, INCLUDING PROGRAMS THAT ADDRESS
20 THE MENTAL HEALTH IMPACTS OF SOCIAL MEDIA USE BY YOUTH.

21 (3) (d) THE GUIDELINES DEVELOPED BY THE DEPARTMENT OF
22 EDUCATION PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION FOR
23 GRADES SIX THROUGH TWELVE MUST STRONGLY ENCOURAGE INCLUDING
24 CURRICULUM ON THE MENTAL HEALTH IMPACTS OF SOCIAL MEDIA USE BY
25 YOUTH.

26 (4.5) (a) The department of education shall identify programs that
27 are evidence-based, culturally sensitive, and reflective of positive youth

1 development guidelines for use by school districts in local comprehensive
2 health education programs related to comprehensive human sexuality
3 education.

4 (b) THE DEPARTMENT OF EDUCATION SHALL CONVENE A
5 STAKEHOLDER GROUP TO IDENTIFY SCHOLARLY ARTICLES, PROGRAMS,
6 AND RESOURCES THAT ARE EVIDENCE-BASED, CULTURALLY SENSITIVE,
7 AND REFLECTIVE OF POSITIVE YOUTH DEVELOPMENT GUIDELINES FOR
8 OPTIONAL USE BY LOCAL EDUCATION PROVIDERS IN LOCAL
9 COMPREHENSIVE HEALTH EDUCATION PROGRAMS RELATED TO
10 TECHNOLOGY USE, BRAIN DEVELOPMENT, AND THE PHYSICAL AND MENTAL
11 IMPACTS OF SOCIAL MEDIA USE.

12 **SECTION 4.** In Colorado Revised Statutes, **add** part 16 to article
13 1 of title 6 as follows:

14 PART 16

15 PROTECTIONS FOR YOUTH USING SOCIAL MEDIA

16 **6-1-1601. Social media platform notification - youth users -**

17 **definition.** (1) ON OR AFTER JANUARY 1, 2026, A SOCIAL MEDIA
18 PLATFORM, BY DEFAULT, MUST DISPLAY A POP-UP OR FULL-SCREEN
19 NOTIFICATION TO A USER WHO IS UNDER THE AGE OF EIGHTEEN WHEN THE
20 USER:

21 (a) HAS SPENT ONE CUMULATIVE HOUR ON THE SOCIAL MEDIA
22 PLATFORM DURING A TWENTY-FOUR-HOUR PERIOD; OR

23 (b) IS ON A SOCIAL MEDIA PLATFORM BETWEEN THE HOURS OF TEN
24 P.M. AND SIX A.M.

25 (2) THE NOTIFICATION MUST INCLUDE DATA ON THE PUBLIC
26 HEALTH IMPACTS OF SOCIAL MEDIA USE ON THE MENTAL AND PHYSICAL
27 HEALTH OF YOUTH USERS, FROM PEER-REVIEWED SCHOLARLY ARTICLES

1 INCLUDED IN THE MENTAL HEALTH AND TECHNOLOGY RESOURCE BANK
2 ESTABLISHED IN SECTION 22-2-127.8 (2).

3 (3) THE NOTIFICATION REQUIRED PURSUANT TO SUBSECTION (1)(a)
4 OF THIS SECTION MUST REPEAT THIRTY MINUTES AFTER THE INITIAL
5 NOTIFICATION, THEN FIFTEEN MINUTES AFTER THE SECOND NOTIFICATION,
6 AND THEN EVERY FIVE MINUTES THEREAFTER.

7 (4) (a) FOR PURPOSES OF THIS SECTION, "SOCIAL MEDIA PLATFORM"
8 MEANS AN INTERNET-BASED SERVICE, WEBSITE, OR APPLICATION THAT:

9 (I) HAS MORE THAN ONE HUNDRED THOUSAND ACTIVE USERS IN
10 COLORADO;

11 (II) PERMITS A PERSON TO BECOME A REGISTERED USER,
12 ESTABLISH AN ACCOUNT, OR CREATE A PUBLIC OR SEMI-PUBLIC PROFILE
13 FOR THE PURPOSE OF ALLOWING USERS TO CREATE, SHARE, AND VIEW
14 USER-GENERATED CONTENT THROUGH THE ACCOUNT OR PROFILE;

15 (III) ENABLES ONE OR MORE USERS TO CREATE OR POST CONTENT
16 THAT CAN BE VIEWED BY OTHER USERS OF THE MEDIUM; AND

17 (IV) INCLUDES A SUBSTANTIAL FUNCTION TO ALLOW USERS TO
18 INTERACT SOCIALLY WITH EACH OTHER WITHIN THE SERVICE OR
19 APPLICATION. A SERVICE OR APPLICATION THAT PROVIDES ELECTRONIC
20 MAIL OR DIRECT MESSAGING SERVICES DOES NOT MEET THE CRITERION
21 DESCRIBED IN THIS SUBSECTION (4) ON THE BASIS OF THAT FUNCTION
22 ALONE.

23 (b) "SOCIAL MEDIA PLATFORM" DOES NOT INCLUDE AN
24 INTERNET-BASED SERVICE OR APPLICATION IN WHICH THE PREDOMINANT
25 OR EXCLUSIVE FUNCTION IS:

26 (I) PROVIDING ELECTRONIC MAIL;

27 (II) FACILITATING COMMERCIAL TRANSACTIONS, IF THE

1 INTERACTION WITH OTHER USERS OR ACCOUNT HOLDERS IS GENERALLY
2 LIMITED TO:

3 (A) THE ABILITY TO UPLOAD A POST AND COMMENT ON REVIEWS
4 OR THE ABILITY TO DISPLAY LISTS OR COLLECTIONS OF GOODS FOR SALE OR
5 WISH LISTS; AND

6 (B) THE PRIMARY FUNCTION OF THE PLATFORM IS FOCUSED ON
7 ONLINE SHOPPING OR E-COMMERCE RATHER THAN INTERACTIONS BETWEEN
8 USERS OR ACCOUNT HOLDERS;

9 (III) FACILITATING TELECONFERENCING AND VIDEO
10 CONFERENCING FEATURES THAT ARE LIMITED TO CERTAIN PARTICIPANTS
11 IN THE TELECONFERENCE OR VIDEO CONFERENCE AND ARE NOT POSTED
12 PUBLICLY OR FOR BROAD DISTRIBUTION TO OTHER USERS;

13 [REDACTED]
14 (IV) FACILITATING CROWD-SOURCED CONTENT FOR REFERENCE
15 GUIDES SUCH AS ENCYCLOPEDIAS AND DICTIONARIES;

16 (V) PROVIDING CLOUD-BASED ELECTRONIC STORAGE, INCLUDING
17 CLOUD-BASED STORAGE THAT ALLOWS COLLABORATIVE EDITING BY
18 INVITED USERS;

19 (VI) PROVIDING INFORMATION CONCERNING BUSINESSES,
20 PRODUCTS, OR TRAVEL INFORMATION, INCLUDING USER REVIEWS OR
21 RANKINGS OF BUSINESSES OR PRODUCTS; [REDACTED]

22 (VII) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
23 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
24 ENTERPRISE SO LONG AS ACCESS TO THE SERVICE OR APPLICATION IS
25 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
26 ENTERPRISE;

27 (VIII) SELLING ENTERPRISE SOFTWARE TO BUSINESSES,

1 GOVERNMENTS, OR NONPROFIT ORGANIZATIONS;

2 (IX) PROVIDING A STREAMING SERVICE THAT STREAMS ONLY
3 LICENSED MEDIA IN A CONTINUOUS FLOW FROM THE SERVICE, WEBSITE, OR
4 APPLICATION TO THE END USER AND DOES NOT REQUIRE A USER OR
5 ACCOUNT HOLDER TO OBTAIN A LICENSE FOR THE MEDIA BY AGREEMENT
6 WITH A SOCIAL MEDIA PLATFORM'S TERMS OF SERVICE;

7 (X) PROVIDING AN ONLINE SERVICE, WEBSITE, OR APPLICATION
8 THAT IS USED BY OR UNDER THE DIRECTION OF AN EDUCATIONAL ENTITY,
9 INCLUDING A LEARNING MANAGEMENT SYSTEM, A STUDENT ENGAGEMENT
10 PROGRAM, OR A SUBJECT- OR SKILL-SPECIFIC PROGRAM, FOR WHICH THE
11 MAJORITY OF THE CONTENT IS CREATED OR POSTED BY THE PROVIDER OF
12 THE ONLINE SERVICE, WEBSITE, OR APPLICATION AND THE ABILITY TO
13 CHAT, COMMENT, OR INTERACT WITH OTHER USERS IS DIRECTLY RELATED
14 TO THE PROVIDER'S CONTENT;

15 (XI) PROVIDING OR OBTAINING TECHNICAL SUPPORT FOR A
16 PLATFORM, PRODUCT, OR SERVICE;

17 (XII) PROVIDING CAREER DEVELOPMENT OPPORTUNITIES,
18 INCLUDING PROFESSIONAL NETWORKING, JOB SKILLS, LEARNING
19 CERTIFICATIONS, AND JOB POSTING AND APPLICATION SERVICES;

20 (XIII) FOCUSED ON FACILITATING ACADEMIC OR SCHOLARLY
21 RESEARCH; OR

22 (XIV) REPORTING OR DISSEMINATING NEWS INFORMATION FOR A
23 MASS MEDIUM, AS DEFINED IN SECTION 13-90-119.

24 **SECTION 5. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2024 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.