



Common Sense Media Supports the South Carolina Age-Appropriate Design Code Act (S.268)

Common Sense Media supports the South Carolina Age-Appropriate Design Code Act (S.268). Common Sense Media is dedicated to improving the lives of kids and families by providing the trustworthy information, education, and independent voice they need to thrive. Our ratings, research, and resources reach more than 150 million users worldwide and 1.4 million educators every year.

Risks Abound for Kids Online

Kids' internet usage is at an all-time high. Teens spend an average of 4.5 hours per day on their phones, with about a quarter of them spending as much as 5 to 8 hours in front of their screens, every day. Nearly half of teens report that they feel addicted to their phones. Teens connect with each other through social media platforms at higher rates than any other group, report that these platforms form a larger part of their social life than any other group, and have outsized levels of difficulty stopping technology use once they've started. Younger children, such as 11-12 year old's, may spend less unsupervised time online, but they too face the same age-inappropriate exposure risks on social media platforms as older children—and these exposures can have a significant effect on them.

Our research of girls and social media use shows that despite many girls' positive perceptions of social media's overall impact on their lives, a meaningful proportion of girls report challenges with regulating their use. This research also shows that numerous features of social media, like algorithmic video recommendations, endless scrolling, notifications, and autoplay, can make these platforms difficult to stop using. Additionally, these girls report that their social media use causes negative effects on their sleep and increased stress.

Social media companies intentionally use manipulative design features to increase kids' engagement online in order to make more money from advertising. Features like endless scroll, low friction designs, and repeat notifications (or 'nudging') pull youth back into apps and extend their attention and time online. Indeed, research shows that popular social media apps, like TikTok, provide low-friction access to infinite, personalized content which short circuits kids' and teens' attention and drives compulsive engagement. Profit motives are to blame—platforms create these features to promote user engagement and increase ad revenue, regardless of the negative consequences. Ultimately, these features endanger our kids by compromising their privacy, driving kids toward harmful and extreme content, and exposing risky contacts and behaviors online.

Business models built around maximizing users' time spent online and highly sophisticated individual targeting enable harm to many of our kids. The public and even teens are increasingly aware of these harmful social media practices. Newly released Common Sense Media research revealed widespread distrust of major technology companies among teens. Over half of teens surveyed report that they do not trust tech companies to make ethical and responsible design decisions (53%) or prioritize user safety over profits (62%). And polling shows that parents of all political backgrounds support establishing guardrails to protect kids online - guardrails that do not exist today for South Carolina's kids and teens.

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The South Carolina Age-Appropriate Design Code Act is essential to enhance online safety for South Carolina's children and families by protecting them from the impacts of the addictive features of social media platforms while preserving their ability to use the internet to learn, explore, and find community.

The bill requires that social media companies implement design features that prevent compulsive usage of the covered online service, severe psychological harm, including but not limited to anxiety and depression, self-harm and suicidal ideations, severe emotional distress, identity theft, discrimination, financial or physical injury, and privacy violations. The Act requires that platforms' use a high level of privacy settings by default and requires privacy notices and community standards to be clear and suited for the age of the child using the platform. Under the Act, reporting tools for violations of these policies need to be accessible to children or their parents or guardians. This enables kids and teens to learn about data privacy and online safety, and encourages their autonomy in using reporting tools, while ensuring that kids are not intentionally exposed to harmful design features. The Act also prohibits covered platforms from collecting and retaining personal information of kids that is not necessary to the service provided, insulating children from data mining and data exploitation.

Although we are supportive of the bill, we think it could go further in protecting South Carolina's kids. Currently, the Act requires that online products and services that are *reasonably likely to be accessed by a minor* be designed for their protection and privacy. This language protects children that the covered platforms actually know to be minors including based on: information and inferences known to the covered online service relating to the age of the individual, including, but not limited to, self-identified age, and including any age the covered online service has attributed or associated with the individual for any purpose, including, but not limited to, marketing advertising, or product development purposes. We think that this section could offer stronger protections for kids in South Carolina if rather than only information "known" to the covered platform, this *reasonably likely to be accessed by a minor* also included knowledge "fairly implied on the basis of objective criteria."

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