TO: California Department of Justice
FROM: Common Sense Media
DATE: 30 June 2026
RE: Proposed Regulations for California's Senate Bill 976 (Protecting Our Kids from Social Media Addiction Act)

INTRODUCTION:

Common Sense Media is the leading non-profit organization, in California and nationwide, dedicated to protecting and preparing children, teens, and their families in the digital and AI world. Our mission is to improve the lives of children 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, over 1.5 million educators, and more than 100,000 schools worldwide every year. Backed by the research that forms the foundation of everything we do, we champion quality media that entertains and inspires, and support legislation and regulations aimed at closing the digital divide and holding social media and AI platforms accountable for their effects on minors. We encourage students and educators to think critically about technology and become responsible digital citizens. And we help safeguard children's health and well-being by supporting the protection of their data privacy and reducing potential online harms.

We are pleased to submit these comments in response to your call for comments and feedback regarding the rulemaking on SB 976. We strongly supported SB 976 during the legislative process in 2024 and through court challenges, and we support the California Department of Justice (California DOJ) efforts to improve children's lives by ensuring their safety online. As a trusted global brand for children and families, we look forward to helping bring additional perspectives to consideration as the California DOJ develops these regulations.

COMMENTS:

Common Sense Media supports the draft of SB 976 regulations and the efforts to further develop strong protections for children. We are especially pleased to see requirements for age assurance that are privacy-protective, apply consistently across points of access, and do not permit companies to willfully disregard information about minor users. There are a few areas where the SB 976 proposed regulations can be further strengthened or clarified to better support young people: which online payment methods serve as acceptable forms of age assurance, what age

assurance methods are reasonably effective with regard to accuracy rates, and adding some additional disclosure requirements.

Common Sense Media Strongly Supports the Proposed Regulations

Common Sense is supportive of these regulations to implement SB 976. In particular, we support the following provisions:

- The reiterated requirement that government ID must not be required or used as the sole method of age assurance. (Sec. 562)
- The clear rule that it is not reasonable to consider a user a minor if such a determination is not reasonable based on "all information about the user known to the operator, including information used for marketing, content selection, or other purposes, or inferential data that indicates that a user may be a minor, at the time the determination is made." (Sec 563(a)(8)
- That "An inconclusive age assurance outcome cannot provide the basis for an operator to reasonably determine that the user is not a minor." (Sec. 563(b)
- The requirement that operators use information determining a user is a minor consistently across all points of access. (Sec 566)
- That operators are required to have a process for receiving and requesting new reports or information indicating a user is a minor. (Sec. 567)

In addition, we recommend the following changes and clarifications to the proposed regulations for SB 976.

Online Payment Methods Need to be Clarified for Age Assurance Purposes

We support the efforts to strengthen age assurance methods. To improve the accuracy of these age assurance methods, they should be further clarified, particularly in terms of defining acceptable online payment methods. Under Section 563, the draft regulations state that an unreasonable determination of age "relies on online payment methods that are available to minors".[1] Yet, there is no further specification on what is deemed an online payment method available to minors.

One way to clarify this is to look at regulations implemented internationally, such as the United Kingdom Online Safety Act[2] and the Australian Online Safety Code and Standards.[3] In terms of online payment methods, the UK Online Safety Act treats credit cards as an effective age assurance verification, specifying the exclusion of debit cards and payments where the individual is

[1] https://oag.ca.gov/system/files/media/sb976-proposed-regulations.pdf

[2] https://www.gov.uk/government/news/keeping-children-safe-online-changes-to-the-online-safety-act-explained

[3] https://www.esafety.gov.au/sites/default/files/2026-05/OnlineSafetyCodesandStandardsRegulatoryGuidance-April2026.pdf?v=1781790755085

not required to be 18. The Australian Code also states that credit cards can be used in its nonexhaustive list of appropriate examples. If California follows these examples, credit cards should be the only acceptable form of online payment verification for age assurance purposes. Whatever the specific determination, which methods are appropriate and which are not should be specified in the regulations for SB 976 in order to ensure proper clarification. Alternatively, non-acceptable online payment methods (because they are available to minors) could be specified—such as debit cards,[4] gift cards, Venmo accounts,[5] Zelle,[6] Cashapp,[7] crypto,[8] and any additional forms of payment that do not require the individual to be 18. Overall, Common Sense Media supports the regulations on age assurance specifications but believes they need further clarification. Specifying acceptable online payment methods is important, as seen in international guidance.

What Constitutes Reasonably Effective Age Assurance, Especially Any Required Accuracy Rates, Would Be Strengthened with Clarification

Common Sense is supportive of what constitutes reasonable age assurance in the proposed rules. Some further aspects should be improved with additional clarification. For example, it is unclear in Sec. 561(a)(2) what it means for information to be "verified." In addition, terms like "measurable consistency" in Sec. 563(b) are not defined. And it is not clear what an acceptable accuracy rate is, or if there is a defined minimum (Sec 563(b)).

New York State's proposed rules under its age assurance law for algorithmic feeds may be instructive here. In New York's proposed rules, they have numerical benchmarks for accuracy rates (including false positives) and total accuracy rates (including false positives and inconclusive outcomes).[9] In fact, in the example of describing accuracy rates in Sec.561(c)(4)(iii), the same percentages of false positives are listed as for New York's accuracy rate. It would be helpful if the California DOJ clarified whether this example is supposed to illustrate what would be acceptable for a floor, or whether it is intentionally not setting a numerical standard.

Additional Disclosure Obligations Would Better Protect Youth

More transparency would also aid the public and the California DOJ in terms of assessing operators' compliance with the proposed rules. Common Sense supports enabling operators to use age assurance methods they already use to comply with other state, federal, or international frameworks (Sec. 561(d)). However, if an operator uses such a method, it should be required to identify the framework in its report ("may" should be replaced with "must"). In addition, operators should document how they comply with data minimization and retention requirements (see Sec.

[4] https://info.bankofamerica.com/en/student-banking/banking-accounts
[5] https://venmo.com/about/teendebitcard
[6] https://www.zelle.com/faq/what-age-requirement-enroll-zeller
[7] https://cash.app/help/us/en-us/3082-minimum-age-requirements
[8] https://www.investopedia.com/what-teens-need-to-know-about-cryptocurrency-11817961
[9] https://ag.ny.gov/sites/default/files/regulatory-documents/safe-for-kids-act-nprm.pdf 700.1(b) and (gg).

561(e)) and have that available upon request of the California DOJ, to the extent it is not published in its website report.

CONCLUSION:

Common Sense Media commends the California DOJ for its dedication to protecting children online. These draft regulations are a key step toward strengthening standards for global online safety and privacy for minors.

We appreciate the opportunity to provide this feedback. As an organization dedicated to the well-being of children and families, we look forward to continuing to contribute our perspectives as the California DOJ formulates and implements kids' online safety regulatory standards.