

State Regulation of Social Media and Children in the United States

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Abstract

Over the past year, political sentiment, has pushed states to regulate social media use for children in the United State. This article will analyze the 300 bills in US state legislators to understand which states are the biggest regulators of social media.

Methods

We scraped the data from the National Conference of State Legislatures. The data was imported on October 3, 2024. We utilized rstudio, along with the tidyverse package and usmap package to read in and analyze the data.

In total, there are 50 states and 9 different statuses for the legislation, including “Enacted”, “To governor”, “Adopted”, “Pending”, “Pending - Carryover”, “Failed - Adjourned”, “Failed”, “Vetoed”, and ” ” for NA values. We then cleaned the data to remove all values in the dataset that indicated the state had no legislation related to social media and children.

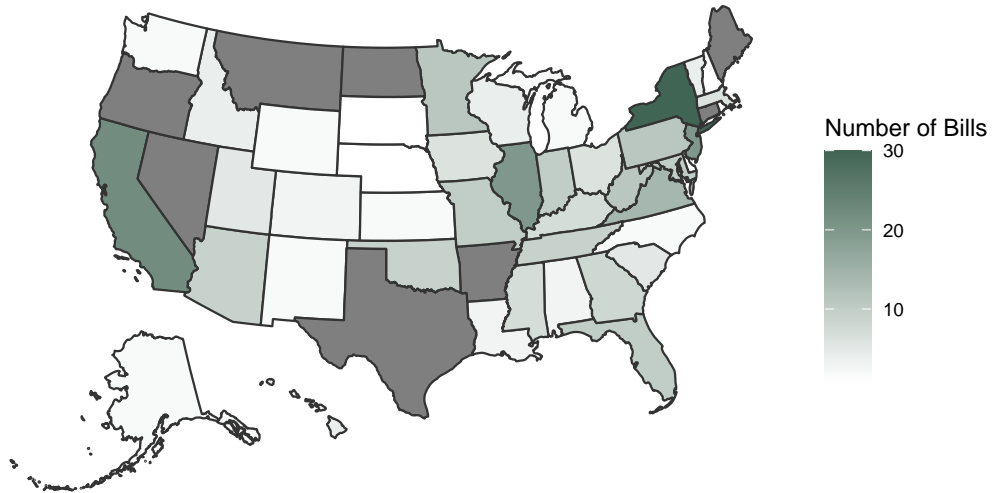
When analyzing the data, we looked to understand which states introduced the highest number of bills. We also calculated how many bills were passed by state legislatures and in which state. Finally, we included qualitative analysis, studying the political compositions of state legislatures and governments that passed bills regulating social media and child welfare.

Results

We found 42 states had introduced legislation related to social media and children. Out of the 42 states, 19 states ended up passing legislation related to social media and children. At most, states only passed 3 bills related to social media.

State's with Bills Regulating Social Media in 2024

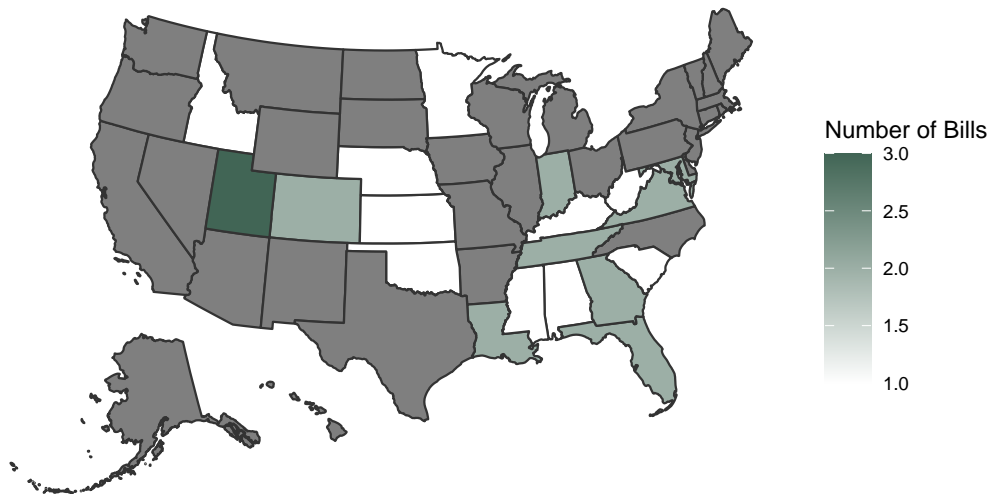
States with No Bills have a Gray Fill



JRCE: National Conference of State Legislatures. AUTHOR: SPRING Program on Health and Society

State's that Passed Bills on Social Media

States with No Bills have a Gray Fill



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Partisan Breakdown

The states that have introduced the most legislation are large Democrat or swing states, including New York, California, Illinois, New Jersey, and Virginia.

A tibble: 10 x 2

	state	n
	<fct>	<int>
1	New York	30
2	California	22
3	Illinois	20
4	New Jersey	20
5	Virginia	14
6	Minnesota	11
7	Pennsylvania	11
8	West Virginia	11
9	Florida	10
10	Indiana	10

For states that passed legislation, the amount of states is relatively mixed, with Republican state governors and legislatures, such as Utah, and Democrat state governors and legislatures, such as Minnesota, passing bills related to social media regulation. However, only five of the 19 states, Colorado, Maryland, Virginia, Kentucky, Minnesota that have passed legislation regarding children and social media have democrats controlling either one of the two houses of government or the governor's seat.

A tibble: 19 x 2

	state	n
	<fct>	<int>
1	Utah	3
2	Colorado	2
3	Florida	2
4	Georgia	2
5	Indiana	2
6	Louisiana	2
7	Maryland	2
8	Tennessee	2
9	Virginia	2
10	Alabama	1
11	Idaho	1
12	Kansas	1
13	Kentucky	1

14 Minnesota	1
15 Mississippi	1
16 Nebraska	1
17 Oklahoma	1
18 South Carolina	1
19 West Virginia	1

Discussion

An interesting result is that while Democratic states were some of the states that introduced the most bills, Republican run states enacted the most legislation. An explanation for this is that while Democrats are more inclined to regulate the technology industry, there is a heavy technology lobbying presence in the state, making it harder to pass bills. Both New York and California are known for their technology industry, whose presence may lead to more lobbying in the states against bills.

With the exception of Florida, most states that have passed legislation regulating social media have medium to low populations. This suggests two possibilities: large states may have larger state legislators, which leads to more deliberation by legislators. Technology companies may also be more inclined to intensely lobby in states with large populations, stalling the passage of social media legislation.

Conclusion

While the election of Donald Trump means legislation such as the Kids Online Safety Act (KOSA) and COPPA 2.0 may have a perilous future, state governments may continue to push for bills to regulate social media. This however may make it hard for technology companies to operate platforms. A state by state system of technology regulation could lead to fragmented laws, creating a complex web of rules for any technology company to operate in. Federal regulation may prove to be more effective at both creating safer social media platforms, alongside offering a more streamlined system for child safety and wellbeing online.