

SSB 5708 - S AMD 190
By Senator Wagoner

ADOPTED 03/12/2025

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "Addictive feed" means an internet website, online service,
7 online application, or mobile application, or a portion thereof, in
8 which multiple pieces of media generated or shared by users are,
9 either concurrently or sequentially, recommended, selected, or
10 prioritized for display to a user based, in whole or in part, on
11 information provided by the user, or otherwise associated with the
12 user or the user's device, unless any of the following conditions are
13 met, alone or in combination with one another:

14 (a) The information is not persistently associated with the user
15 or user's device, and does not concern the user's previous
16 interactions with media generated or shared by others;

17 (b) The information consists of search terms that are not
18 persistently associated with the user or user's device;

19 (c) The information consists of user-selected privacy or
20 accessibility settings, technical information concerning the user's
21 device, or device communications or signals concerning whether the
22 user is a minor;

23 (d) The user expressly and unambiguously requested the specific
24 media or media by the author, creator, or poster of the media, or the
25 blocking, prioritization, or deprioritization of such media, provided
26 that the media is not recommended, selected, or prioritized for
27 display based, in whole or in part, on other information associated
28 with the user or the user's device, except as otherwise permitted by
29 this chapter and, in the case of audio or video content, is not
30 automatically played;

31 (e) The media consists of direct, private communications between
32 users;

1 (f) The media recommended, selected, or prioritized for display
2 is exclusively the next media in a preexisting sequence from the same
3 author, creator, poster, or source and, in the case of audio or video
4 content, is not automatically played;

5 (g) The recommendation, selection, or prioritization of the media
6 is necessary to comply with this chapter.

7 (2)(a) "Addictive internet-based service or application" means an
8 internet website, online service, online application, or mobile
9 application including, but not limited to, a social media platform,
10 that offers users or provides users with an addictive feed as a
11 significant part of the service provided by that internet website,
12 online service, online application, or mobile application.

13 (b) "Addictive internet-based service or application" does not
14 apply to:

15 (i) An internet website, online service, online application, or
16 mobile application for which interactions between users are limited
17 to commercial transactions or to consumer reviews of products,
18 sellers, services, events, or places, or any combination thereof; or

19 (ii) An internet website, online service, online application, or
20 mobile application that operates a feed for the primary purpose of
21 cloud storage.

22 (3) "Media" means text, audio, an image, or a video.

23 (4) "Minor," unless otherwise specified, means an individual
24 under 18 years of age who is located in Washington state.

25 (5) "Operator" means a person who operates or provides an
26 internet website, an online service, an online application, or a
27 mobile application.

28 (6) "Parent" means a parent or guardian.

29 NEW SECTION. **Sec. 2.** (1) An operator of an addictive internet-
30 based service or application shall estimate the age of minor users
31 with a reasonable level of certainty appropriate to the risks that
32 arise from the data management practices of the operator.

33 (2) An operator of an addictive internet-based service or
34 application shall not use any personal information collected to
35 estimate age or age range for any other purpose or retain that
36 personal information, other than the estimated age or age range,
37 longer than necessary to estimate age. Age assurance shall be
38 proportionate to the risks and data practice of a service or
39 application.

1 NEW SECTION. **Sec. 3.** (1) It shall be unlawful for the operator
2 of an addictive internet-based service or application to provide an
3 addictive feed to a user unless:

4 (a) Prior to January 1, 2026, the operator does not have actual
5 knowledge that the user is a minor; or

6 (b) Commencing January 1, 2026, the operator has reasonably
7 determined that the user is not a minor.

8 (2) Nothing in this chapter shall prohibit an operator of an
9 addictive internet-based service or application from filtering or
10 removing media for minor users, consistent with the operator's
11 policies, procedures, or terms of service.

12 NEW SECTION. **Sec. 4.** (1) Prior to January 1, 2026, it shall be
13 unlawful for an operator of an addictive internet-based service or
14 application, between the hours of 12:00 a.m. and 6:00 a.m., in the
15 user's local time zone, and between the hours of 8:00 a.m. and 3:00
16 p.m., from Monday through Friday from September through May in the
17 user's local time zone, to send push notifications to a user if the
18 operator has actual knowledge that the user is a minor unless the
19 operator has obtained verifiable parental consent to send those push
20 notifications.

21 (2) Commencing January 1, 2026, it shall be unlawful for an
22 operator of an addictive internet-based service or application,
23 between the hours of 12:00 a.m. and 6:00 a.m., in the user's local
24 time zone, and between the hours of 8:00 a.m. and 3:00 p.m., from
25 Monday through Friday from September through May in the user's local
26 time zone, to send push notifications to a user whom the operator has
27 not reasonably determined is not a minor unless the operator has
28 obtained verifiable parental consent to send those notifications.

29 (3) Nothing in this section shall restrict the ability of an
30 operator of an addictive internet-based service or application to
31 send notifications to a user regarding software updates, security
32 alerts, or other information regarding the integrity or maintenance
33 of the user's account.

34 NEW SECTION. **Sec. 5.** The operator of an addictive internet-
35 based service or application shall provide a mechanism through which
36 any user, whether or not they are a minor, may choose to do any of
37 the following:

1 (1) Limit their access to any addictive feed from the addictive
2 internet-based service or application to a length of time per day
3 specified by the user;

4 (2) Limit their ability to view the number of likes or other
5 forms of feedback to pieces of media within an addictive feed;

6 (3) Require that the default feed provided to the user when
7 entering the internet-based service or application be one in which
8 pieces of media are not recommended, selected, or prioritized for
9 display based on information provided by the user, or otherwise
10 associated with the user or the user's device, other than the user's
11 age or status as a minor;

12 (4) Set their account to private mode, in a manner in which only
13 users to whom the user is connected on the addictive internet-based
14 service or application may view or respond to content posted by the
15 user.

16 NEW SECTION. **Sec. 6.** This chapter shall not be construed as
17 requiring the operator of an addictive internet-based service or
18 application to give a parent any additional or special access to, or
19 control over, the data or accounts of their minor child.

20 NEW SECTION. **Sec. 7.** Compliance with this chapter by the
21 operator of an addictive internet-based service or application does
22 not serve as a defense to any claim that a minor, or an individual
23 who was a minor at the time of using the internet-based service or
24 application, might have against the operator of an addictive
25 internet-based service or application regarding any harm to the
26 mental health or well-being of the minor.

27 NEW SECTION. **Sec. 8.** The legislature finds that the practices
28 covered by this chapter are matters vitally affecting the public
29 interest for the purpose of applying the consumer protection act,
30 chapter 19.86 RCW. A violation of this chapter is not reasonable in
31 relation to the development and preservation of business, and is an
32 unfair or deceptive act in trade or commerce and an unfair method of
33 competition for the purpose of applying the consumer protection act,
34 chapter 19.86 RCW.

35 NEW SECTION. **Sec. 9.** It is the intent of the legislature that
36 if any provision of this chapter or its application to any person or

1 circumstance is held invalid, the remainder of the chapter or the
2 application of the provision to other persons or circumstances is not
3 affected.

4 NEW SECTION. **Sec. 10.** Sections 1 through 9 of this act
5 constitute a new chapter in Title 19 RCW.

6 NEW SECTION. **Sec. 11.** If specific funding for the purposes of
7 this act, referencing this act by bill or chapter number, is not
8 provided by June 30, 2025, in the omnibus appropriations act, this
9 act is null and void."

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10 On page 1, line 1 of the title, after "online;" strike the
11 remainder of the title and insert "adding a new chapter to Title 19
12 RCW; and creating a new section."

EFFECT: (1) Removes provisions applicable to a business that provides an online service, product, or feature likely to be accessed by minors, relating to the use of personal information and precise location information of minors, privacy settings and policies, profiling minors, and the use of dark patterns on minors, and removes the associated defined terms.

(2) Revises applicability of the bill's age assurance and personal information retention requirements and restriction on sending notifications to minors during specified periods, from a business that provides an online service, product, or feature likely to be accessed by minors to an operator of an addictive internet-based service or application.

(3) Specifies that the restriction on sending notifications to minors during specified periods applies to push notifications.

(4) Specifies that a user may choose to select certain account options that must be offered by an operator of an addictive internet-based service or application to all users.

(5) Provides that the bill is null and void if specific funding is not provided by the omnibus appropriations act by June 30, 2025.

(6) Revises statutory construction as follows:

(a) States that the prohibition on providing addictive feeds to minors does not prohibit an operator of an addictive internet-based service or application from filtering or removing media for minor users, consistent with the operator's policies, procedures, or terms of service.

(b) States that the restriction on sending notifications to minors during specified periods does not restrict the ability of an operator to send notifications to a user regarding software updates,

security alerts, or other information regarding the integrity or maintenance of the user's account.

(c) Removes a section construing language relating to a business that provides an online service, product, or feature.

--- **END** ---