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ENGROSSED SUBSTITUTE SENATE BILL 5708

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State of Washington

69th Legislature

2025 Regular Session

**By** Senate Ways & Means (originally sponsored by Senators Frame, Wagoner, Alvarado, Hasegawa, Nobles, Salomon, Trudeau, and Valdez; by request of Attorney General)

READ FIRST TIME 02/28/25.

1 AN ACT Relating to protecting Washington children online; adding  
2 a new chapter to Title 19 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

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

20 (c) The information consists of user-selected privacy or  
21 accessibility settings, technical information concerning the user's

1 device, or device communications or signals concerning whether the  
2 user is a minor;

3 (d) The user expressly and unambiguously requested the specific  
4 media or media by the author, creator, or poster of the media, or the  
5 blocking, prioritization, or deprioritization of such media, provided  
6 that the media is not recommended, selected, or prioritized for  
7 display based, in whole or in part, on other information associated  
8 with the user or the user's device, except as otherwise permitted by  
9 this chapter and, in the case of audio or video content, is not  
10 automatically played;

11 (e) The media consists of direct, private communications between  
12 users;

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

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

19 (2)(a) "Addictive internet-based service or application" means an  
20 internet website, online service, online application, or mobile  
21 application including, but not limited to, a social media platform,  
22 that offers users or provides users with an addictive feed as a  
23 significant part of the service provided by that internet website,  
24 online service, online application, or mobile application.

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

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

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

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

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

37 (5) "Operator" means a person who operates or provides an  
38 internet website, an online service, an online application, or a  
39 mobile application.

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

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

5        (2) An operator of an addictive internet-based service or  
6 application shall not use any personal information collected to  
7 estimate age or age range for any other purpose or retain that  
8 personal information, other than the estimated age or age range,  
9 longer than necessary to estimate age. Age assurance shall be  
10 proportionate to the risks and data practice of a service or  
11 application.

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

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

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

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

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

32        (2) Commencing January 1, 2026, it shall be unlawful for an  
33 operator of an addictive internet-based service or application,  
34 between the hours of 12:00 a.m. and 6:00 a.m., in the user's local  
35 time zone, and between the hours of 8:00 a.m. and 3:00 p.m., from  
36 Monday through Friday from September through May in the user's local  
37 time zone, to send push notifications to a user whom the operator has

1 not reasonably determined is not a minor unless the operator has  
2 obtained verifiable parental consent to send those notifications.

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

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

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

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

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

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

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

31 NEW SECTION. **Sec. 7.** Compliance with this chapter by the  
32 operator of an addictive internet-based service or application does  
33 not serve as a defense to any claim that a minor, or an individual  
34 who was a minor at the time of using the internet-based service or  
35 application, might have against the operator of an addictive  
36 internet-based service or application regarding any harm to the  
37 mental health or well-being of the minor.

1        NEW SECTION.    **Sec. 8.**    The legislature finds that the practices  
2 covered by this chapter are matters vitally affecting the public  
3 interest for the purpose of applying the consumer protection act,  
4 chapter 19.86 RCW. A violation of this chapter is not reasonable in  
5 relation to the development and preservation of business, and is an  
6 unfair or deceptive act in trade or commerce and an unfair method of  
7 competition for the purpose of applying the consumer protection act,  
8 chapter 19.86 RCW.

9        NEW SECTION.    **Sec. 9.**    It is the intent of the legislature that  
10 if any provision of this chapter or its application to any person or  
11 circumstance is held invalid, the remainder of the chapter or the  
12 application of the provision to other persons or circumstances is not  
13 affected.

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

16        NEW SECTION.    **Sec. 11.**    If specific funding for the purposes of  
17 this act, referencing this act by bill or chapter number, is not  
18 provided by June 30, 2025, in the omnibus appropriations act, this  
19 act is null and void.

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