



September 15, 2025

The Honorable Gavin Newsom
Governor, State of California
1021 O Street, Suite 9000
Sacramento, CA 95814

Re: AB 56 (Bauer-Kahan) Social media: warning labels. – VETO REQUEST

Dear Governor Newsom,

TechNet and the following organizations must respectfully request that you **veto** AB 56, which would require covered platforms to periodically display a specified black box warning label informing users of Surgeon General's advisory.

While we appreciate the intent of this bill to protect adolescent social media users, we have several concerns regarding this bill. First, the bill raises several constitutional concerns as it requires a government-mandated label on user-generated speech. The label isn't narrowly tailored to address the stated risk of harm to youth mental health. For example, the bill requires a 10 second warning upon accessing a covered platform, followed by a 30 second, unskippable warning after 3 hours of use to be applied to every site that meets the bill's definition of social media. It doesn't apply to specific content, accounts, or even platforms that are most likely to pose risks of harm to minor users.

Additionally, the bill infringes on the speech rights of minors and adults alike by creating a significant barrier to access information and communicate with others. Some studies have shown that 40% of users will give up waiting for a website to load after just 3 seconds. It is highly likely that users will navigate away from these sites or will find workarounds to prevent this label from appearing.

Second, the bill requires the warning label to be shown to all users, even adults, unless the platform can reasonably determine that the user is a minor. This is a de facto requirement to verify the age of all users in order to appropriately target a warning to minor users. The only reliable method to accurately assess a user's age is by collecting more personal information such as birthdates, addresses, and government IDs meaning every California resident will likely be asked to submit more personal information.

Age-verification is a complex challenge for our industry and government entities to address and requires consideration of how to properly balance the interests of privacy and security. While some companies are able to estimate a user's age range, these processes and tools are not nearly accurate enough to support the mandate of this bill.

The fact is there isn't a reliable method of verifying age and identity without collecting users' personal information such as government IDs, birthdates, and other information. This is even more difficult when trying to verify minors, who often don't have identification. Efforts are ongoing to develop more privacy protective ways to verify age online. But until there are industry-wide tools available, age-verification will continue to have tradeoffs and be difficult to implement in practice.

Third, the warning required by AB 56 is unlikely to be accurate in the majority of situations. It obviously is inapplicable to adults, particularly those without children, trying to access social media, but for most minors trying to communicate with friends or access useful or educational information the label tells them nothing about what kinds of content or online behaviors are most likely to impact their mental health. Courts would examine the government's interest in compelling platforms to provide an inaccurate label, one that would apply regardless of the user demographics, content, or safety features the platform had implemented. As a result, the label is clearly not the least restrictive means to improve youth mental health.

The U.S. Surgeon General's report that the bill references found positive outcomes of social media use, not just potential risks.¹ As written, the warning label lacks clarity, fails to accurately reflect the complexity² of the Surgeon General's report, and oversimplifies nuanced findings, and therefore risks being perceived as misleading or incomplete. Such miscommunication could diminish the platform's credibility and confuse users, particularly parents, educators, and policymakers.

Lastly, the fundamental policy objective of the proposed warning label is unclear. If the goal is to increase user awareness or change user behavior, it is essential to assess whether a warning label is the most effective tool to achieve that outcome. A poorly executed warning label may have limited impact, especially if it interrupts user experience or becomes repetitive and ignored over time. Research on "warning fatigue" suggests that users may disregard frequently encountered warnings, diminishing their intended effect.

For these reasons we are respectfully **request that you veto** AB 56. If you have any questions regarding our position, please contact Jose Torres at jtorres@technet.org.

¹ U.S. Surgeon General's Advisory, Social Media and Youth Mental Health, 2023. Pg 6. Available at: <https://www.hhs.gov/surgeongeneral/reports-and-publications/youth-mental-health/social-media/index.html>

² "The influence of social media on youth mental health is shaped by many complex factors, including, but not limited to, the amount of time children and adolescents spend on platforms, the type of content they consume or are otherwise exposed to, the activities and interactions social media affords, and the degree to which it disrupts activities that are essential for health like sleep and physical activity.⁶ Importantly, different children and adolescents are affected by social media in different ways, based on their individual strengths and vulnerabilities, and based on cultural, historical, and socio-economic factors.^{7, 8} There is broad agreement among the scientific community that social media has the potential to both benefit and harm children and adolescents." U.S. Surgeon General's Advisory, Social Media and Youth Mental Health, 2023. Pg 5. Available at: <https://www.hhs.gov/surgeongeneral/reports-and-publications/youth-mental-health/social-media/index.html>

Sincerely,



Jose Torres
Deputy Executive Director | California & Southwest
TechNet

Ronak Daylami, California Chamber of Commerce
Amanda Gualderama, CalBroadband
Aodhan Downey, Computer and Communications Industry Association

CC: Jith Meganathan, Deputy Legislative Secretary, Office of Governor Gavin
Newsom