



Legislation Text

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Res. No. 15

Resolution calling on the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

By Council Members Menin, Lee, Stevens, Gennaro, Hudson, Gutiérrez, Ung, Farías, Won, Zhuang and Hanif

Whereas, The United States is experiencing a youth mental health crisis, with the U.S. Centers for Disease Control (“CDC”) finding that from 2011 to 2021, the percentage of teenage girls in grades 9-12 who persistently felt sad or hopeless increased from 36% to 57%, the percentage of teenage boys in grades 9-12 who persistently felt this way increased from 21% to 29%, and the percentage of teenage boys and girls in grades 9-12 who said they seriously considered attempting suicide increased from 16% to 22%; and

Whereas, New York City has seen evidence of this national mental health crisis among its own youth population, as Epi Data Brief No. 138 of November 2023, issued by the NYC Department of Health and Mental Hygiene, revealed that 77,000, or 37%, of surveyed NYC public high school students reported feeling socially isolated during the pandemic, while 57,000, or 26%, reported signs of depression; and

Whereas, Surveys conducted by the Pew Research Center indicate that internet usage among American teenagers has spiked in recent years, with 46% saying they used the internet “almost constantly” in 2022 and 2023, compared to 24% in 2014 and 2015; and

Whereas, A 2023 Gallup poll found that 51% of U.S. teenagers spend at least four hours per day on social media platforms; and

Whereas, Various health institutes, research organizations, and advocacy organizations across public and private sectors, such as the CDC, the U.S. Surgeon General, the Mayo Clinic, the New York Presbyterian

Hospital, and others have pointed to a growing body of research linking social media use to worsening mental health, particularly among children and young adults, finding increased risk for depression and anxiety, worsened self-image, disrupted sleep, cyberbullying, and other harmful mental health impacts of social media use; and

Whereas, The American Psychological Association issued a 2023 Health Advisory on social media use in adolescence warning that children and teenagers are more susceptible to addictive user engagement strategies and social media functions such as likes, comments, and recommendations; and

Whereas, The Federal Bureau of Investigation's Internet Crime Center Report found that from 2019 to 2020, yearly cases of cybercrime against children increased by 144%, and that children are less likely to be vigilant about good digital hygiene practices like strong passwords and not sharing personal information; and

Whereas, International organizations such as UNICEF and the European Union, through its General Data Protection Regulation, emphasize that minors are more susceptible to targeted advertising and related tactics like embedded marketing, all of which make use of personal data; and

Whereas, Due to the various and persistent issues around social media's mental health impacts and documented data exploitation of young people, many experts and advocates have continually stressed the importance of expansive regulations to protect minors online and likewise have applauded the announcement of the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148); and

Whereas, The New York Child Data Privacy and Protection Act (S.3281/A.4967), sponsored in the State Senate by Senator Andrew Gounardes and in the Assembly by Assemblymember Nily Rozic, would, among other things, ban social media platforms from showing children targeted advertisements without parental consent and prohibit such platforms from collecting, selling, retaining, and processing children's data absent a compelling reason; and

Whereas, The Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148), also sponsored

by Senator Gounardes and Assemblymember Rozic, would, among other things, prohibit social media platforms from delivering addictive feeds to children under 18 years old and require that such platforms obtain parental consent before sending notifications to children between 12:00 AM and 6:00 AM; and

Whereas, In October 2023, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148) were championed in a joint statement by Senator Gounardes, Assemblymember Rozic, Governor Kathy Hochul, and New York Attorney General Letitia James as bills that would protect the privacy and mental health of New York's youth online; and

Whereas, Such protections are now more important than ever as rapid developments in augmented reality, virtual reality, and generative artificial intelligence applications, many of which are coming from the same companies that operate social media platforms, promise new possibilities which will inevitably look to maximize user engagement and utilize user-generated data; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, the New York Child Data Privacy and Protection Act (S.3281/A.4967) and the Stop Addictive Feeds Exploitation (SAFE) for Kids Act (S.7694/A.8148).

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