

## Will Teens Loss Access to Social Media?

By Ross Stone

Does social media present a danger to the safety and mental health of children? Many government officials across the nation believe so. Arkansas Governor Sarah Huckabee Sanders recently signed the Social Media Safety Act, which will substantially limit teen access to social media this September.<sup>1</sup> The Act will prevent Arkansas children under the age of 18 from creating accounts on various social media platforms without parental consent.<sup>2</sup> Specifically, the Act intends to restrict teen use with Facebook, Instagram, and TikTok according to Tyler Dees, an Arkansas state senator.<sup>3</sup> In contrast, LinkedIn and YouTube are supposedly outside of the Act's scope.<sup>4</sup>

Politicians on both sides of the aisle have alleged that social media plays a significant role in the decline of mental health among teens.<sup>5</sup> Politicians that favor heightened restrictions on social media platforms have justified their views by pointing to various studies linking social media use with increased rates of anxiety and depression.<sup>6</sup> Members of the bipartisan U.S. House Committee on Energy and Commerce have criticized viral “challenge videos” which promote others to engage in dangerous activities.<sup>7</sup> In fact, TikTok currently faces litigation on behalf of a 10-year-old child who died from participating in the “blackout challenge” where participants choke themselves into blacking out.<sup>8</sup>

Conversely, social media restrictions on teens have been subject to scrutiny. Proponents of widespread social media use, such as the Computer & Communications Industry Association, have claimed that barring social media use will hinder the creative expression of teens as they would be impeded from interacting with like-minded individuals.<sup>9</sup> Civil liberty groups also argue that teens in marginalized communities, such as minority and LGBTQ+ teens, are better able to seek communities of support through social media.<sup>10</sup> Advocacy group, Fight for the Future, claims that that laws restricting social media access violate the constitutional and human rights of teens.<sup>11</sup> Additionally, tech groups add that similar bills to Arkansas' Social Media Safety Act will

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<sup>1</sup> Brenna Goth, *Arkansas to Require Parent Permission for Teens on Social Media*, BLOOMBERG LAW (Apr. 12, 2023, 4:42 PM), <https://www.bloomberglaw.com/product/blaw/bloomberglawnews>.

<sup>2</sup> *Id.*

<sup>3</sup> Diego Lasarte, *Arkansas Says Teens Need Parental Permission to Use Social Media, but Not to Get a Job*, YAHOO! (Apr. 13, 2023, 12:39 PM), <https://news.yahoo.com/arkansas-says-teens-parental-permission-163900772.html>.

<sup>4</sup> *Goth*, *supra* note 1.

<sup>5</sup> Brian Bushard, *Arkansas Requiring Parental Permission for Kids to Use Social Media*, FORBES (Apr. 12, 2023, 5:44 PM) <https://www.forbes.com/sites/brianbushard/2023/04/12/arkansas-requiring-parental-permission-for-kids-to-use-social-media-joining-utah/?sh=44d583db64b0>.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> Letter from Khara Boender, State Pol’y Dir., Comput. & Commc’ns Indus. Ass’n, to Michell Nelson, Legis. Analyst, Senate Comm. on Ins. & Com (on file with author).

<sup>10</sup> Maanvi Singh, *Utah Bans Under-18s Using Social Media Unless Parents Consent*, THE GUARDIAN (Mar. 24, 2023, 12:06 PM), <https://www.theguardian.com/us-news/2023/mar/23/utah-social-media-access-law-minors>.

<sup>11</sup> Bushard, *supra* note 5.

put data privacy at risk of breach since online services will be prompted to collect sensitive information to verify age and parental relationships.<sup>12</sup>

Several other states have sought to impose restrictions on teen social media use. Texas legislators, for example, have proposed a bill that would entirely ban minors from social media use.<sup>13</sup> Ohio Governor Mike DeWine has also voiced his support for a bill requiring parental consent for teen use on social media platforms.<sup>14</sup> While lawmakers may have other political reasons in supporting restricted social media use among America's youth, politicians across the United States need to prioritize addressing the mental health crisis without the interference of cloudy judgement.

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<sup>12</sup> Singh, *supra* note 10.

<sup>13</sup> *Id.*

<sup>14</sup> Lasarte, *supra* note 3.