

Senate Bill 4 – Parental Consent to Join Social Media Networks

Pa. House passes bill requiring parental consent on social media, despite first amendment concerns

<https://penncapital-star.com/technology-information/pa-house-passes-bill-requiring-parental-consent-on-social-media-despite-first-amendment-concerns/>

By: Ian Karbal

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A bill intended to allow parents more oversight of their children's use of social media passed the House Wednesday with a 105-95 vote.

The bill would require social media platforms to verify the age of new users creating accounts and attempt to request parental consent of anyone under 16. It would also prohibit social media companies from selling minors' data to third parties and using it to target ads, and require platforms to have a clear policy for reporting threats and harassment.

"The internet and social media have grown exponentially over the last few decades," Brian Munroe (D-Bucks), the bill's sponsor, said on the floor. "It is far past time for us to act on behalf of children and parents and put in place a modicum of protections and guardrails to protect our children."

But the bill has come under fire from free speech advocates and lobbying groups representing social media companies. It also closely resembles laws passed in other states that have been blocked by courts for first amendment violations. It's one of several Pennsylvania bills looking to regulate the use of social media amid concerns over its impacts on the privacy and mental health of children and teenagers.

Liz Randol, the legislative director at the Pennsylvania chapter of the American Civil Liberties Union, is particularly concerned about a section of the bill that would require social media companies to create policies allowing users to report "hateful" posts perceived as humiliating or vilifying groups or individuals. Those companies would then have to respond to those violations or face financial penalties from Pennsylvania's Attorney General.

According to Randol, the language in this section of the bill very closely resembles a New York law that received an injunction because it violated the first amendment rights of social media companies.

"It's basically what the user is experiencing as vilifying or humiliating that would somehow count as sufficient enough that would warrant the platform to respond to every one of these things," Randol said. And if they fail to do any of this stuff, it's under threat of penalty — a \$1,000 penalty each day for each user they haven't responded to."

The New York District Court Judge said that requiring hate speech policies and subsequent actions effectively amounted to compelling speech from the companies.

"You can't force the private platforms to compel speech," Randol said. "It's almost embarrassing how flagrantly unconstitutional this is and the amount of effort they're putting in to get this thing passed. I have to say I'm kind of baffled by it."

In an interview, Munroe said while he is aware of the New York law, he isn't concerned with how his bill might fare in court if passed.

"The first thing they kind of teach you about being a state rep is that you don't legislate concerning what the courts are going to do," Munroe said. "That's a separate branch of government."

Moreover, Munroe believes the bill's requirements for social media companies are in line with broader anti-discrimination rules.

"We're not telling these social media companies what policy to make," Munroe said. "We're not telling them what it's supposed to look like."

But Randol and others have also raised concerns about the enforceability of the law's requirement for social media companies to verify their users' age. Moreover, opponents of the bill have raised concerns that any method of verifying their users' age could result in the privacy violations of all users.

The Computer & Communications Industry Association, a trade group representing some of the largest social media companies, wrote a five page letter in opposition to the bill. Among their complaints was that the age verification requirement could force companies to collect even more data than they already do in order to verify their users' age.

The ACLU agrees.

"The age verification would apply to every single user," Randol said. "Whatever that data is that they're collecting just sort of ratchets up the total amount of identifying information about an individual you'd have to give to any platform which you'd want to create a new account."

Randol noted, however, that the current version of the bill is a step in the right direction from the one that was first introduced earlier this year, and is even in favor of the bill's limits on data collection.

A previous version of the bill came under fire for effectively requiring social media platforms to monitor the private conversations of minors on their platforms in order to notify their parents of potentially harmful or concerning messages. That was amended out by Munroe Tuesday following privacy concerns raised by other lawmakers as well as lobbying groups like Planned Parenthood.

While Munroe understands concerns over the bill, he believes the benefits outweigh the harms.

"As a parent to a 13 year old daughter and a 16 year old daughter, I think parents have certain rights," Munroe said. "They should be allowed to parent their children."

Lawmakers say they're protecting kids—but their age checks are quietly building an ID requirement for the entire internet

<https://fortune.com/2026/07/21/age-verification-social-media-bans-under-16/>

By: Catherina Gioino

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Australia banned under-16s from social media in December; the U.K. is now investigating whether TikTok's age checks even work; and France just finalized its own under-15 ban this week, racing to beat the August recess. Platforms are grappling with how to handle the "age verification trap," how do you collect information about a user online without infringing on their privacy and being too intrusive. And while these bans are taking place abroad, some states in the country are toying with similar measures, or fully banning users from specific sites if the platforms can't verify their age accurately.

David Inserra, a fellow for free expression and technology at the Cato Institute who also sits on TikTok's US Content Advisory Council, told Fortune that each of these laws gets sold as a narrow fix for kids, and each one ends up asking something much bigger of everyone else.

"It's not just about verifying the age of kids," Inserra said. "To verify the age of kids, you have to verify the age of everyone, and that means everyone's ID." A platform can't apply scrutiny only to the accounts that turn out to belong to minors: it has to ask every user to prove their age before it knows who's who.

That mechanism is what turns a child-safety law into an identity mandate for the entire user base, adults included, Inserra said.

A failed "show your papers" measure in Australia

Six months into its ban, more than 60% of Australian 12- to 15-year-olds who had social media accounts beforehand still have access to at least one platform. "Any of these other mechanisms can be fooled," Inserra said, describing kids in Australia and abroad who've beaten facial-recognition and age-inference checks with small changes, like a ponytail or wearing makeup. One mother even caught her son using an eyebrow pencil to draw on a mustache to look older for a camera scan. "Even the show-your-papers mechanisms can be subjected to fake IDs," Inserra added, "or better yet, you just have a family account where your parents or some other person just makes an account for you."

Notably, Australia's regulator has explicitly barred platforms from demanding government ID even when a user's age is in doubt. The ban hasn't delivered the safety outcome it promised, but the country has already drawn a line on how much identifying information it's willing to force out of everyone to try to get there.

Only a matter of time before the regulatory 'crackdown'

Ofcom's July 16 investigation into TikTok is the crackdown Inserra predicted would come. "When these laws, these policies fail to live up to the hype that they promise, because people can get around them... these regulators will crack down," he said. "It's what we're seeing in the UK, and it's only—it's starting in

Australia. I think it's only a matter of time before this happened." Ofcom says TikTok's age-inference model—the lightest-touch method, guessing age from behavior rather than documents—may have missed a significant share of underage users. The regulator's message to platforms is to switch to something "highly effective," a phrase that in practice means something closer to ID or biometric verification.

That escalation is already spreading past the platforms. "That's why they're also going after VPNs, or considering going after VPNs, in the UK, because once again that's a way around the system," Inserra said. The UK's House of Lords voted to require VPN providers to run their own age checks and to bar minors from using them at all, after VPN adoption spiked in response to the Online Safety Act. A tool built for privacy and security, used by journalists and remote workers as much as anyone trying to dodge an age gate, becomes another front in an enforcement fight that started with a much narrower target.

A growing tension in France

France finalized its under-15 ban this week after a scramble to reconcile its two legislative chambers before the summer recess, aiming for enforcement by the start of the school year in September. It's the country's second attempt: a 2023 law requiring parental consent for under-15 accounts never got European Commission approval and was barely enforced. This time, reporting on the bill has already surfaced the identical choice Inserra describes: an ID scan that's reliable but easy to lend to a younger sibling and privacy-invasive for everyone required to submit one, or a facial-age estimate that protects privacy but is easy to fool. Coverage of the bill has also flagged the same workaround risk Australia already lived through — under-15s simply switching to newer platforms or using a VPN to get around the check entirely.

Fortune has tracked this same tension building on the industry and legislative side in the US, where social media companies are fighting the "age verification trap" as biometric collection becomes a compliance requirement, and where Congress advanced the Kids Online Safety Act and App Store Accountability Act through committee within 48 hours of each other, over the same privacy objections now surfacing in Paris.

Inserra doesn't expect the US to land in the same place as the UK or France. Instead, he recalls the Supreme Court precedent protecting anonymous speech as a reason he thinks American courts will resist a law that functions as a national identification requirement to get online.

"To verify the age of kids, you have to verify the age of everyone, and that means everyone's ID," he said, which likely won't fly stateside.

But across Australia, the UK, and France, it may be something regulators inch towards.