



## Legislative Council Staff

*Nonpartisan Services for Colorado's Legislature*

# Memorandum

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**TO:** Interested Persons  
**FROM:** Brendan Fung, Fiscal Analyst, 303-866-4781  
**SUBJECT:** Implications of Social Media Use on Adolescent Mental Health and Policy Framework

### Overview

The relationship between social media use and adolescent mental health has prompted a rise in regulatory policy across the nation and in Colorado. This memorandum examines social media use and adolescent health outcomes, the predominant policy frameworks in this domain, and federal and state legislative efforts to address growing concerns.

### Adolescent Social Media Use and Youth Mental Health

Adolescent social media use has increased significantly over the past decade as digital technology evolves and expands into nearly all facets of life. In 2023, an estimated 97 percent of American youth aged 13 to 17 used social media on a daily basis, and 46 percent used the internet “almost constantly” compared to 24 percent ten years ago.<sup>1</sup> Today’s adolescents also spend more time on social media at an average of 4.8 hours per day, or roughly one-third of waking hours.<sup>2</sup> Despite standard age restrictions on most social media platforms, 40 percent of youth aged 8 to 12 accessed social media in the past year.<sup>3</sup>

At the same time, America’s youth continue to experience a precipitous decline in mental health outcomes. Since 2013, the percentage of high school students who experienced persistent feelings of sadness or hopelessness increased from 30 percent to 42 percent. Teenagers who seriously considered attempting suicide also grew from 16 percent in 2011 to 22 percent in 2021.<sup>4</sup> Colorado teenagers and youth closely mirror these national increases. Between 2016 and 2021, the number of emergency visits by Colorado children seeking care for self-harm more than tripled, and suicide has become the state’s leading cause of death among adolescents.<sup>5,6</sup>

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<sup>1</sup> <https://www.pewresearch.org/internet/2022/08/10/teens-social-media-and-technology-2022/>

<sup>2</sup> <https://news.gallup.com/poll/512576/teens-spend-average-hours-social-media-per-day.aspx>

<sup>3</sup> <https://ncbi.nlm.nih.gov/books/NBK594759>

<sup>4</sup> [https://www.cdc.gov/healthyouth/data/yrbs/pdf/YRBS\\_Data-Summary-Trends\\_Report2023\\_508.pdf](https://www.cdc.gov/healthyouth/data/yrbs/pdf/YRBS_Data-Summary-Trends_Report2023_508.pdf)

<sup>5</sup> <https://www.coloradokids.org/wp-content/uploads/2023/08/2023-KC-Book-proof-8.23.23a.pdf>

<sup>6</sup> <https://cdphe.colorado.gov/suicide-prevention/youth-and-young-adult-suicide-prevention>



The simultaneous increase in youth social media use and poor adolescent health outcomes has sparked a national conversation about a possible relationship between the two phenomena. Public polling shows that 90 percent of American adults believe that social media use harms adolescents.<sup>7</sup> However, scholars have found a more complicated relationship.

Rather than identifying a singular causal association assumed by much of the public, researchers have instead found a bidirectional correlation. Overall, social media use by adolescents is linked with both negative and positive mental health outcomes—dependent on the quantity of use, the social media platform, adolescent demographics, measurements of health, educational background, socioeconomic status, and other extraneous factors.

### **Negative health outcomes**

As widely suspected, researchers find that social media use by youth leads to increased rates of depression, anxiety, and suicidal thoughts. Specifically, adolescents who use more than three hours of social media per day are twice as likely to experience poor mental health outcomes.<sup>8</sup> Compared to their male and majority population counterparts, young females and minorities are at higher risks of negative mental health outcomes when social media use increases.<sup>9</sup> Research has identified a wide scope of corollary health risks for youth that use social media, including low self-esteem, disordered eating behaviors, poor sleep, inattention, hyperactivity, loneliness, and self-harm, among others.

### **Positive health outcomes**

Researchers concurrently find that social media use by youth has beneficial impacts on mental health and wellbeing. Youth who use social media experience higher rates of self-realization, aspirational development, and peer engagement—critical components of adolescent development.<sup>10</sup> Racial, ethnic, sexual, and gender minorities report heightened social support from digital communities and lower levels of stress. Additionally, a majority of adolescents believe that social media use improves their connectivity to other peers, provides an outlet for creativity, and helps them feel accepted into a community.<sup>11</sup>

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<sup>7</sup> <https://www.statista.com/statistics/1426538/us-adults-harmful-social-media-usage-teens-kids>

<sup>8</sup> <https://www.icpsr.umich.edu/web/NAHDAP/studies/38502/versions/V1>

<sup>9</sup> <https://www.pnas.org/doi/10.1073/pnas.1902058116>

<sup>10</sup> [https://publications.aap.org/pediatrics/article/140/Supplement\\_2/S67/34168/Benefits-and-Costs-of-Social-Media-in-Adolescence?autologincheck=redirected](https://publications.aap.org/pediatrics/article/140/Supplement_2/S67/34168/Benefits-and-Costs-of-Social-Media-in-Adolescence?autologincheck=redirected)

<sup>11</sup> <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>



## Legislative Response

In light of broad health implications for adolescents, policymakers have responded to public concern and addressed social media regulation through legislation. Policies concerning adolescent social media regulation primarily address two factors: privacy and safety.

**Privacy policies.** Privacy policies aim to protect minors' privacy on social media platforms and safeguard sensitive data from collection and sale. This type of legislation may require social media companies to default a minor's account to the most private settings, ban data collection from minor users, or mandate transparency during data breaches and hacking attempts.

**Safety policies.** Safety policies focus on shielding adolescents from seeing or purchasing illicit content and regulating communication between parties. Legislation concerning safety may enforce age restrictions and parental consent for social media access, require companies to moderate content, establish disciplinary action for the sale or publication of certain content, or prohibit the use of algorithmic systems. Other notable types of social media regulatory policy include commissions and task forces, studies, literacy, and judicial action.

## Federal Regulation

The federal government addresses adolescent social media use through both legislation and agency rules. The [Communications Decency Act \(CDA\)](#) of 1996 prohibited any individual from transmitting "obscene or indecent" messages to recipients under age 18 or displaying offensive material online. The U.S. Supreme Court struck down the CDA and ruled that it violated the First Amendment's protection of free speech. However, [Section 230](#) of the CDA remains in place. This statute provides immunity to online platforms from civil liability stemming from third-party content, authorizes content moderation, and protects a user's freedom of speech. In 1998, the Federal Trade Commission created the [Children's Online Privacy Protection Rule \(COPPA\)](#). COPPA requires website operators to publish detailed privacy policies, limit the collection of a minor's personal data, acquire parental consent before collecting a minor's data, disclose any data collected, and secure any data collected on a minor.

In the past two years, several bipartisan bills regarding adolescent social media regulation have been introduced into the U.S. Congress. The [Kids Off Social Media Act](#), [Protecting Kids on Social Media Act](#), [Kids Online Safety Act](#), and [Children and Teens' Online Privacy Act](#) each address a variety of privacy and safety concerns, including fortifying age verification and parental consent for users under age 13, prohibiting the use of algorithms for minors, and enhancing data privacy. However, none have progressed beyond introduction to a floor vote in either chamber, and no comprehensive social media regulation exists in federal law.



## State Regulation

State legislatures across the U.S. have recently passed broad policies concerning adolescent social media use. In 2023, **Utah** adopted extensive minor privacy laws and **California** passed a series of bills to moderate illicit content and establish legal pathways for corporate liability. Conversely, both **Texas** and **Florida** enacted laws to ban the moderation of content on social media sites. In all, over 20 states have enacted data privacy laws protecting minors' information and the number of social media safety policies introduced each year continues to grow. During the 2023 state legislative sessions, 30 states considered social media regulatory bills<sup>12</sup>.

## Colorado Regulation

Colorado is among the many U.S. states contemplating social media regulatory policy. During the 2021 legislative session, the Colorado General Assembly passed the Colorado Privacy Act through [SB 21-190 Protect Personal Data Privacy](#), expanding the Colorado Consumer Protection Act with enhanced data privacy regulations. The 2021 General Assembly also considered, but did not pass, content moderation bill [SB 21-132 Digital Communications Regulation](#) which would have established a commission to investigate complaints related to hate speech and discriminatory communication on social media platforms.

In 2024, the state enacted several privacy and safety bills:

- [SB 24-041 Privacy Protections for Children's Online Data](#) further expands the Colorado Privacy Act to include explicit protections for minors' data;
- [SB 24-084 Attorney General Duties to Prevent Mis- & Dis-Information](#) requires the Colorado Attorney General to prevent and combat the sharing and spreading of factually inaccurate information on digital platforms; and
- [HB 24-1136 Healthier Social Media Use by Youth](#) requires social media companies to display warning notifications to users under age 18 after spending at least one hour per day on the platform or accessing the platform between 10 p.m. and 6 a.m. The bill also creates a resource bank for materials and curricula related to the mental and physical health risks of social media use on adolescents.

The General Assembly also considered, but did not pass, [SB 24-158 Social Media Protect Juveniles Disclosure Reports](#). This legislation, among a wide range of regulatory provisions, would have established age verification requirements, banned the use of algorithmic functions on minor users, restricted the sale and advertising of certain products, and required disciplinary actions against users who breach company policies.

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<sup>12</sup> <https://www.ncsl.org/technology-and-communication/social-media-and-children-2023-legislation>



## Policy Challenges

Social media regulatory policy faces several challenges including questions of constitutionality and bidirectional correlations. The First Amendment of the U.S. Constitution protects the freedom of speech and expression, which remains unclear in its application to social media companies, misinformation, and adolescent access. Enacted state policies that moderate content and those that prevent moderation have faced equal criticism and lawsuits for unconstitutionality. State judicial systems have ruled in favor and opposition to claims of constitutionality and the U.S. Supreme Court declined to rule on the First Amendment rights of social media companies and users. Therefore, the legality of content moderation remains unclear.

A lack of linear causality between adolescent social media use and health outcomes may also hinder the successful implementation of social media regulatory policies. With research finding both negative and positive health outcomes linked to social media use, legislation that limits usage may reduce the positive outcomes as much as the negative. As a new policy domain, social media policies do not have a breadth of field data from within or outside the state to help guide policy efforts.