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AB-1282 Mental health: impacts of social media. (2023-2024)

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Assembly Bill No. 1282

CHAPTER 807

An act to add and repeal Article 4 (commencing with Section 124270) of Chapter 4 of Part 2 of Division 106 of the Health and Safety Code, relating to mental health.

[Approved by Governor September 28, 2024. Filed with Secretary of State September 28, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1282, Lowenthal. Mental health: impacts of social media.

Existing law, the Mental Health Services Act, an initiative measure enacted by the voters as Proposition 63 at the November 2, 2004, statewide general election, establishes the Mental Health Services Oversight and Accountability Commission, and authorizes the commission to take specified actions, including advising the Governor or the Legislature regarding actions the state may take to improve care and services for people with mental illness. Existing law authorizes the State Department of Public Health to, among other things, enforce its regulations and protect and preserve the public health.

This bill would require the department, in consultation with the commission, to report to specified policy committees of the Legislature, on or before December 31, 2026, a statewide strategy to understand, communicate, and mitigate mental health risks associated with the use of social media by children and youth. The bill would require the report to include, among other things, (1) the degree to which the mental health of children and youth is positively, negatively, or neutrally impacted by use of social media and (2) recommendations to strengthen children and youth resiliency strategies and California's use of mental health services related to social media use. The bill would require the department to explore, among other things, the child and youth populations that use social media, including disproportionate rates and impacts among specific groups, and the negative behavioral health risks, as specified, associated with social media use and misuse among children and youth. The bill would require the department to additionally consult with certain communities in preparing the report, and prior to publication. The bill would repeal these provisions on January 1, 2030.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 4 (commencing with Section 124270) is added to Chapter 4 of Part 2 of Division 106 of the Health and Safety Code, to read:

Article 4. Impacts of Social Media on Mental Health

124270. As used in this article, the following definitions apply:

(a) "Children and youth" means individuals up to 26 years of age.

(b) "Department" means the State Department of Public Health.

(c) "Social media" means a social media platform, as defined in Section 22675 of the Business and Professions Code.

124270.1. (a) The department, in consultation with the Behavioral Health Services Oversight and Accountability Commission, shall report to the Senate and Assembly Committees on Health, the Senate Committee on Judiciary, the Assembly Committee on Privacy and Consumer Protection, and other relevant policy committees of the Legislature, a statewide strategy to understand, communicate, and mitigate mental health risks associated with the use of social media by children and youth. The report shall include all of the following:

(1) The degree to which the mental health of children and youth is positively, negatively, or neutrally impacted by use of social media.

(2) Recommendations to strengthen children and youth resiliency strategies and California's use of mental health services related to social media use.

(3) Any barriers to receiving data relevant to completing this report.

(b) In preparing the report, the department shall explore all of the following:

(1) The types of social media.

(2) The child and youth populations that use social media, including disproportionate rates and impacts among specific groups.

(3) Opportunities to support resilience and mental well-being among children and youth around social media use.

(4) Negative behavioral health risks, which includes mental health and substance misuse associated with social media use and misuse among children and youth.

(5) The factors that contribute to positive, negative, and neutral impacts among various populations of children and youth.

(c) In formulating this report, the department shall prioritize the perspectives of children and youth through a robust engagement process with a focus on transition-age youth, at-risk populations, in-need populations, and underserved cultural and linguistic populations.

(d) The department shall also consult with the California mental health community, including, but not limited to, consumers, children, youth, families, providers, educators, and other subject matter experts, as it develops the report and prior to the report being publicly reported as provided in subdivision (a).

(e) The report shall be submitted on or before December 31, 2026.

(f) The report shall be submitted in compliance with Section 9795 of the Government Code.

124270.2. This article shall remain in effect only until January 1, 2030, and as of that date is repealed.