

braska Gov. Jim Pillen seeks to bar minors from - Lincoln Journal Star (NE) - January 14, 2025 - page 001 January 14, 2025 | Lincoln Journal Star (NE) | ANDREW WEGLEY Lincoln Journal Star | Page 001

Inside: Lincoln judge allows Nebraska Attorney General's lawsuit against TikTok to go forward. Page A3

Gov. Jim Pillen and a group of Republican lawmakers unveiled a set of proposed policies Monday that seek to shield Nebraska's children from the harmful effects that **social media** can have on adolescents.

At Pillen's request, lawmakers will put forward four bills this year meant to curb youths' access to social media and the potential harms they could be subject to online, including one proposal that would bar Nebraskans younger than 18 from joining social media apps without parental consent.

The other proposals backed by the governor and attorney general include bills that would require Nebraska schools to bar students from using cellphones, require **social media** companies to build protections for children into their platforms and outlaw the creation or possession of computer-generated "deep fake" child sex abuse images.

In a news conference outlining the legislation Monday at the Capitol, Pillen cast the proposals as an extension of the state's "absolute responsibility to prevent exposure to our children to the things that are not age appropriate," likening the restrictions to laws that prevent children from using tobacco and alcohol.

"We do those things because we want to protect our children, and we know that children do not have the development yet to make the best decisions that they can regret and have irreparable harm," the governor said.

Lawmakers on Monday formally introduced two of the four bills outlined at Pillen's news conference, while the others are still being finalized by bill drafters, lawmakers said.

Sen. Tonya Storer of Whitman, who is expected to introduce the proposal later this week to bar Nebraskans younger than 18 from joining **social media** apps without parental consent, outlined the bill at Monday's news conference, where she said "the debate about **social media**'s **impact** on children is, quite frankly, over."

"And the evidence is clear," the freshman senator said. "We see an ongoing rise in mental health, anxiety, depression, more self-harm and more suicidal ideation. If we fail to act, then we're failing an entire generation."

Storer's proposal would require all **social media** companies doing business in Nebraska to provide "reasonable age verification" for all users, according to a draft of the bill she allowed the Journal Star to review. The companies would need to obtain "express parental consent" from the guardians of any minors seeking to create a **social media** account in Nebraska.

The proposal would allow **social media** companies to be subject to civil penalties for failing to uphold the law, which would cost the companies \$2,500 per violation, Storer said.

Sen. Rita Sanders of Bellevue introduced a proposal (LB140) that would require every school board in the state to adopt a policy that would bar students from using cellphones "while on school property or attending a school function."

The bill, which would require school boards to adopt phone bans prior to the 2025-2026 school year, calls for exceptions to the policies, including when students may need to use their phones for emergencies, health care reasons, when authorized by a teacher or other staff member, or when a student's special individualized education program requires phone usage.

Sen. Brian Hardin of Gering put forward a bill (LB172) that would outlaw computer-generated child sex abuse images in a move that Hardin said "catches the law up with the technology."

The proposal targets the use of artificial intelligence and other internet programs to create sexually explicit images "indistinguishable from a real child." The bill would make violating the updated law a class III felony for defendants 18 and younger and a class 1D felony for those 19 and older.

And Sen. Carolyn Bosn of Lincoln, a former prosecutor who chairs the Legislature's Judiciary Committee, will introduce a bill that broadly seeks to require **social media** companies to design their platforms with children in mind.

A draft of the bill, which hasn't yet been introduced, indicates the legislation would require the companies to design their platforms to safeguard against compulsive usage, psychological harm, emotional distress, privacy intrusions and identity theft.

The draft legislation also calls for companies to allow users to personalize the content suggested to them by social media algorithms and would bar the companies from facilitating targeted ads to minors. The draft proposal also would require the companies to allow parents to manage the privacy settings and screen-time limits on their child's account.

"This bill is directed towards the design of those **social media** applications and not the content that is placed on them," Bosn said at Monday's news conference, emphasizing that the legislation would allow parents to regain control over their child's private information "without undermining the First Amendment."

The set of policies proposed for Nebraska comes as **social media** companies are under increased scrutiny for the negative impacts the platforms are having on teens.

The U.S. surgeon general in June called on Congress to require warning labels on social media platforms, citing their effects on young people's lives, similar to those that appear on cigarette boxes. The last federal law aimed at protecting children online was enacted in 1998.

Pillen acknowledged at Monday's news conference that opponents of the measures may cast them as "infringing and so forth."

Free-speech advocates have argued that broad bans of children from **social media** don't satisfy a heightened level of judicial review known as "strict scrutiny."

Attempts to regulate how **social media** companies interact with child users, including a law passed in California last year that resembles Bosn's proposal, have faced legal challenges.

Nebraska Attorney General Mike Hilgers, who appears at Monday's news conference alongside Pillen and the group of lawmakers, said all four proposals are "absolutely" enforceable and that court rulings on similar policies nationwide have "generally ... reinforced our conclusion that the state can enforce these things."

Hilgers, who last year sued the **social media** giant TikTok and accused the company of "intentionally designing" an "addictive and harmful" platform, pointed again to the company Monday as he made the case for the set of proposals.

"What these **social media** companies are doing are absolutely horrendous. They are going to kids, and they are going to parents, and they are saying that 'our sites are safe,'" Hilgers said, before calling out TikTok by name. "And they know, and we know, that it's absolutely false."

Attorney General Mike Hilgers (right) talks next to Gov. Jim Pillen in the Governor's Hearing Room on Monday at the Capitol.

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JUSTIN WAN, Journal Star Sen. Brian Hardin of Gering (left) and Sen. Rita Sanders of Bellevue listen during a news conference in the Governor's Hearing Room on Monday at the Capitol.

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JUSTIN WAN, Journal Star Attorney General Mike Hilgers (right) speaks next to Sen. Tanya Storer of Whitman (from left), Sen. Carolyn Bosn of Lincoln, Sen. Brian Hardin of Gering, Sen. Rita Sanders of Bellevue and Gov. Jim Pillen during a news conference in the Governor's Hearing Room on Monday at the Capitol.

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