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Public Hearing of SB 976 Rulemaking

Moderated by Daniel DuBois

Tuesday, June 30, 2026

1:03 p.m.

Elihu Harris Auditorium

1515 Clay Street

Oakland, CA 94612

Reported by: Nicholas Casas

JOB NO: 8288120

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A P P E A R A N C E S

List of Attendees:

Daniel DuBois, Hearing Officer, Department of Justice
Consumer Protection Section

Stacey D. Schesser, Supervising Attorney General,
Consumer Protection Section Privacy Unit

Nicklas Akers, Senior Assistant Attorney General,
Consumer Protection Section

Monica Zi, Deputy Attorney General (by
videoconference)

Tahra Hoops, Chamber of Progress

Trini Hurtado, Tech Assistance

Aodhan Downey, Computer & Communications Industry
Association (by videoconference)

Mikey Hothi, California Policy Director, Common Sense
Media (by videoconference)

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P R O C E E D I N G S

MR. DUBOIS: Good afternoon. Thank you for being here. On behalf of the California Department of Justice and Attorney General Rob Bonta, I'd like to welcome everyone to today's hearing regarding the proposed regulations for the Protecting our Kids from Social Media Addiction Act.

My name is Daniel DuBois with the Department of Justice's Consumer Protection Section and I will be the hearing officer for today's proceedings.

Also present here today with me are Supervising Deputy Attorney General in the Consumer Protection Section's Privacy Unit, Stacey Schesser; and Senior Assistant Attorney General in charge of the Consumer Protection Section, Nicklas Akers. Also, Deputy Attorney General Monica Zi is joining us on the Zoom.

Before we begin, there are a few points that I need to make for the record. Today is Tuesday, June 30, 2026, and the time is about 1:03 p.m. We are in the auditorium of the Elihu M. Harris State Office Building, located at 1515 Clay Street in Oakland, California.

On May 15, 2026, the Notice of Proposed

1 Rulemaking for the Protecting our Kids from Social
2 Media Addiction Act was published in the California
3 Regulatory Notice Register No. 20-Z, starting at
4 page 684. The notice and related rulemaking documents
5 were posted on the attorney general's website on
6 May 15, 2026, and were sent to all interested parties
7 who had requested rulemaking notices.

8 The 45-day written comment period will
9 conclude shortly after today's hearing. The exact
10 deadline for submitting written comments is today
11 June 30, 2026, at 5 p.m. Pacific Standard Time.

12 There are resources on our website
13 about this rulemaking process, including two documents
14 in PDF format entitled Tips on Submitting Effective
15 Comments and Information about the Rulemaking process.
16 Please visit www.oag.ca.gov/sb976 for further
17 information.

18 Today's public hearing is
19 quasi-legislative in nature and is being held pursuant
20 to the California Administrative Procedures Act. The
21 California Administrative Procedures Act specifies
22 that the purpose of this hearing is to receive public
23 comments pertaining to the proposed regulations.

24 Today's hearing is being recorded via
25 Zoom and the meeting will also be audio recorded and

1 transcribed by a court reporter. The transcript of
2 the hearing and any written comments presented during
3 the hearing are part of the public rulemaking record.
4 Please try your best to speak slowly and clearly to
5 help the court reporter create the best possible
6 record.

7 If you are speaking today, we ask that
8 you limit your comments to the proposed regulations of
9 the rulemaking procedures that we are following. We
10 do not intend to answer questions or otherwise engage
11 in dialogue in response to any oral or written
12 comment. However, we may ask that you speak slower or
13 louder or ask a limited follow-up question to clarify
14 a point.

15 If you've brought any written comments
16 that you would like to submit during the hearing
17 today, please feel free to hand them to a staff member
18 at the sign-in table.

19 After the public comment period ends,
20 the department will review and consider all relevant
21 comments and recommendations provided. The department
22 will then compile a summary of each relevant comment
23 or recommendation and prepare a response to it, which
24 will be included in the final statement of reasons.

25 Once the final statement of reasons is

1 complete, the entire rulemaking record will be
2 submitted to the Office of Administrative Law and a
3 copy of the final statement of reasons along with any
4 notification of any changes made to the proposed
5 regulations will be posted on the attorney general's
6 website.

7 We are required to notify all persons
8 who provided a comment and all those otherwise
9 interested of any revisions to the proposed
10 regulations and any new material relied upon in the
11 proposing of these rules. Accordingly, there's a
12 check-in table located in this room where speakers and
13 attendees can sign in and provide their contact
14 information.

15 You may sign in to speak without
16 providing your name or contact information. However,
17 please note that we will be unable to provide you with
18 any notice of revisions to the rules or the rulemaking
19 activities if we do not have your contact information.

20 If you're intending to speak at today's
21 hearing and are present with us in the meeting room,
22 we will ask that you line up in the front row shortly.
23 You'll be able to make your comment in the order that
24 you line up. If you'd like to be identified, please
25 state your name and spell it and the identity of the

1 organization that you represent, if any. If you have
2 a business card, please provide it to the court
3 reporter prior to approaching the microphone.

4 We also request that you make sure to
5 speak directly into the microphone so that others can
6 hear your comment in the room and on the Zoom meeting.
7 Speaking directly into the microphone will help us
8 ensure that your comment is recorded.

9 If you're joining us in the Zoom
10 meeting, please use the raise-hand function to let us
11 know that you wish to comment and we will place you
12 into a queue after we hear from speakers who are
13 present in the meeting room. Each speaker will have
14 five minutes to speak.

15 In the interest of time, if you agree
16 with the comments made by a prior speaker, please
17 state that fact and add any new information you feel
18 is pertinent to the issue. Also, there's no need to
19 read aloud any written comments submitted. All
20 relevant comments, whether written or oral, will be
21 responded to by our office.

22 At this time, I'll ask the folks who
23 are here in the meeting room with us who would like to
24 speak to line up in the front row so that we can get
25 started. Thank you.

1 MS. HOOPS: Hello. My name is Tahra
2 Hoops, T-A-H-R-A H-O-O-P-S, and I am here on behalf of
3 the Chamber of Progress.

4 THE OFFICER: Sorry. One moment. I'm
5 having trouble hearing her.

6 MS. HURTADO: Okay. Yeah, she has a
7 soft voice.

8 MS. HOOPS: Sorry. I can clip this?

9 THE OFFICER: Yeah. Thank you.

10 MS. HOOPS: Is that good?

11 THE OFFICER: Yeah. Can you just start
12 again?

13 MS. HOOPS: Yes. Hello. My name is
14 Tahra Hoops, T-A-H-R-A, Hoops, H-O-O-P-S, and I am
15 here on behalf of the Chamber of Progress.

16 I appreciate the opportunity to comment
17 on the California Department of Justice's proposed
18 regulations implementing SB 976. The Chamber of
19 Progress is a tech industry association supporting
20 public policies that build a more inclusive country in
21 which all people benefit from technological leaps.

22 While we support efforts to protect
23 young people online, we are concerned that the
24 proposed regulations may create unintended
25 consequences for privacy, free expression, and access

1 to information. We believe that the proposed
2 regulations fail to protect privacy, avoid over
3 collection, and account for circumvention.

4 Sections 551 and 552 seek to implement
5 SB's 976 requirement that platforms have reasonably
6 determined whether a user is a minor. The proposed
7 regulations contemplate a range of age-assurance
8 models including government-issued identification, age
9 estimate -- estimation -- sorry -- technologies and
10 other mechanisms requiring additional user
11 information. While no single method is required, the
12 framework creates strong incentives for platforms to
13 adopt increasingly intrusive forms of age assurance to
14 minimize compliance risks.

15 As a practical matter, platforms
16 generally cannot know which users are minors. If the
17 consequence of misidentifying a minor as an adult or
18 significant, services may conclude that collecting
19 more information is the safest compliance strategy,
20 meaning age-assurance risk become -- becoming age
21 verification in practice affecting adults and minors
22 alike.

23 The regulations also do not
24 meaningfully address circumventions through VPNs,
25 alternative accounts, or shared devices, raising

1 questions about whether the policy burdens are
2 proportional to the expected benefits.

3 The department should revise the
4 regulations to provide broader safe harbors and ensure
5 that platforms acting in good faith are not penalized
6 for reasonable mistakes.

7 The proposed regulations do not
8 adequately consider the impact on anonymous and
9 pseudonymous speech. Anonymous speech has long been a
10 protected feature of American civic life. Many users
11 rely on anonymity for legislative reasons,
12 including -- for legitimate reasons, including
13 journalists communicating with sources, whistleblowers
14 reporting misconduct, survivors of abuse seeking
15 support, and individuals accessing sensitive health or
16 political information.

17 These concerns are especially
18 significant for young people. Research found that 82
19 percent of LGTBQ-plus youth reported being out online
20 compared to 53 percent in person, highlighting the
21 critical role online communities play for young people
22 seeking connection and support.

23 The NPRM does not appear to evaluate
24 whether the proposed framework may discourage lawful
25 users from participating online without disclosing

1 additional personal information. The proposed
2 parental consent framework relies on a federal privacy
3 model designed for a different purpose.

4 The department relies heavily on
5 COPPA's verifiable parental consent framework. But
6 COPPA and SB 976 serve fundamentally different
7 purposes. COPPA regulates data collection from
8 children under 13; SB 976 regulates access to social
9 media features and recommendation systems. Methods
10 appropriate before a company collects personal
11 information are not necessarily appropriate when
12 applied to access to speech and online participation.

13 We respectfully urge the department to
14 revise the proposed regulations to reduce incentives
15 for age verification; better account for the
16 importance of anonymous, pseudonymous participation
17 online; and reevaluate whether COPPA-style parental
18 consent mechanisms are appropriately tailored to the
19 purposes of SB 976. Thank you so much for your
20 consideration.

21 MR. DUBOIS: Thank you.

22 MS. HURTADO: Do you want to go to the
23 online?

24 MR. DUBOIS: Are there any additional
25 commenters in the room? Okay.

1 MS. HURTADO: Okay. People that are
2 online, if you would like to make a comment, please
3 use the raise-hand function. And our first commenter
4 is Aodhan. Aodhan, you've been unmuted. You can now
5 speak.

6 MR. DOWNEY: Good afternoon. My name's
7 Aodhan Downey and I'm representing the
8 Computer & Communications Industry Association. We
9 appreciate the opportunity to provide testimony on the
10 rulemaking for the Protecting our Kids from Social
11 Media Addiction Act. I'd like to highlight several
12 critical operational concerns we have.

13 MR. DUBOIS: Can you speak a little
14 slower?

15 MR. DOWNEY: First, Section 55 --

16 MS. HURTADO: Excuse me. Can you slow
17 it down a little bit for the court reporter?

18 MR. DOWNEY: Yeah, no worries. Sorry
19 about that.

20 MS. HURTADO: Thank you.

21 MR. DOWNEY: First, Section 551,
22 Subsection C currently attempts to implement and
23 enforce nighttime notification restrictions. Because
24 a federal district court has already preliminarily
25 enjoined the specific statutory provisions, we request

1 that the department explicitly confirm it will forego
2 enforcing any notification-related regulations while
3 that preliminary injunction remains active.

4 Second, we have concerns that Section
5 561, Subsection C's public reporting mandates pose
6 severe security risks. Forcing platforms to publicize
7 granular specifications and effectiveness metrics
8 directly on their websites inadvertently hands bad
9 actors and tech savvy teens a blueprint to evade and
10 circumvent the age-assurance tools.

11 We urge you to instead allow operators
12 to maintain written documentation that remains
13 confidential and is provided to the department only
14 upon request.

15 Furthermore, the expansive data
16 aggregation mandates found in Sections 563,
17 Subsection 88, and Section 566 create profound privacy
18 and cybersecurity concerns. Requiring operators to
19 reconcile all information across separate marketing
20 product or content systems and forcing cross surface
21 consistency across entirely independent accounts
22 directly undermines standard data minimization
23 principles and the cybersecurity isolation methods
24 that platforms use to protect data.

25 The final rule should strike the

1 Sweeping All Informations Clause and limit cross
2 surface mandates strictly to instances where a user
3 maintains a single unified account.

4 We also have concerns regarding
5 Sections 565 and 567, broad anti-circumvention
6 language regarding location concealment risks, forcing
7 platforms into invasive continuous location tracking
8 of users. We suggest providing clarity by recognizing
9 that flexible industry standard anti-circumvention
10 measures will be deemed compliant.

11 Section 567's open-ended user reporting
12 mechanisms for a minor status are highly susceptible
13 to weaponized spam, fraud, and harassment. We suggest
14 limiting the reporting flow to verified parents
15 attempting to establish account supervision to limit
16 misuse of the requirements.

17 Finally, Section 561, Subsection E2
18 introduces a data use restriction that directly
19 contradicts the underlying statute. While the health
20 and safety code explicitly permits retaining
21 age-assurance data for compliance and other applicable
22 laws, the proposed regulation narrows this strictly to
23 this section only. We urge you to conform the
24 proposed rules to the original statutory text to avoid
25 a legal mismatch.

1 I point you to our letter for more
2 detailed feedback and I thank you for your
3 consideration.

4 MS. HURTADO: Thank you.

5 THE OFFICER: Can I ask that the last
6 speaker spell his name?

7 MS. HURTADO: It's A-O-D-H-A-N. And
8 his last name is Downey, D-O-W-N-E-Y.

9 THE OFFICER: Thank you.

10 MS. HURTADO: Okay. Our next speaker
11 is Mikey. Mikey, you've been unmuted. You now are
12 able to speak. Please speak slowly for the court
13 reporter and state your name, if you wish, and spell
14 it.

15 MR. HOTHY: Good morning. My name is
16 Mikey, spelled M-I-K-E-Y, Hothi, spelled H-O-T-H-I.
17 Good morning and thank you for the opportunity to
18 testify today. My name is Mikey Hothi and I am
19 California Policy Director at Common Sense Media.

20 Common Sense Media is the leading
21 nonprofit organization in California and nationwide
22 dedicated to protecting and preparing children, teens,
23 and their families in the digital and AI world.

24 Our mission is -- is to improve the
25 lives of children and families by providing the

1 trustworthy information, education, and independent
2 voice they need to thrive. Our ratings, research, and
3 resources reach more than 150 million users worldwide,
4 over 1.5 million educators, and more than a hundred
5 thousand schools worldwide every year.

6 As a trusted global brand for children
7 and families, we look forward to bringing -- helping
8 bring additional perspectives to consideration as the
9 California Department of Justice develops these
10 regulations.

11 We strongly supported SB 976 during the
12 legislative process in 2024 and through the subsequent
13 court challenges and we support the California DOJ
14 efforts to improve children's lives through ensuring
15 their online safety. We believe these proposed
16 regulations represent an important step towards
17 protecting children from addictive social media design
18 while respecting privacy through thoughtful
19 age-assurance requirements.

20 We especially support provisions that
21 make clear companies cannot ignore information
22 indicating that a user is a minor, require age
23 determinations to be applied consistently across the
24 platform, and prevent companies from treating an
25 inconclusive age check as proof that someone is an

1 adult.

2 These are practical common sense
3 safeguards that will make the law far more effective.
4 We do, however, have three recommendations to
5 strengthen the regulations.

6 First, the rules should clarify which
7 online payment methods qualify for age assurance. As
8 drafted, the regulations exclude payment methods
9 available to minors, but they do not specify which
10 methods those are. Looking to international
11 frameworks such as those in the UK and Australia,
12 California should make clear that credit cards may be
13 acceptable while debit cards, gift cards, peer-to-peer
14 payment apps and similar methods that are readily
15 available to minors should not be relied upon.

16 Second, the regulations should provide
17 greater clarity regarding what constitutes reasonably
18 effective age assurance. Defining key terms and
19 establishing measurable accuracy standards would give
20 both industry and regulators clear expectations and
21 promote consistent compliance.

22 Finally, we encourage additional
23 transparency. When companies rely on age-assurance
24 systems developed for other legal frameworks, they
25 should identify those frameworks and maintain

1 documentation demonstrating compliance with data
2 minimization and retention requirements available to
3 the department upon request.

4 We -- we commend the department for its
5 thoughtful approach to these regulations and
6 appreciate the opportunity to provide feedback. We
7 have also submitted written comments and we look
8 forward to continuing to work with you to ensure
9 California remains a national leader in protecting
10 children online. Thank you.

11 MS. HURTADO: Thank you. At this time,
12 no other hands are raised. If you'd like to make a
13 comment, please use the raise-hand function. That's
14 it for now.

15 (Off the record.)

16 MS. HURTADO: Good afternoon. If
17 anyone would like to make a comment, please use the
18 raise-hand fun function on your Zoom screen. If
19 you're dialing in via phone, it's star nine on your
20 keypad to make a comment. We will be taking a short
21 break.

22 MR. DUBOIS: Quarter till.

23 MS. HURTADO: At 1:45, we'll be taking
24 a short break and reconvening at 2 p.m. We're off the
25 record.

1 (Off the record.)

2 MR. DUBOIS: Okay. We are back from
3 our break. This is the hearing on the proposed
4 regulations for the Protecting our Kids from Social
5 Media Addiction Act. Just to remind those of you who
6 are on the Zoom, if you'd like to comment, please use
7 the raise-your-hand function and we will put you on a
8 queue to hear your comments. Thank you.

9 (Off the record.)

10 MR. DUBOIS: Hello. Just a quick
11 reminder to those of us joining us via Zoom, if you
12 would like to make a comment at today's hearing,
13 please use the raise-hand function. We will place you
14 in a queue and you will be able to make your comment
15 on the record today. Thank you.

16 MS. HURTADO: No hands.

17 (Off the record.)

18 MR. DUBOIS: All right. We are going
19 to be taking another short break. We will be
20 returning at ten minutes to 3. And just a reminder
21 that the meeting will conclude at 3 p.m. If you would
22 like to make comments, please do use the raise-hand
23 function in the Zoom meeting. Thank you.

24 MS. HURTADO: And we're off.

25 (Off the record.)

1 MR. DUBOIS: Okay. We are back from
2 break on today's public hearing for the Proposed
3 Regulations for the Protecting our Kids from Social
4 Media Addiction Act. We are in the last ten minutes
5 of today's hearing. If you do wish to make comments,
6 please use the raise-your-hand feature on Zoom.

7 Also, a reminder that comments for the
8 45-day comment period are due today at 5 p.m. Eastern
9 Time [sic]. So, if there are any comments, please use
10 the raise-your-hand feature and we will be concluding
11 in about ten minutes.

12 MS. HURTADO: And we're off.

13 (Off the record.)

14 MR. DUBOIS: Okay. I want to thank you
15 all again for coming today to our hearing on the
16 Protecting our Kids from Social Media Addiction Act
17 proposed regulations. A reminder that the 45-day
18 comment period ends today at 5 p.m., so you can feel
19 free to continue to submit comments.

20 And that is the meeting adjourned.
21 Thank you.

22 MS. HURTADO: What time is it now?

23 MR. DUBOIS: The time is 3 p.m. and our
24 meeting is adjourned. Thank you all very much.

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(Whereupon, at 3:00 p.m., the
proceeding was concluded.)

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CERTIFICATE

I, NICHOLAS CASAS, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

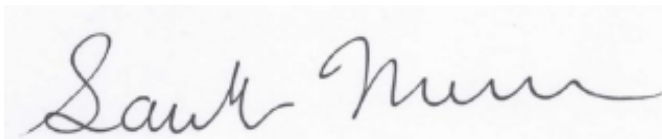
Date: July 15, 2026

NICHOLAS CASAS
Notary Public in and for the
State of California

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CERTIFICATE OF TRANSCRIBER

I, SARAH MANN, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.
Date: July 15, 2026

A handwritten signature in cursive script, appearing to read "Sarah Mann", is written in dark ink on a light-colored background.

SARAH MANN

[& - applied]

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& 2:13 12:8	55 12:15	account 9:3	adults 9:21
1	551 9:4 12:21	11:15 14:3,15	affecting 9:21
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	11:8,12	administrative	applicable
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[appreciate - commenter]

appreciate 8:16 12:9 18:6 approach 18:5 approaching 7:3 appropriate 11:10,11 appropriately 11:18 apps 17:14 assistance 2:12 assistant 2:7 3:15 association 2:14 8:19 12:8 assurance 9:7 9:13,20 13:10 14:21 16:19 17:7,18,23 attempting 14:15 attempts 12:22 attendees 2:2 6:13 attorney 2:5,7 2:9 3:4,13,15 3:17 4:5 6:5 22:14 23:10 audio 4:25 22:8 23:3 auditorium 1:11 3:22 australia 17:11	available 17:9 17:15 18:2 avoid 9:2 14:24	c c 2:1 3:1 12:22 c's 13:5 ca 1:13 california 2:15 3:3,24 4:2,20 4:21 8:17 15:19,21 16:9 16:13 17:12 18:9 22:22 card 7:2 cards 17:12,13 17:13 casas 1:19 22:2 22:20 certificate 22:1 23:1 certify 22:4 23:2 challenges 16:13 chamber 2:11 8:3,15,18 changes 6:4 charge 3:15 check 6:12 16:25 children 11:8 15:22,25 16:6 16:17 18:10 children's 16:14	circumvent 13:10 circumvention 9:3 14:5,9 circumventions 9:24 civic 10:10 clarify 5:13 17:6 clarity 14:8 17:17 clause 14:1 clay 1:12 3:23 clear 16:21 17:12,20 clearly 5:4 clip 8:8 code 14:20 collecting 9:18 collection 9:3 11:7 collects 11:10 coming 20:15 commend 18:4 comment 4:8 5:12,19,22 6:8 6:23 7:6,8,11 8:16 12:2 18:13,17,20 19:6,12,14 20:8,18 commenter 12:3
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[commenters - determinations]

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