

Representative Susan Pulsipher proposes the following substitute bill:

**JOINT RESOLUTION CALLING FOR AN APPLICATION
RATINGS BOARD FOR INTERNET READY DEVICES**

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This joint resolution calls on the United States Congress to make recommendations to vendors and distributors of applications and to leading technology companies.

Highlighted Provisions:

This resolution:

▶ calls on the United States Congress to recommend that vendors and distributors of applications establish an independent application ratings board, comprised of industry representatives, child development, child protection, and internet safety subject matter experts to:

- establish new criteria for what types of application content and in-application risks result in specified age-appropriate application ratings;
 - review application ratings and descriptions of the most downloaded applications and the downloadable content of those applications; and
 - impose sanctions for noncompliance; and
- ▶ calls on leading technology companies to:
- manufacture internet-ready devices with user-friendly parental controls;
 - close loopholes that permit the bypassing of parental controls;



- 26 • build in age-based, default safety settings; and
- 27 • provide selective application shutoff for bedtime and school hours.

28 **Special Clauses:**

29 None



31 *Be it resolved by the Legislature of the state of Utah:*

32 WHEREAS, internet-ready devices, and the applications that run on such devices, are
33 used by millions of minors daily;

34 WHEREAS, some downloaded applications often include content that is not consistent
35 with the age rating, content descriptors, interactive elements, or description of such
36 applications;

37 WHEREAS, clarity on the rating of applications is a critical part of social responsibility
38 on the part of vendors and distributors of applications when including applications in their
39 database for their users to download;

40 WHEREAS, parents of minors deserve transparency and accuracy on the ratings of
41 applications and the meaning behind those ratings;

42 WHEREAS, no third-party organization is holding vendors and distributors of
43 applications accountable to ensure that application age ratings are consistent and accurate
44 across devices and that application descriptions adequately explain the content and advertising
45 available to minors in such applications;

46 WHEREAS, no third-party organization has the authority to impose sanctions for
47 nondisclosures related to application content and advertising;

48 WHEREAS, applications contain unique risks of both exposure to content and
49 predators, so a specific application rating system that takes these unique risk factors into
50 account is needed;

51 WHEREAS, social media is increasingly being used to recruit and sexually exploit
52 young users for sexual abuse or sex trafficking;

53 WHEREAS, social media is increasingly used for sexual harassment and sexualized
54 bullying, including sending unsolicited sexually explicit images, repeated requests for sexually
55 explicit imagery, sexual images that are not consensually shared, and unwanted exposure to
56 pornographic images;

57 WHEREAS, recent studies indicate that excessive use of social media, particularly in
58 young girls, can lead to an increase in depressive symptoms;

59 WHEREAS, suicide rates, depression, and mental health issues among adolescents in
60 the United States have been found to increase as social media use has surged within the same
61 age group;

62 WHEREAS, many providers and users of interactive computer services covered by the
63 Communications Act of 1934, 47 U.S.C. Sec. 230 et seq., as amended through February 8,
64 1996, have failed to comply with basic best business practices in connection with the
65 protection of minors from harmful content, therefore instigating interest in a review of the
66 status of such providers and users under 47 U.S.C. Sec. 230 unless the business practices of
67 such providers and users come into alignment with reasonable care and best business practices
68 of such providers and users appropriate for protecting minors;

69 WHEREAS, popular applications often do not include parental controls or have
70 inadequate parental controls;

71 WHEREAS, the parental controls provided on internet-ready devices are often
72 insufficient, ignore the age of users, contain loopholes, and are difficult to implement, leaving
73 minors unprotected from sexual abuse and exploitation; and

74 WHEREAS, the improper use of internet-ready devices during school hours contributes
75 to student distraction and lower test scores and the use of such devices during bedtime hours
76 can lead to sleep disturbance:

77 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah:

78 (1) calls on the United States Congress to recommend that vendors and distributors of
79 applications establish an independent application ratings board, comprised of industry
80 representatives, child development, child protection, and internet safety subject matter experts
81 to:

82 (a) establish new criteria for what types of application content and in-application risks
83 result in specified age-appropriate application ratings;

84 (b) review application ratings and descriptions of the most downloaded applications
85 and the downloadable content of those applications; and

86 (c) impose sanctions for noncompliance; and

87 (2) calls on leading technology companies to:

- 88 (a) manufacture internet-ready devices with user-friendly parental controls;
- 89 (b) close loopholes that permit the bypassing of parental controls;
- 90 (c) build in age-based, default safety settings; and
- 91 (d) provide selective application shutoff for bedtime and school hours.