

Utah social media law requiring age verification blocked by judge

A federal judge halted a Utah child safety law requiring social platforms to verify the ages of their users. In an order on Tuesday, Judge Robert J. Shelby issued a preliminary injunction in favor of NetChoice, saying the law likely violates the First Amendment.

NetChoice, the technology trade association that includes Meta, Snap, Google, and X, sued the state to block the law in December 2023, alleging it “violates the constitutional rights of all Utahns.” In addition to verifying the ages of users, the law would require social platforms to “enable maximum default privacy settings” on children’s accounts as well as disable features “that lead to excessive use,” such as endless scrolling and push notifications.

Although Utah initially introduced the social media legislation in 2023, Utah Governor Spencer Cox signed off on an amended version in March of this year after facing criticism over whether it violates free speech. The law was supposed to go into effect on October 1st. However, the changes made to the law weren’t enough to convince the judge of its constitutionality.

“The court recognizes the State’s earnest desire to protect young people from the novel challenges associated with social media use,” Judge Shelby writes. “But owing to the First Amendment’s paramount place in our democratic system, even well-intentioned legislation that regulates speech based on content must satisfy a tremendously high level of

constitutional scrutiny.”

“Utah’s law not only violates the First Amendment, but if enforced would backfire and endanger the very people it’s meant to help,” Chris Marchese, director of the NetChoice Litigation Center, says in a statement. “We look forward to seeing this law, and others like it, permanently struck down and online speech and privacy fully protected across the country.”

<https://www.theverge.com/2024/9/11/24241685/utah-netchoice-social-media-child-safety-law-blocked>