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February 28, 2024

TO: The Honorable Ben Barnes, Chair
Appropriations Committee
The Honorable C.T. Wilson, Chair
Economic Matters Committee

FROM: Hanna Abrams, Assistant Attorney General

RE: House Bill 1119 – Algorithmic Addiction Fund – Establishment
(SUPPORT WITH AMENDMENT)

The Consumer Protection Division of the Office of the Attorney General supports House Bill 1119 (“HB 1119”), sponsored by Delegate Rosenberg. House Bill 1119 directs penalties received from harmful algorithm prosecutions toward the treatment and prevention of algorithmic addiction.

Social media algorithms are deliberately designed to keep users engaged and scrolling through content to increase advertising revenue. In doing so, these algorithms may steer children and teens to harmful content and, as the surgeon general advised last year, present “a profound risk of harm to the mental health and well-being of children and adolescents[.]”¹ House Bill 1119 channels the penalties that are collected from companies that have created and disseminated harmful algorithms toward the prevention and treatment of these harms.

The Division is concerned, however, that the source of funding in the bill as introduced is overly broad and has offered an amendment that limits the funds to civil penalties and aligns the source of the funds with its purpose – remedying the harmful impacts of algorithms on children. We understand that the sponsor is in agreement with the Division’s amendment. Limiting the funds to civil penalties will clarify that funds collected for consumer restitution will not be impacted. Moreover, tying the use of the funds directly to the prosecuted harms will ensure that

¹ Social Media and Youth Mental Health, The US Surgeon General’s Advisory, 2023 at 4, available at <https://www.hhs.gov/sites/default/files/sg-youth-mental-health-social-media-advisory.pdf>.

the Algorithmic Addiction Fund does not accidentally sweep in all penalties received from unrelated actions against technology or social media companies.

We ask the Appropriations Committee to issue a favorable report on HB 1119 with the amendments discussed.

cc: Members, Appropriations Committee
Members, Economic Matters Committee
The Honorable Samuel I. Rosenberg