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Representative Kane questions proposed social media restrictions and ban on cell phones in school

Cites privacy concerns, costs and prioritizing local control in opposing bill

BOSTON – While endorsing the underlying policy goals of protecting children from online predators and minimizing distractions in the classroom, State Representative Hannah Kane (R-Shrewsbury) was recently compelled to oppose pending legislation that would limit or ban the use of social media by minors while also prohibiting students’ use of cell phones in school.

In voting against House Bill 5349, *An Act promoting safe technology use and distraction-free education for youth*, Representative Kane cited multiple concerns about the proposal, including free speech and privacy issues. She also said the associated costs of implementing the changes could constitute an unfunded mandate on local school districts, while expressing a desire to maintain local control in setting policies, rather than imposing a blanket, one size fits all law.

The Senate previously approved a school cell phone ban on July 31, 2025, but that legislation did not address social media concerns. The House bill, however, includes a unilateral ban on social media use for users under 14, while allowing for 14- and 15-year-olds to access these sites with parental approval, which would take effect on October 1.

Under House Bill 5349, which passed the House on a vote of 129-25 on April 8, social media platforms would be required to implement policies which prohibit individuals under the age of 14 from creating or maintaining an account on their platforms. This would include the implementation of age verification systems and a mandate that any accounts identified as belonging to individuals under the age of 14 be terminated. Social media companies would face a fine of up to \$5,000 for every user under the age of 14 whose account they fail to remove.

According to Representative Kane, House Bill 5349 requires social media companies to publicly post the number of users processed using their age verification systems, those denied access due to not meeting age requirements, those granted access due to an age determination appeal process, and all age verification review requests received. Failure to do so may result in a fine of up to \$1 million per day.

House Bill 5349 also requires school districts to implement policies prohibiting student use of personal electronic devices (PEDs) on school grounds during class time and school-sponsored activities, including mobile phones, smartwatches, and non-school issued tablets and laptops. The Department of Elementary and Secondary Education (DESE) will provide a model policy to assist schools in developing and implementing these policies, which school districts must submit to DESE by September 1.

Representative Kane emphasized that she believes restricting cell phone use by students while they are in school is appropriate so they can focus on their studies but said it would be better for local school committees to set

specific guidelines rather than having the state dictate these policies. Representative Kane also criticized the House's decision to merge the social media provisions with the cell phone ban, noting that similar social media bills passed in other states have faced legal challenges.

During floor debate, Representative Kane supported an amendment, offered by Representative Kenneth P. Swezey (R-Duxbury), to address unfunded mandate concerns by clarifying that nothing in the bill shall be construed as requiring any school district to incur new or additional costs to comply with the bill's provisions. The amendment failed on a vote of 27-126, with only two Democrats voting in favor.

The House and Senate are expected to soon appoint a conference committee that will work to resolve the differences between the two branches' proposals.

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