



NEW YORK STATE SENATOR

Andrew Gounardes

Sen. Gounardes' New York Child Data Protection Act Goes Into Effect

[Andrew Gounardes](#)

June 23, 2025

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Sen. Gounardes & AM Rozic's landmark law, backed by Attorney General Letitia James, protects children by prohibiting sites from collecting, sharing, or selling their personal data without informed consent

FOR IMMEDIATE RELEASE: JUNE 23, 2025

Albany, NY — The New York Child Data Protection Act, a landmark state law to protect children's privacy online, officially went into effect on Friday.

The new law ([S.7695B/A.8149A](#)), which was sponsored by State Senator Andrew Gounardes and Assemblywoman Nily Rozic, prohibits all online sites from collecting, using, sharing, or selling personal data of anyone under the age of 18 for the purposes of advertising, unless they receive informed consent or unless doing so is strictly necessary for the purpose of the website. For users under 13, this informed consent must come from a parent.

The law authorizes the Office of the New York Attorney General to enforce the law and may enjoin, seek damages, or civil penalties of up to \$5,000 per violation. The Attorney General's Office issued [implementation guidance](#) for the law last month.

Multiple independent studies reveal a [distressing link](#) between prolonged social media use and heightened rates of depression, anxiety, suicidal ideation, and self-harm among youth. Yet, the federal government last passed a law to protect youth online in 1998.

With few privacy protections in place for minors online, children have been vulnerable to having their location and other personal data tracked and shared with third parties. A growing body of research and reporting has found social media companies purposely use addictive algorithms to keep kids online longer in order to serve them ads and profit from their doom-scrolling. One Harvard [study](#) found social media companies made \$11 billion alone from underage users in 2022.

“We’re sending a clear message to Big Tech: your profits are not more important than our kids’ privacy and mental health,” said **State Senator Andrew Gounardes**. “This law is key to ensuring our children are safe online, and that social media corporations can’t use predatory data collection practices at their expense. As the father of young kids, this victory is personal. I’m grateful to Assemblywoman Rozic, Governor Hochul, Attorney General James and the many advocates, parents and young people who raised their voices to make this happen.”

“With the New York Child Data Protection Act officially in effect, we are taking a powerful step forward in safeguarding kids’ privacy online,” said **Assemblywoman Nily Rozic**. “It marks a victory for families across our state—where protecting children from data exploitation is no longer optional, but the law. I’m proud to have championed this effort alongside Senator Gounardes to ensure that every child in New York can grow up with the digital privacy they deserve.”

“New York families can now rest assured that companies cannot collect and share children’s personal information without consent thanks to the New York Child Data Protection Act,” said **New York Attorney General Letitia James**. “As this nation-leading legislation goes into effect, I commend Senator Gounardes and Assemblymember Rozic for working with my office to pass this legislation to protect children’s privacy. We will continue to use all the tools at our disposal to address the youth mental health crisis and safeguard children’s safety.”

“The Child Data Protection Act is a huge victory for New York families and a testament to the incredible things that can happen when leaders join forces to put kids’ online privacy first,” said **James P. Steyer, Common Sense Media Founder and CEO**. “The law helps ensure that privacy is the expectation — not the exception — for kids online. Common Sense Media thanks Governor Hochul, Attorney General James, Senator Gounardes, and Assemblywoman Rozic for their leadership in making privacy the law of the land for New York kids.”

"We owe it to our children to protect them online just as we do in the real world," said **Julie Scelfo, Mothers Against Media Addiction (MAMA) Founder and Executive Director**. "New York's Child Data Protection Act is a model for how lawmakers in every state can hold social media companies accountable for child safety and privacy. MAMA is grateful for the leadership of Governor Hochul, Attorney General James, Senator Gounardes, and Assemblywoman Rozic in putting kids before harmful, exploitative tech product design."

In addition to the New York Child Data Protection Act, Senator Gounardes and Assemblywoman Rozic [also passed](#) the SAFE for Kids Act, which requires social media companies to restrict addictive feeds on their platforms for users under 18. The Attorney General's office is currently in the process of developing regulations to effectively enforce the law. Together, these measures represent a comprehensive effort to create a safer digital environment for kids across New York.

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related legislation

[2023-S7695B](#)

-
- Introduced
 - In Committee Assembly
 - In Committee Senate
 - - On Floor Calendar Assembly
 - On Floor Calendar Senate
 - - Passed Assembly

- Passed Senate
- Delivered to Governor
- Signed By Governor
-

[Establishes the New York child data protection act](#)

October 13, 2023

Signed by Governor

Sponsored by [Andrew Gounardes](#)

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