



May 13, 2024

Honorable Jared Polis  
Governor  
State Capitol Building  
200 E. Colfax Ave., Rm. 136  
Denver, CO 80203

Dear Governor Polis,

[Common Sense Media](#) writes in strong support of the amendment to the Colorado Privacy Act (SB24-041) and urges you to sign the amendment into law. With more than 100 million unique users, 1.2 million member teachers, and 87,000 member schools, Common Sense is the nation's largest organization dedicated to ensuring that children and families thrive—and remain safe—in the rapidly-changing digital age. In Colorado alone, more than 19,000 teachers have registered to teach Common Sense's digital citizenship and literacy materials to their students in nearly 2,000 Common Sense registered schools.

[Recent research](#) makes it clear that concerns about kids' internet privacy are growing—as many as 89% of Americans are somewhat or very concerned about social media companies collecting data about kids. And they are right to be concerned: recent research suggests that kids' internet usage is at an [all-time high](#). Teens connect with each other through these platforms at higher rates than any other group, report that these platforms form a larger part of their social life than any other group, and have outsized levels of difficulty stopping technology use once they've started. This is no accident. Addictive design features—like infinite scrolling or notification “nudges”—work as intended; [surveyed teens](#) consistently report that design features such as these cause them to spend more time on social media, and make it more difficult for them to stop.

States have taken notice of this issue—at time of writing, California, Maryland, and Connecticut have passed bills shoring up children's privacy protections, while [12 state legislatures](#) besides Colorado have proposed legislation similar. Common Sense believes that Colorado's kids also deserve strong data privacy protections, and so supports SB24-041.

We point specifically to three provisions of the amendment which offer strong protections for kids online:

- 1) **Strong Protections Against Sale of Kids' Data and Targeted Advertising** — The amendment will substantially limit targeted advertising and sale of minors' data by prohibiting the processing of minors' personal data for those purposes without consent. This protects children and teens from having their behavior tracked, analyzed, and



monetized, but retains the ability for parents to make informed choices about their children's data processing.

- 2) **Prevent Companies From Pretending They Don't Have Kids On their Sites —** Throughout the amendment, heightened protections apply when a platform “actually knows or willfully disregards” that a user whose data they have processed is a minor. The language holds companies to account by preventing them from intentionally ignoring young people on their sites.
  
- 3) **Guard Kids Against Use of Manipulative Design—** The amendment bans the use of manipulative design—systems that use encouragement or rewards to convince kids to change privacy settings on websites or make choices they otherwise would not. These systems are used to subvert privacy laws and must be outlawed to ensure the promise of online privacy for kids.

Colorado's kids deserve these strong data privacy protections, which is why we are urging you to sign the amendment (SB24-041) into law.

Sincerely,

A handwritten signature in black ink that reads "Holly Grosshans".

Holly Grosshans, Senior Counsel, Tech Policy  
Common Sense Media

Cc: Allison Kimmel, Legislative Director