



Press Release

The Kids Online Safety Act Lame Duck Push

PAULINA ENCK | DECEMBER 16, 2022

A bipartisan group of senators recently unveiled updated text to the Kids Online Safety Act (KOSA), a bill that would impose a duty of care on online platforms to act in the best interest of minors and mitigate the harms from using their services. In a new primer, Director of Technology and Innovation Policy Jeffrey Westling explains the key changes to KOSA and how they may affect its implementation.

Key points:

- *Senators Richard Blumenthal (D-CT) and Marsha Blackburn (R-TN) aim to include the legislation in the year-end omnibus spending package currently being negotiated in the lame-duck session.*
- *The new text attempts to address some previous concerns in the bill, most notably limiting the duty of care to instances when the platform should know the user is a minor, as well as platforms' liability when minors actively seek out information on potentially sensitive topics.*
- *The new language does not fully address the concerns surrounding age verification and free speech online, however, because the constructive knowledge standard goes beyond current federal law governing children's privacy and adds uncertainty regarding what satisfies the duty of care.*

[Read the analysis](#)