

SENATE BILL 739

J1

4lr2140
CF 4lr2141

By: **Senator Hester**

Introduced and read first time: January 31, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Algorithmic Addiction Fund – Establishment**

3 FOR the purpose of establishing the Algorithmic Addiction Fund as a special, nonlapsing
4 fund; requiring interest earnings of the Fund to be credited to the Fund; requiring
5 the Secretary of Health to develop certain goals, objectives, and indicators relating
6 to algorithmic addiction treatment and prevention efforts and to consult with certain
7 stakeholders on a certain basis to identify recommended appropriations from the
8 Fund; and generally relating to the Algorithmic Addiction Fund.

9 BY repealing and reenacting, without amendments,
10 Article – State Finance and Procurement
11 Section 6–226(a)(2)(i)
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – State Finance and Procurement
16 Section 6–226(a)(2)(ii)189. and 190.
17 Annotated Code of Maryland
18 (2021 Replacement Volume and 2023 Supplement)

19 BY adding to
20 Article – State Finance and Procurement
21 Section 6–226(a)(2)(ii)191. and 7–332
22 Annotated Code of Maryland
23 (2021 Replacement Volume and 2023 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
25 That the Laws of Maryland read as follows:

26 **Article – State Finance and Procurement**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 6-226.

2 (a) (2) (i) Notwithstanding any other provision of law, and unless
3 inconsistent with a federal law, grant agreement, or other federal requirement or with the
4 terms of a gift or settlement agreement, net interest on all State money allocated by the
5 State Treasurer under this section to special funds or accounts, and otherwise entitled to
6 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
7 Fund of the State.

8 (ii) The provisions of subparagraph (i) of this paragraph do not apply
9 to the following funds:

10 189. the Teacher Retention and Development Fund; [and]

11 190. the Protecting Against Hate Crimes Grant Fund; AND

12 **191. THE ALGORITHMIC ADDICTION FUND.**

13 **7-332.**

14 (A) IN THIS SECTION, "FUND" MEANS THE ALGORITHMIC ADDICTION
15 FUND.

16 (B) THERE IS AN ALGORITHMIC ADDICTION FUND.

17 (C) THE PURPOSE OF THE FUND IS TO RETAIN THE AMOUNT OF
18 SETTLEMENT REVENUES DEPOSITED TO THE FUND IN ACCORDANCE WITH
19 SUBSECTION (F)(1) OF THIS SECTION.

20 (D) THE MARYLAND DEPARTMENT OF HEALTH SHALL ADMINISTER THE
21 FUND.

22 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
23 SUBJECT TO § 7-302 OF THIS SUBTITLE.

24 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
25 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

26 (F) THE FUND CONSISTS OF:

27 (1) ALL REVENUES RECEIVED BY THE STATE FROM ANY SOURCE
28 RESULTING, DIRECTLY OR INDIRECTLY, FROM A JUDGMENT AGAINST, OR
29 SETTLEMENT WITH, TECHNOLOGY CONGLOMERATES, TECHNOLOGY COMPANIES,
30 SOCIAL MEDIA CONGLOMERATES, OR SOCIAL MEDIA COMPANIES RELATING TO

1 CLAIMS MADE OR PROSECUTED BY THE STATE TO RECOVER DAMAGES FOR
2 VIOLATIONS OF STATE LAW;

3 (2) ANY FUNDS APPROPRIATED IN THE STATE BUDGET; AND

4 (3) THE INTEREST EARNINGS OF THE FUND.

5 (G) (1) THE FUND MAY BE USED ONLY TO PROVIDE FUNDS FOR:

6 (I) CONDUCTING A NEEDS ASSESSMENT THROUGHOUT THE
7 STATE TO DETERMINE WHERE RESOURCES ARE NEEDED AND BEST PRACTICES FOR
8 ALGORITHMIC ADDICTION PREVENTION, INTERVENTION, AND TREATMENT;

9 (II) IMPROVING AND STRENGTHENING ACCESS TO SERVICES
10 PROVEN TO TREAT THE MENTAL AND PHYSICAL HEALTH IMPACTS ASSOCIATED WITH
11 ALGORITHMIC ADDICTION, INCLUDING DEPRESSION, ANXIETY, EATING DISORDERS,
12 SUICIDE, AND SLEEP PROBLEMS;

13 (III) ALGORITHMIC ADDICTION INTERVENTION SERVICES;

14 (IV) ALGORITHMIC ADDICTION PREVENTION SERVICES,
15 INCLUDING THE ORGANIZATION OF PRIMARY AND SECONDARY SCHOOL EDUCATION
16 CAMPAIGNS TO PREVENT ALGORITHMIC ADDICTION AND PROMOTE DIGITAL AND
17 MEDIA LITERACY, INCLUDING FOR ADMINISTRATIVE EXPENSES;

18 (V) RESEARCH AND TRAINING FOR ALGORITHMIC ADDICTION
19 TREATMENT AND PREVENTION, AND SOCIAL MEDIA AND YOUTH MENTAL HEALTH,
20 INCLUDING FOR ADMINISTRATIVE EXPENSES; AND

21 (VI) SUPPORTING AND EXPANDING OTHER EVIDENCE-BASED
22 INTERVENTIONS FOR ALGORITHMIC ADDICTION PREVENTION AND TREATMENT.

23 (2) AFTER SATISFYING THE REQUIREMENTS OF PARAGRAPH (1) OF
24 THIS SUBSECTION, ANY UNSPENT FUNDS IN THE ALGORITHMIC ADDICTION FUND
25 MAY BE EXPENDED BY THE MARYLAND DEPARTMENT OF HEALTH FOR YOUTH
26 MENTAL HEALTH SERVICES.

27 (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
28 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

29 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
30 THE FUND.

1 **(I) (1) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN**
2 **ACCORDANCE WITH THE STATE BUDGET.**

3 **(2) FOR REVENUES RECEIVED BY THE STATE FROM ANY SOURCE**
4 **RESULTING, DIRECTLY OR INDIRECTLY, FROM A JUDGMENT AGAINST, OR**
5 **SETTLEMENT WITH, TECHNOLOGY CONGLOMERATES, TECHNOLOGY COMPANIES,**
6 **SOCIAL MEDIA CONGLOMERATES, OR SOCIAL MEDIA COMPANIES:**

7 **(I) APPROPRIATIONS FROM THE FUND IN THE STATE BUDGET**
8 **SHALL BE MADE IN ACCORDANCE WITH THE ALLOCATION AND DISTRIBUTION OF**
9 **FUNDS TO THE STATE AND ITS POLITICAL SUBDIVISIONS AS AGREED ON IN ANY**
10 **STATE-SUBDIVISION AGREEMENT, AS AMENDED; AND**

11 **(II) THE SECRETARY OF HEALTH SHALL ESTABLISH AND**
12 **ADMINISTER A GRANT PROGRAM FOR THE DISTRIBUTION OF FUNDS TO POLITICAL**
13 **SUBDIVISIONS OF THE STATE IN ACCORDANCE WITH ANY STATE-SUBDIVISION**
14 **AGREEMENT, AS AMENDED.**

15 **(3) THE ATTORNEY GENERAL SHALL IDENTIFY AND DESIGNATE THE**
16 **CONTROLLING VERSION OF AN AGREEMENT OR AMENDMENT DESCRIBED UNDER**
17 **PARAGRAPH (2) OF THIS SUBSECTION.**

18 **(J) (1) MONEY EXPENDED FROM THE FUND FOR THE PROGRAMS AND**
19 **SERVICES DESCRIBED UNDER SUBSECTION (G) OF THIS SECTION IS SUPPLEMENTAL**
20 **TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE**
21 **WOULD BE APPROPRIATED FOR THE PROGRAMS AND SERVICES.**

22 **(2) EXCEPT AS SPECIFIED IN SUBSECTION (G) OF THIS SECTION,**
23 **MONEY EXPENDED FROM THE FUND MAY NOT BE USED FOR ADMINISTRATIVE**
24 **EXPENSES.**

25 **(K) THE SECRETARY OF HEALTH SHALL:**

26 **(1) DEVELOP KEY GOALS, KEY OBJECTIVES, AND KEY PERFORMANCE**
27 **INDICATORS RELATING TO ALGORITHMIC ADDICTION TREATMENT AND**
28 **PREVENTION EFFORTS;**

29 **(2) SUBJECT TO SUBSECTION (H)(2) OF THIS SECTION, AT LEAST**
30 **ONCE EACH YEAR, CONSULT WITH ALGORITHMIC ADDICTION TREATMENT AND**
31 **PREVENTION STAKEHOLDERS, INCLUDING CONSUMERS, PROVIDERS, FAMILIES,**
32 **AND ADVOCATES, TO IDENTIFY RECOMMENDED APPROPRIATIONS FROM THE FUND;**
33 **AND**

1 **(3) ON OR BEFORE NOVEMBER 1 EACH YEAR, REPORT TO THE**
2 **GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**
3 **ARTICLE, ON:**

4 **(I) AN ACCOUNTING OF TOTAL FUNDS EXPENDED FROM THE**
5 **FUND IN THE IMMEDIATELY PRECEDING FISCAL YEAR, BY:**

6 **1. USE;**

7 **2. IF APPLICABLE, JURISDICTION; AND**

8 **3. BUDGET PROGRAM AND SUBDIVISION;**

9 **(II) THE PERFORMANCE INDICATORS AND PROGRESS TOWARD**
10 **ACHIEVING THE GOALS AND OBJECTIVES DEVELOPED UNDER ITEM (1) OF THIS**
11 **SUBSECTION; AND**

12 **(III) THE RECOMMENDED APPROPRIATIONS FROM THE FUND**
13 **IDENTIFIED IN ACCORDANCE WITH ITEM (2) OF THIS SUBSECTION.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That:

15 (a) Section 1 of this Act shall take effect contingent on a judgment by a federal or
16 State court against, or settlement with, technology conglomerates, technology companies,
17 social media conglomerates, or social media companies relating to any claims made or
18 prosecuted by the State to recover damages for violations of State law.

19 (b) Within 5 days after a judgment or settlement described in subsection (a) of
20 this section is awarded or approved, the Attorney General shall notify the Department of
21 Legislative Services.

22 (c) Section 1 of this Act shall take effect on the date the notice is received by the
23 Department of Legislative Services in accordance with subsection (b) of this section.

24 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this
25 Act, this Act shall take effect June 1, 2024.