

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 570

2025 Regular Session

Carver

COMMERCIAL REGULATIONS: Provides relative to minors use of applications

Synopsis of Senate Amendments	
1.	Amends the definitions of "application" and "minor".
2.	Defines "connected device".
3.	Expands methods for verifying age category by allowing verification through the use of a real-time age verification system authorized by the commissioner of the office of motor vehicles.
4.	Clarifies which <u>proposed law</u> applies regarding a request authorized for a covered application store to provide certain information to a developer.
5.	Amends the requirements for a developer in regards to age verification, affiliations with a parent account, enforcement, and compliance.
6.	Requires developers to conduct age verification without relying on age category obtained from a covered application store.
7.	Removes language that a developer is not liable for a violation of <u>proposed law</u> if the developer relied in good faith on personal age verification data provided by a covered application store provider and on notification from a covered application store provider that verifiable parental consent was obtained if the personal age verification data indicates that the user is a minor.
8.	Clarifies which <u>proposed law</u> applies when a developer is in compliance by using widely adopted industry standards to determine an application's age category.
9.	Adds that nothing in <u>proposed law</u> shall be construed to relieve a developer of its obligation to conduct age verification as otherwise required by law. It further provides that developer shall not rely on age category obtained under this <u>proposed law</u> to the extent those signals satisfy the requirements of applicable law.
10.	Adds that a violation of <u>proposed law</u> shall be a false, misleading, or deceptive act or practice.
11.	Amends the process by which the attorney general may enforce <u>proposed law</u> .
12.	Makes technical changes.

Digest of Bill as Finally Passed by Senate

Proposed law provides relative to applications stores and developers in regards to minors.

Proposed law defines "age category", "child", "younger teenager", "older teenager", "adult", "age category data", "age rating", "application", "connected device", "content description", "covered application store", "covered application store provider", "developer", "minor", "minor account", "mobile device", "mobile operating system", "parent", "parent account",

"parental consent disclosure", "significant change", and "verifiable parental consent".

Proposed law requires a covered application store provider to do the following:

- (1) Request age information from an individual and verify the individual's age category at the time an individual, who is located in the state, creates an account.
- (2) If the age verification methods or process described in proposed law determines the individual to be a minor, require the account to be affiliated with parent account and obtain verifiable parental consent from the holder of the affiliated parent account before allowing the minor to download an application, purchase an application, or make an in-application purchase.
- (3) After receiving notice of a significant change from a developer, notify the user of the significant change and for a minor account, notify the holder of the affiliated parent account, and obtain renewed verifiable parental consent.
- (4) Provide information to a developer in response to a request authorized by proposed law.
- (5) Notify a developer when a parent revokes parental consent.
- (6) Protect personal age verification data by limiting collection and processing certain data and transmitting personal age verification data using certain protocols.

Proposed law provides for what a covered application store provider shall not do.

Proposed law provides that a developer shall:

- (1) Verify the age category using available methods, including but not limited to real-time systems authorized by the commissioner of the office of motor vehicles.
- (2) If the age verification methods or process described in proposed law determines the individual to be a minor, require the account to be affiliated with parent account and obtain verifiable parental consent from the holder of the affiliated parent account before allowing the minor to download an application, purchase an application, or make an in-application purchase.
- (3) Notify covered application store providers of a significant change to the application.
- (4) Enforce all age-related restrictions.
- (5) Enforce any developer-created age-related restrictions.
- (6) Ensure compliance with applicable laws and regulations.
- (7) Implement any developer-created safety-related features or defaults.
- (8) Request personal age verification data or parental consent at the time a user downloads an application or purchases an application, when implementing a significant change to the application, and to comply with applicable law.

Proposed law provides that a developer may request personal age verification data or parental consent in certain circumstances.

Proposed law provides that when implementing any developer-created safety-related features or defaults, a developer shall use the lowest age category indicated by age verification data provided by a covered application store provider or age data independently collected by the developer.

Proposed law provides for what a developer shall not do.

Proposed law provides for when a developer is not liable for a violation of proposed law.

Proposed law provides that for the purposes of setting the age category of an application and providing content description disclosure to a covered application store provider, a developer complies with proposed law if the developer uses widely adopted industry standards to determine the application's age category and the content description disclosures and the developer applies those standards consistently and in good faith.

Proposed law provides for applicability of the protections described in proposed law.

Proposed law provides that nothing in proposed law shall displace any other available remedies or rights authorized under the laws of this state or the United States.

Proposed law shall not be construed to prevent a covered application store provider or developer from taking certain actions.

Proposed law provides that a violation of proposed law shall be considered a false, misleading or deceptive act or practice.

Proposed law provides that the attorney general may bring a civil action to enforce any violation of proposed law.

Proposed law provides that a covered application store or developer that violates the provisions of proposed law shall be subject to a civil fine of up to \$10,000 per violation.

Proposed law provides relative to reasonable attorney fees, court costs, and investigative costs.

Proposed law requires a person who violates an administrative order or court order issued for a violation of proposed law to pay a civil penalty of not more than \$5,000 per violation set by the attorney general. Further provides that a civil penalty may be imposed in any civil action brought by the attorney general under proposed law.

Proposed law provides that monies received from the payment of a fine or civil penalty imposed and collected pursuant to the provisions of proposed law shall be used by the attorney general for consumer protection enforcement efforts or to promote consumer protection and education.

Proposed law directs the La. Law Institute to make technical changes.

Effective July 1, 2026.

(Amends Section 2 of Act 656 of the 2024 R.S.; Adds R.S. 51:1771-1775)