ACT 481 (HB 570)   **2025 Regular Session**   **Carver**

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

New law changes not yet enacted law to amend the title of new law.

New 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".

New 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 new law determines the individual to be a minor, require the account to be affiliated with a 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 new law.

(5)   Notify a developer when a parent revokes parental consent.

(6)   Protect personal age verification data by limiting collection and processing to certain data and by transmitting personal age verification data using certain protocols.

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

New law provides that a developer shall:

(1)   Verify through the covered application store's data sharing methods the age category of users located in this state and any other source of data or information that the developer determines is recommended or appropriate to comply with applicable law.

(2)   If the age verification methods or process described in new law determines the individual to be a minor, require the account to be affiliated with a 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. Any developer required by law to age-verify users at the application level shall continue to be responsible for age verification. No provision in new law shall be construed to remove this responsibility.

(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. Any developer required by law to age-verify users at the application level shall continue to be responsible for age verification. No provision in <u>new law</u> shall be construed to remove this responsibility.

<u>New law</u> provides for when a developer may request personal age verification data or parental consent.

<u>New law</u> 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.

<u>New law</u> provides for what a developer shall not do.

<u>New law</u> provides that developers and covered application store providers shall each be separately responsible for any data each chose to rely on in their independent judgment for compliance with age verification requirements of law.

<u>New law</u> provides for when a developer is not liable for a violation of <u>new law</u>.

<u>New law</u> 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 <u>new law</u> 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.

<u>New law</u> provides for applicability of the protection described in <u>new law</u>.

<u>New law</u> provides that nothing in <u>new law</u> shall displace any other available remedies or rights authorized under the laws of this state or the United States.

<u>New law</u> shall not be construed to do any of the following:

(1)   Prevent a covered application store provider or developer from taking certain actions.

(2)   Require a covered application store provider to disclose user information to a developer beyond age category or verification of parental consent status.

(3)   Allow a covered application store provider or developer to implement measures required by <u>new law</u> in a manner that is arbitrary, capricious, anticompetitive, or unlawful.

(4)   Require a covered application store provider or developer to obtain parental consent for an application that provides direct access to emergency services, limits data collection to information necessary to provide emergency services in compliance with <u>existing law</u>, provides access without requiring account creation or collection of unnecessary personal information, and is operated by or in partnership with certain entities.

(5)   Require a developer to collect, retain, reidentify, or link any information beyond what is necessary to verify age categories and parental consent status as required by <u>new law</u> or what is collected, retained, reidentified, or linked in the developer's ordinary course of business.

(6)   Relieve a developer of its obligation to conduct age verification as otherwise required by law.

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

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

New law requires the attorney general to give notice to any violators.

New law provides for when the attorney general may initiate a civil action against a person who fails to cure a violation.

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

New law requires a person who violates an administrative order or court order issued for a violation of new 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 new law.

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

New law provides for severability.

New 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)