

2026 Regular Session

HOUSE BILL NO. 220

BY REPRESENTATIVE SCHLEGEL

COMMERCIAL REGULATIONS: Provides relative to reporting child exploitation on covered platforms

1 AN ACT

2 To enact Chapter 20-B of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:1780.1 through 1780.3, relative to reporting child exploitation
4 on covered platforms; to provide for definitions; to provide for a reporting
5 mechanism on covered platforms; to provide for penalties; to provide for duties of
6 the attorney general; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 20-B of Title 51 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 51:1780.1 through 1780.3, is hereby enacted to read as follows:

10 CHAPTER 20-B. PLATFORMS REPORTING ONLINE TRAFFICKING,

11 ENTICEMENT, AND EXPLOITATION OF CHILDREN TIMELY

12 §1780.1. Definitions

13 As used in this Chapter, the following terms have the following meanings:

14 (1) "Clear and conspicuous" means presented in a manner that an ordinary
15 user can easily recognize, read, and understand.

16 (2)(a) "Covered platform" means an online platform, online video game,
17 messaging application, or video streaming service that accesses the internet.

18 (b) "Covered platform" does not include any of the following:

19 (i) An entity acting in its capacity as a provider of a common carrier service
20 subject to the Communications Act of 1934, 47 U.S.C. 151 et seq.

1 (ii) An entity providing broadband internet access service as defined in 47
2 CFR 54.400.

3 (iii) An entity acting in its capacity as a provider of an email service.

4 (iv) An entity acting in its capacity as a teleconferencing or video
5 conferencing service that allows reception and transmission of audio or video signals
6 for real-time communication if the service is not an online platform and the real-time
7 communication is initiated by using a unique link or identifier to facilitate access.

8 (v) An entity acting in its capacity as a wireless messaging service, including
9 a service provided through short messaging service or multimedia messaging service
10 protocols that is not a component of or linked to an online platform and where the
11 exclusive function is direct messaging consisting of the transmission of texts, photos,
12 or videos that are sent by electronic means, where messages are transmitted from the
13 sender to a recipient.

14 (vi) A nonprofit corporation.

15 (vii) A school.

16 (viii) A public library.

17 (ix) A news or sports coverage website or application where the inclusion
18 of video, image, or other visual content on the website or application is related
19 primarily to the website or application's own gathering, reporting, or publishing of
20 news content or sports coverage and the website or application is not otherwise an
21 online platform.

22 (x) A product or service that primarily functions as business-to-business
23 software, such as cloud storage, file sharing, or a file collaboration service.

24 (xi) A virtual private network or similar service that exists predominantly to
25 route internet traffic between locations.

26 (xii) A federal, state, or local government with an internet domain.

27 (xiii) A video streaming service that consists primarily of entertainment or
28 other information or content that is not user-generated or user-uploaded, but is
29 preselected by the provider.

1 (xiv) An entity where the predominant or exclusive function is providing or
2 obtaining technical support for a platform, product, or service.

3 (3)(a) "Online platform" means any public website, online service, online
4 application, or mobile application that predominantly provides a community forum
5 for user-generated content, such as sharing videos, images, games, audio files, or
6 other content, including a social media service, social network, or virtual reality
7 environment.

8 (b) A website, online service, online application, or mobile application is not
9 considered an online platform solely because it includes a chat, comment, or other
10 interactive function that is incidental to and not a primary function of the service's
11 predominant purpose, if such service does not knowingly permit users to upload,
12 post, transmit, host, or otherwise make available sexually explicit material, as
13 defined in R.S. 25:225, and maintains reasonable and appropriate measures to
14 prevent the dissemination of such material.

15 (4) "Online video game" means a video game, including an educational
16 video game, that accesses the internet and allows the user to create and upload
17 content that is not incidental to game play such as character or level designs.

18 (5) "Report mechanism" means an electronic feature that allows a user to
19 easily notify the covered platform about suspected child sexual abuse material, or
20 other instances of child exploitation listed in 34 U.S.C. 11293(b)(1)(K)(i)(I),
21 appearing on or transmitted through the platform.

22 §1780.2. Report mechanism

23 A.(1) A covered platform that allows users to create, share, or view
24 user-generated content shall provide clear and conspicuous instructions and a clear
25 and conspicuous method for users to report suspected child sexual abuse material,
26 or other instances of child sexual exploitation listed in 34 U.S.C.
27 11293(b)(1)(K)(i)(I), appearing on or transmitted through the platform.

28 (2) The report mechanism shall meet all of the following requirements:

29 (a) Be clear and conspicuous.

1 (b) Be readily locatable and usable through the covered platform's user
2 interface.

3 (c) Be clearly labeled using plain language such as "Report Child Sexual
4 Exploitation" or similar wording.

5 (d) Allow the report to be submitted without requiring the reporting user to
6 register for an account.

7 (e) Generate an acknowledgment to the reporting user confirming that the
8 report has been received.

9 B. The covered platform shall comply with federal law as required pursuant
10 to 18 U.S.C. 2258A.

11 C. For purposes of this Section, a covered platform provides a report
12 mechanism only if the instructions and mechanism are clear and conspicuous and are
13 not designed, configured, or implemented in a manner that materially impedes a
14 reasonable user from locating or using the report mechanism.

15 §1780.3. Penalties

16 A.(1) Any covered platform that does not provide a reporting mechanism as
17 required by this Chapter shall be subject to civil penalties as provided in this Section.

18 (2) The attorney general may conduct an investigation of the alleged
19 violation and initiate a civil action in the Nineteenth Judicial District Court for the
20 parish of East Baton Rouge on behalf of the state to assess civil penalties. Prior to
21 asserting a cause of action, the attorney general shall provide the covered platform
22 with a period of time of not less than thirty days to comply with this Chapter.

23 B.(1) Any covered platform that violates this Chapter may be liable for a
24 civil penalty, to be assessed by the court, of not more than five thousand dollars for
25 each day of violation to be paid to the Department of Justice, in order to fund the
26 investigation of cyber crimes involving the exploitation of children. In addition to
27 the remedies provided in this Section, the attorney general may request and the court
28 may impose an additional civil penalty not to exceed ten thousand dollars for each
29 violation of this Chapter against any covered platform found by the court to have not

1 provided a reporting mechanism as required by this Chapter. The civil penalty shall
2 be paid to the Department of Justice in order to fund the investigation of cyber
3 crimes involving the exploitation of children.

4 (2) Each violation may be treated as a separate violation or may be combined
5 into one violation at the option of the attorney general.

6 (3) Any covered platform that violates this Chapter may be liable to the
7 attorney general for all costs, expenses, and fees related to investigations and
8 proceedings associated with the violation, including attorney fees.

9 (4) If the court assesses a civil penalty pursuant to this Chapter, the
10 Department of Justice shall be entitled to legal interest as provided in R.S. 9:3500
11 from the date of imposition of the penalty until paid in full.

12 Section 2. This Act shall be referred to as the Platforms Reporting Online
13 Trafficking, Enticement, and Exploitation of Children Timely, or the "PROTECT" Act.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 220 Reengrossed

2026 Regular Session

Schlegel

Abstract: Provides relative to reporting child exploitation on covered platforms.

Proposed law requires covered platforms to provide reporting mechanisms for child exploitation.

Proposed law defines "clear and conspicuous", "covered platform", "online platform", "online video game", and "report mechanism".

Proposed law requires that a covered platform that allows users to create, share, or view user-generated content provide clear and conspicuous instructions and a clear and conspicuous method for users to report suspected child sexual abuse material, or other instances of child sexual exploitation listed in present law, appearing on or transmitted through the platform.

Proposed law provides for the requirements of the reporting mechanism.

Proposed law provides that any covered platform that does not provide a reporting mechanism as required by proposed law shall be subject to civil penalties.

Proposed law provides that the attorney general may conduct an investigation of the alleged violation and initiate a civil action in the 19th Judicial District Court on behalf of the state to assess civil penalties. Prior to asserting a cause of action, the attorney general shall

provide the commercial entity with a period of time of not less than 30 days to comply with proposed law.

Proposed law provides that the covered platforms may be liable for certain civil penalties for violations of proposed law, to be assessed by the court, to be paid to the Dept. of Justice, in order to fund the investigation of cyber crimes involving the exploitation of children.

Proposed law states that each violation may be treated as a separate violation or may be combined into one violation at the option of the attorney general.

Proposed law provides that any covered platform that violates proposed law may be liable to the attorney general for all costs, expenses, and fees related to investigations and proceedings associated with the violation, including attorney fees.

(Adds R.S. 51:1780.1-1780.3)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Add that a covered platform does not include an entity where the predominant or exclusive function is providing or obtaining technical support for a platform, product, or service.
3. Clarify that a report mechanism means an electronic feature that allows a user to easily notify the platform about suspected child sexual abuse material.