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## DIGEST

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HB 977 Engrossed

2026 Regular Session

Beullieu

**Abstract:** Provides relative to minors' use of applications.

Proposed law repeals Act No. 481 of the 2025 Regular Session.

Not yet effective law provides for minors' use of applications, definitions, a covered application store provider's responsibilities and a developer's responsibilities.

Not yet effective law provides for liabilities and protections and for enforcement and penalties.

Proposed law repeals not yet effective law.

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

Proposed law changes present law to amend the title of proposed law.

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", "pre-loaded application", "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 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, access an application that has been pre-loaded into a device, or enable the functionality make an in-application purchase. Relative to proposed law, if the pre-loaded application is developed by the covered application store provider, verifiable parental consent is not necessary if the pre-loaded application implements default safety protections for minors, where applicable.
- (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 of certain data and by 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 through the covered application store's data sharing methods the age category of users located in this state, and for a minor account, whether verifiable parental consent has been obtained.
- (2) Obtain verifiable parental consent from the holder of the affiliated parent account before allowing the minor to download an application, purchase an application, create a profile, 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 proposed law to age-verify users at the application level shall continue to be responsible for age verification. No provision in proposed law shall be construed to remove this responsibility. A developer who is required by law to conduct age verification at the application level, but to whom present law does not apply, may utilize the age signal from the covered application store to fulfill its age verification obligation.
- (7) Implement any developer-created safety-related features or defaults.
- (8) Request from the covered application store provider 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 for when a developer may request personal age verification data or parental consent.

Proposed law provides that a developer, other than one required to verify age pursuant to present

law, shall use the verified age signal from an operating system or application store, pursuant to proposed law, to do all of the following:

- (1) Enforce legally required minimum age restrictions.
- (2) Ensure compliance with all laws and other obligations.
- (3) In the provision of any age-appropriate defaults, safeguards, or experiences, except as provided present law.

Proposed law provides that if the developer determines that an internal age signal conflicts with the age signal from a covered application store, the developer may rely on the signal from the covered application store unless the developer has actual knowledge that its internal signal is more accurate. If the developer has actual knowledge that its internal signal is more accurate, such as if the user provided proof of age to the developer, the developer shall use its internal signal or the lower of the two signals.

Proposed law provides for what a developer shall not do.

Proposed law provides for when a covered application store provider is not liable for a violation of proposed law.

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 protection 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 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 proposed law in a manner that is arbitrary, capricious, anticompetitive, or unlawful.

- (4) 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 proposed law or what is collected, retained, reidentified, or linked in the developer's ordinary course of business.
- (5) Relieve a developer of its obligation to conduct age verification as required by present law.
- (6) Require a covered application store provider or developer to obtain parental consent for an application that meets certain requirements.

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 set by the attorney general.

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

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

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

Certain proposed law provisions effective upon signature of governor or lapse of time for gubernatorial action.

Certain proposed law provisions effective July 1, 2027.

(Amends the heading of Chapter 20-A of Title 51 of the Louisiana Revised Statutes of 1950; Adds R.S. 51:1771-1775; Repeals Act No. 481 of the 25RS)

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 the definition for "pre-loaded application".
3. Amend for when obtaining verifiable parental consent is required.
4. Add provisions of present law to compliance requirements outlined in proposed law.
5. Amend when a developer shall use the verified age signal from an operating system or application store.
6. Add for what age signal shall be used by a developer.
7. Change proposed law from a developer shall not share age category data with any person and instead provide that a developer shall not sell age category data to any person.
8. Amend proposed law to provide that a covered application store provider is not liable for a violation of proposed law if the covered application store demonstrates a good faith effort to comply with the requirements of proposed law.
9. Provide that nothing in proposed law shall be construed to require a covered application store provider or developer to obtain parental consent for an application that meets certain requirements.