

GREEN SHEET REDIGEST

HB 427

2026 Regular Session

Schlegel

CONTRACTS: Provides relative to the duty of care for online platforms that contract with minors

DIGEST

Present law provides for the Kids Online Protection and Anti-Grooming Act to protect minors who use covered platforms.

Proposed law retains present law.

Proposed law defines "material harmful to minors".

Present law (R.S. 9:2717.4) defines "minor" as an account holder on the covered platform who resides in this state and the covered platform reasonably believes or has actual knowledge that the account holder is under the age of 16 and is not emancipated or married.

Proposed law changes the definition of "minor" to be any person under the age of 18 who is not emancipated.

Present law defines "sexually explicit material".

Proposed law repeals the definition of "sexually explicit material".

Present law provides that every owner or operator of a covered platform who contracts with a minor owes a duty of care to the minor. Requires a covered platform to prioritize the privacy of minor's accounts and establish certain default privacy settings. One of the default privacy settings is to restrict the visibility of the minor's account to only connected accounts.

Present law prohibits an adult from connecting to a minor without express consent from the minor's legal representative.

Proposed law retains present law and prohibits an adult from connecting to a minor without express consent from the minor's legal representative or enable the legal representative of a minor to access a list of the connections of the minor, including a list of contacts with whom the minor has exchanged direct messages through the parental supervision tools of the covered platform.

Present law restricts the visibility of the minor's account to only connected accounts.

Proposed law changes present law to set minor accounts to private mode in a manner in which only users to whom the minor is connected on the covered platform may view or respond to content posted by the minor.

Present law allow the legal representative of a minor to choose to be informed via text, voice, email, through the legal representative's linked account or through the covered platform's parental control interface within a reasonable time in certain circumstances provided by present law.

Proposed law clarifies present law requirement to inform the legal representative of a minor via text, voice, email, through the legal representative's linked account or through the covered platform's parental control interface within a reasonable time, if any of the following occur:

- (1) A minor is exposed to material harmful to minors on a covered platform.
- (2) A connection is made between a minor and any other user on a covered platform unless the legal representative of the minor is connected to the account of the minor through the covered platform's parental supervision tools.

Proposed law repeals the July 1, 2026, effective date of the Kids Online Protection and Anti-Grooming Act.

Effective on January 1, 2027.

(Amends R.S.9:2717.4 (B)(3)-(10) and (C)(1), (4), and (5))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the engrossed bill

1. Make technical changes.
2. Clarify the duty of care required by every owner or operator of a covered platform who contracts with a minor.
3. Enable the legal representative of a minor to access a list of the connections of the minor including a list of contacts with whom the minor has exchanged direct messages through the covered platform's parental supervision tools.
4. Set minor accounts to private mode to allow only certain users to view or respond to content posted by the minor.
5. Inform the legal representative of a minor if a connection is made between a minor and any other user unless the legal representative is connected to the minor's account through the parental supervision tools of the covered platform.
6. Change the effective date from upon signature of governor to January 1, 2027.