

**ACT No. 535**

2026 Regular Session

HOUSE BILL NO. 220

BY REPRESENTATIVE SCHLEGEL

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.

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

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

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

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

11          (vi) A nonprofit corporation.

12          (vii) A school.

13          (viii) A public library.

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

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

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

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

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

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

29          (3)(a) "Online platform" means any public website, online service, online  
30          application, or mobile application that predominantly provides a community forum

1 for user-generated content, such as sharing videos, images, games, audio files, or  
2 other content, including a social media service, social network, or virtual reality  
3 environment.

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

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

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

18 §1780.2. Report mechanism

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

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

25 (a) Be clear and conspicuous.

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

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

1           (d) Allow the report to be submitted without requiring the reporting user to  
2           register for an account, unless the covered platform requires that a user has a  
3           registered account before accessing any of the features or content of the covered  
4           platform.

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

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

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

13          §1780.3. Penalties

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

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

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

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_