

2026 Regular Session

HOUSE BILL NO. 977

BY REPRESENTATIVE BEAULLIEU

COMMERCIAL REGULATIONS: Provides relative to minors' use of applications

1 AN ACT

2 To amend and reenact the heading of Chapter 20-A of Title 51 of the Louisiana Revised
3 Statutes of 1950, to enact Part II of Chapter 20-A of Title 51 of the Louisiana
4 Revised Statutes of 1950, to be comprised of R.S. 51:1771 through 1775, and to
5 repeal Act No. 481 of the 2025 Regular Session, relative to minors' use of
6 applications; to provide for definitions; to provide for application store requirements;
7 to provide for developer requirements; to provide for protections; to provide for
8 liability; to provide for applicability; to provide for enforcement; to provide for
9 penalties; to provide for severability; to provide for an effective date; and to provide
10 for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Act No. 481 of the 2025 Regular Session shall not become effective.

13 Section 2. The heading of Chapter 20-A of Title 51 of the Louisiana Revised
14 Statutes of 1950 is hereby amended and reenacted and Part II of Chapter 20-A of Title 51
15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:1771 through 1775, is
16 hereby enacted to read as follows to read as follows:

17 CHAPTER 20-A. ~~PROTECTION OF CHILDREN'S INTERNET DATA~~ ONLINE
18 PROTECTIONS FOR MINORS

19 PART I. PROTECTION OF CHILDREN'S INTERNET DATA

20 §1761. Legislative findings

21 * * *

1 PART II. PROTECTION OF CHILDREN ON APPLICATIONS2 §1771. Definitions3 As used in this Part, the following terms have the following meanings:4 (1) "Age category" means one of the following categories of individuals
5 based on age:6 (a) "Child" means an individual who is under thirteen years old.7 (b) "Younger teenager" means an individual who is at least thirteen years old
8 and under sixteen years old.9 (c) "Older teenager" means an individual who is at least sixteen years old
10 and under eighteen years old.11 (d) "Adult" means an individual who is at least eighteen years old.12 (2) "Age category data" means information about a user's age that is
13 collected by a covered application store provider and shared with a developer.14 (3) "Age rating" means a classification that provides an assessment of the
15 suitability of an application's content for different age groups.16 (4) "Application" means a software program that is designed to run on a
17 connected device or a mobile device.18 (5) "Connected device" means a smartphone, tablet, computer, gaming
19 console, or virtual reality device that enables users to connect to the internet and
20 download software applications.21 (6) "Content description" means a description of the specific content
22 elements that informed an application's age rating.23 (7) "Covered application store" means a publicly available website, software
24 application, or electronic service that allows users to download applications from
25 third-party developers onto a mobile device or connected device.26 (8) "Covered application store provider" means a person who owns, operates,
27 or controls a covered application store that allows users in this state to download
28 applications.

1 (9) "Developer" means a person who owns or controls an application made
2 available through a covered application store in this state.

3 (10) "Minor" means an individual who is under the age of eighteen and is not
4 emancipated or married.

5 (11) "Minor account" means an account with a covered application store
6 provider that is established by an individual who the covered application store
7 provider has determined through its age verification methods is under eighteen years
8 of age, and is not emancipated or married, and requires affiliation with a parent
9 account.

10 (12) "Mobile device" means a phone or general-purpose tablet that does all
11 of the following:

12 (a) Provides cellular or wireless connectivity.

13 (b) Is capable of connecting to the internet.

14 (c) Runs a mobile operating system.

15 (d) Is capable of running applications through the mobile operating system.

16 (13) "Mobile operating system" means software that does all of the
17 following:

18 (a) Manages mobile device hardware resources.

19 (b) Provides common services for mobile device programs.

20 (c) Controls memory allocation.

21 (d) Provides interfaces for applications to access device functionality.

22 (14) "Parent" means, with respect to a minor, individuals who have legal
23 authority to make decisions on behalf of the minor.

24 (15) "Parent account" means an account with a covered application store
25 provider that is both of the following:

26 (a) Is verified to be established by an individual whom the covered
27 application store provider has determined is at least eighteen years old through the
28 covered application store provider's age verification methods.

29 (b) May be affiliated with one or more minor accounts.

1 (16) "Parental consent disclosure" means the following information that a
2 covered application store provider is required to provide to a parent before obtaining
3 parental consent:

4 (a) If the covered application store provider has an age rating for the
5 application or in-application purchase, the application's or in-application purchase's
6 age rating.

7 (b) If the covered application store provider has a content description for the
8 application or in-application purchase, the application's or in-application's content
9 description.

10 (c) A description of:

11 (i) The personal data collected by an application from a user.

12 (ii) The personal data shared by the application with a third party.

13 (d) If personal data is collected by the application, the methods implemented
14 by the developer to protect the personal data.

15 (17) "Significant change" means a material modification to an application's
16 terms of service or privacy policy that:

17 (a) Changes the categories of data collected, stored, or shared.

18 (b) Alters the application's age rating or content descriptions.

19 (c) Adds new monetization features, including in-application purchases and
20 advertisements.

21 (d) Materially changes the application's functionality or user experience.

22 (18) "Verifiable parental consent" means authorization that is all of the
23 following:

24 (a) Is provided to a covered application store by an individual whom a
25 covered application store provider has verified is an adult.

26 (b) Is given after the covered application store provider has clearly and
27 conspicuously provided the parental consent disclosure to the individual.

28 (c) Requires the parent to make an affirmative choice to grant consent or
29 decline consent.

1 §1772. Application stores2 A. A covered application store provider shall:3 (1) At the time an individual who is located in this state creates an account
4 with a covered application store provider, do both of the following:5 (a) Request age information from the individual.6 (b)(i) Verify the individual's age category using commercially available
7 methods that are reasonably designed to ensure accuracy, including but not limited
8 to a means of verification provided through the use of a real-time age verification
9 system authorized by the commissioner of the office of motor vehicles.10 (ii) For individuals under eighteen years of age, a method is commercially
11 available if it includes affirmative age attestation by someone who is reasonably
12 believed to be the parent or legal guardian, along with other information collected
13 in the ordinary course of account creation or use.14 (2) If the age verification methods or process described in Paragraph (1) of
15 this Subsection determines the individual to be a minor, the covered application store
16 provider shall do both of the following:17 (a) Require the account to be affiliated with a parent account.18 (b) Obtain verifiable parental consent from the holder of the affiliated parent
19 account before allowing the minor to download an application, purchase an
20 application, access an application that has been pre-loaded into a device, or enable
21 the functionality to make in-application purchases.22 (3) After receiving notice of a significant change from a developer, notify
23 the user of the significant change, and for a minor account, notify the holder of the
24 affiliated parent account and obtain renewed verifiable parental consent.25 (4) Provide to a developer, in response to a request authorized pursuant to
26 R.S. 51:1773:27 (a) The age category for a user located in this state.28 (b) The status of verified parental consent for a minor located in this state.29 (5) Notify a developer when a parent revokes parental consent.

1 (6) Protect personal age verification data by doing all of the following:

2 (a) Limiting collection and processing to data necessary for:

3 (i) Verifying a user's age.

4 (ii) Obtaining parental consent.

5 (iii) Maintaining compliance records.

6 (b) Transmitting personal age verification data using industry-standard
7 encryption protocols that ensure data integrity and data confidentiality.

8 B. A covered application store provider shall not do any of the following:

9 (1) Enforce a contract or terms of service against a minor unless a covered
10 application store provider has obtained verifiable parental consent.

11 (2) Knowingly misrepresent the information in the parental consent
12 disclosure.

13 (3) Share age verification data except between a covered application store
14 provider and a developer as required by this Part or as required by law.

15 §1773. Developer requirements

16 A. A developer shall do all of the following:

17 (1) Verify through the covered application store's data sharing methods:

18 (a) The age category of users located in this state.

19 (b) For a minor account, whether verifiable parental consent has been
20 obtained.

21 (2) Obtain verifiable parental consent from the holder of the affiliated parent
22 account before allowing the minor to download an application, purchase an
23 application, create a profile, or make an in-application purchase.

24 (3) Notify covered application store providers of a significant change to the
25 application.

26 (4) Enforce all age-related restrictions.

27 (5) Enforce any developer-created age-related restrictions.

28 (6) Ensure compliance with applicable laws and regulations. Any developer
29 required by R.S. 51:1751 through 1753 to age-verify users at the application level

1 shall continue to be responsible for age verification. No provision in this Part shall
2 be construed to eliminate this responsibility. A developer who is required by law to
3 conduct age verification at the application level, but to whom R.S. 51:1751 through
4 1753 does not apply, may utilize the age signal from the covered application store
5 to fulfill its age verification obligation.

6 (7) Implement any developer-created safety-related features or defaults.

7 (8) Request from the covered application store provider personal age
8 verification data or parental consent:

9 (a) At the time a user downloads an application or purchases an application.

10 (b) When implementing a significant change to the application.

11 (c) To comply with applicable law.

12 B. A developer may request personal age verification data or parental
13 consent:

14 (1) No more than once during a twelve-month period to verify the accuracy
15 of user age verification data or continued account use within the verified age
16 category.

17 (2) When there is reasonable suspicion of account transfer or misuse outside
18 the verified age category.

19 (3) At the time a user creates a new account with a developer.

20 C. When implementing any developer-created safety-related features or
21 defaults, a developer shall use the lowest age category indicated by age verification
22 data provided by a covered application store provider or age data independently
23 collected by the developer.

24 D. A developer shall not do any of the following:

25 (1) Enforce a contract or terms of service against a minor unless the
26 developer has verified through the covered application store provider that verifiable
27 parental consent has been obtained.

28 (2) Knowingly misrepresent any information in the parental consent
29 disclosure.

1 (3) Share age category data with any person.

2 §1774. Protections

3 A.(1) A covered application store provider is not liable for a violation of this
4 Part if the covered application store provider demonstrates that the covered
5 application store provider complied with the requirements in R.S. 51:1772.

6 (2) A developer is not liable for a violation of this Part if the developer
7 demonstrates that the developer complied with the requirements in R.S. 51:1773.

8 B. For the purposes of setting the age category of an application and
9 providing content description disclosure to a covered application store provider, a
10 developer complies with R.S. 51:1773(C) if the developer uses widely adopted
11 industry standards to determine the application's age category and the content
12 description disclosures and if the developer applies those standards consistently and
13 in good faith.

14 C. The protection described in this Section applies only to actions brought
15 pursuant to this Part and shall not limit a developer or covered application store
16 provider's liability under any applicable law.

17 D. Nothing in this Part shall displace any other available remedies or rights
18 authorized under the laws of this state or the United States.

19 E. Nothing in this Part shall be construed to do any of the following:

20 (1) Prevent a covered application store provider or developer from taking
21 reasonable measures to do any of the following:

22 (a) Block, detect, or prevent distribution to minors of unlawful material,
23 obscene material, or other harmful material.

24 (b) Block or filter spam.

25 (c) Prevent criminal activity.

26 (d) Protect the application store or application security.

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

1 (3) Allow a covered application store provider or developer to implement
2 measures required by this Part in a manner that is arbitrary, capricious,
3 anticompetitive, or unlawful.

4 (4) Require a developer to collect, retain, reidentify, or link any information
5 beyond any of the following:

6 (a) What is necessary to verify age categories and parental consent status as
7 required by this Chapter.

8 (b) What is collected, retained, reidentified, or linked in the developer's
9 ordinary course of business.

10 (5) Relieve a developer of its obligation to conduct age verification as
11 required by R.S. 51:1751 through 1753.

12 §1775. Enforcement; penalties

13 A. The attorney general may bring a civil action to enforce any violations of
14 this Part.

15 B. A covered application store or developer that violates the provisions of
16 this Part shall be subject to a civil fine of up to ten thousand dollars per violation set
17 by the attorney general.

18 C.(1) At least forty-five days before the day on which the attorney general
19 initiates an enforcement action against a person who is subject to the requirements
20 of this Part, the attorney general shall provide the person with a written notice that
21 identifies each alleged violation and an explanation of the basis for each allegation.

22 (2) Except as provided in Paragraph (3) of this Subsection, the attorney
23 general shall not initiate an action if the person cures the notice violation within
24 forty-five days after the date on which the person receives the notice by providing
25 the attorney general with a written statement indicating that the violation is cured and
26 no further violations will occur.

27 (3) The attorney general may initiate a civil action against a person who does
28 either of the following:

1 (a) Fails to cure a violation after receiving the written notice described in
2 Paragraph (1) of this Subsection.

3 (b) Commits another violation of the same provision after curing a violation
4 and providing a written statement in accordance with Paragraph (2) of this
5 Subsection.

6 (4) If a court of competent jurisdiction grants judgment or injunctive relief
7 to the attorney general, the court shall award the attorney general reasonable attorney
8 fees, court costs, and investigative costs.

9 (5) A person who violates an administrative order or court order issued for
10 a violation of this Part shall be subject to a civil penalty of not more than five
11 thousand dollars for each violation set by the attorney general. A civil penalty in
12 accordance with this Section may be imposed in any civil action brought by the
13 attorney general.

14 (6) All monies received from the payment of a fine or civil penalty imposed
15 and collected pursuant to the provisions of this Section shall be used by the attorney
16 general for consumer protection enforcement efforts or to promote consumer
17 protection and education.

18 Section 3. If any provision of this Act or the application thereof is held invalid, such
19 invalidity shall not affect other provisions or applications of this Act which can be given
20 effect without the invalid provisions or applications, and to this end the provisions of this
21 Act are hereby declared severable.

22 Section 4. The Louisiana State Law Institute is authorized and directed to amend
23 R.S. 51:1761 through 1763 to change every reference from "Chapter" to "Part".

24 Section 5. Section 1 and this Section of this Act shall become effective upon
25 signature by the governor or, if not signed by the governor, upon expiration of the time for
26 bills to become law without signature by the governor, as provided by Article III, Section
27 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
28 by the legislature, this Act shall become effective on the day following such approval.

1 Section 6. Sections 2, 3, 4 and this Section of this Act shall become effective on July
2 1, 2027.

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 977 Original

2026 Regular Session

Beaulieu

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.

Not yet effective law provides for definitions.

Not yet effective law provides for what a covered application store provider shall and shall not do.

Not yet effective law provides for what a developer shall and shall not do.

Not yet effective law provides for liabilities and protections.

Not yet effective law provides 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", "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.
- (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 to 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 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.

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.

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.

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)