

# GREEN SHEET REDIGEST

HB 570

2025 Regular Session

Carver

## COMMERCIAL REGULATIONS: Provides relative to minors use of applications

### DIGEST

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

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 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, or 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 certain data and 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) Request age information at the time of downloading or purchasing an application.
- (2) Verify the age category using available methods, including but not limited to real-time systems authorized by the commissioner of the office of motor vehicles.
- (3) Require a parent-affiliated account and obtain parental consent from a minor before allowing access to the application.

Proposed law provides that a developer may request personal age verification data or parental consent in certain circumstances.

Proposed law provides that 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 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 if the developer applies those standards consistently and in good faith.

Proposed law provides for applicability of the protections described in proposed law.

Proposed law shall not be construed to prevent a covered application store provider or developer from taking certain actions.

Proposed law provides that a violation of proposed law shall be considered a false, misleading or deceptive act or practice.

Proposed law provides that the attorney general may bring a civil action to enforce any violation of proposed law.

Proposed law provides that a social media platform 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 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 directs the La. Law Institute to make technical changes.

Effective July 1, 2026.

(Amends Section 2 of Act 656 of the 2024 R.S.; Adds R.S. 51:1771-1775)

#### 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 definitions for application, content description, minor, minor account, mobile device, and mobile operating system.
3. Amend the definitions for covered application store and developer.
4. Add that for individuals under 18, a method is commercially available if it includes affirmative age attestation by someone who is reasonably believed to be the parent or legal guardian, along with other information collected in the ordinary course of account creation or use.
5. Clarify language regarding a covered application store provider and age categories.
6. Add that a developer shall also use age verification methods when complying with applicable laws and regulations.

7. Add that any developer required by law to age verify users at the application level shall continue to be responsible for age verification. No provision in this Part shall alleviate said responsibility.
8. Add that proposed law shall not be construed to prevent a covered application store provider or developer from taking certain actions.
9. Add severability.
10. Direct the La. Law Institute to make technical changes.
11. Add an effective date of July 1, 2026.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Amend definitions of "minor" and "minor account".
3. Clarify that a covered application store provider shall identify an individual's age category.
4. Clarify applicable prohibitions for covered application store providers and developers.
5. Expand on what proposed law shall not be construed to require a covered application store provider or a developer to do.
6. Clarify that civil fines and penalties shall be set by the attorney general.
7. Add what monies collected by the attorney general can be used for.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the reengrossed bill

1. Amend definitions of "application" and "minor".
2. Define "connected device".
3. Expand verification methods by allowing verification through the use of a real-time age verification system authorized by the commissioner of the office of motor vehicles.
4. Require developers to verify age at download and require a parent account and parental consent for access to an application or purchases in an application.
5. Require developers to conduct age verification without relying on age category obtained from a covered application store.
6. Make technical changes.