

2026 Regular Session

SENATE BILL NO. 503

BY SENATOR CATHEY

COMMERCIAL REGULATIONS. Creates the Minor Exploitation Prevention Act. (8/1/28)

1 AN ACT

2 To enact Part III of Chapter 20-A of Title 51 of the Louisiana Revised Statutes of 1950, to
3 be comprised of R.S. 51:1776.1 through 1776.7, relative to mobile application
4 distribution; to provide for age assurance and protections for minors; to provide for
5 duties of application distribution providers and developers; to provide for limitations
6 of liability; to provide for enforcement; to provide for penalties; to provide for terms
7 and conditions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Part III of Chapter 20-A of Title 51 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 51:1776.1 through 1776.7 is hereby enacted to read as follows:

11 **PART III. MINOR EXPLOITATION PREVENTION**

12 **§1776.1. Short title**

13 **This Part shall be known and may be cited as the "Minor Exploitation**
14 **Prevention Act"**.

15 **§1776.2. Definitions**

16 **As used in this Part, the following terms have the following meanings:**

17 **(1) "Adult" means an account holder who is or is reasonably estimated**

1 to be eighteen years of age or older.

2 (2) "Age category" means a classification of an individual based on age
3 or estimated age, including a description of the user as a minor, adult, or being
4 within a given age range.

5 (3) "Age signal" means a signal indicating an account holder's age
6 category, including the method by which such determination was made.

7 (4) "Application" means a software program designed to run on a
8 connected device and distributed through an application distributor. The term
9 shall not include internet browsers or browser extensions.

10 (5) "Application distributor" means a digital platform or software
11 through which applications are distributed to users.

12 (6) "Application distribution provider" means a person or entity that
13 owns or operates an application distributor.

14 (7) "Developer" means a person or entity that creates, owns, or controls
15 an application.

16 (8) "Covered application" means an application that provides a different
17 experience to minors than to adults or is intended for adult use only.

18 (9) "Connected device" means a device capable of connecting to the
19 internet and downloading applications, including smartphones, tablets, gaming
20 consoles, and virtual reality devices.

21 (10) "Minor" means an account holder who is or is reasonably estimated
22 to be under eighteen years of age.

23 §1776.3. Age requirements

24 A. An application distribution provider shall do all of the following:

25 (1) Require each account holder to declare his age when creating an
26 account with the application distribution provider.

27 (2) Use commercially reasonable efforts to determine an account holder's
28 age category.

29 (3) Provide an account holder with a mechanism to obtain his age

1 category and the ability to request an update if he believes the age category is
2 incorrect.

3 (4) Provide each developer of a covered application the ability to call an
4 age signal where the account holder or the account holder's parent has agreed
5 to share the account holder's age category. An application distribution provider
6 shall only provide an age signal for an account holder who has provided consent
7 to sharing the account holder's age category with the developer or where a
8 parent has provided consent on behalf of the account holder who is a minor.

9 B. A application distribution provider acting in good faith shall not be
10 liable for any of the following:

11 (1) Inaccurate age signals.

12 (2) Any conduct by a developer of a covered application that receives any
13 age signal, except where the developer and application distribution provider are
14 controlled by the same entity.

15 (3) Failing to provide technical ability to call an age signal due to any
16 reasonable technical limitations.

17 (4) Failing to provide the age signal to developers that do not adhere to
18 reasonable safety standards and application distributor policies.

19 C.(1) Nothing in this Section shall prohibit an application distribution
20 provider from using multiple commercially reasonable methods to obtain,
21 estimate, or provide the age category of an account holder.

22 (2) Nothing in this Section shall restrict an application distribution
23 provider's ability to satisfy the provisions of this Part by obtaining a minor
24 account holder's age from the minor's parent.

25 §1776.4. Application distributor provider; duties

26 A. An application distribution provider shall do all of the following:

27 (1) Provide the account holder's parent or developer of a covered
28 application with the ability to prevent account holders who are not adults from
29 acquiring or using the developer's covered application from the application

1 distributor.

2 (2) Provide a developer the ability to disclose parental controls for
3 covered application through a centralized product page or user interface that
4 provides information about a covered application.

5 (3) Comply with the obligations and requirements for its own covered
6 application for which the application distribution provider is also the developer.

7 B. An application distributor provider shall not use data collected from
8 a third-party covered application in the course of compliance with this Part to
9 give the application distribution provider preference relative to those of a third
10 party, or to otherwise use the data in an anti-competitive manner.

11 §1776.5. Application developer; duties

12 A. A developer of a covered application shall:

13 (1) Report to the application distribution provider whether the
14 application provides a different experience for adults than for users who are not
15 adults or is intended only for adults.

16 (2) Provide tools to help parents support a minor using the covered
17 application unless the application is intended for adult use only.

18 (3) Use commercially reasonable efforts to determine whether a user is
19 an adult or a minor with a reasonable level of certainty.

20 (4) Make reasonable efforts, proportionate to the risks, to ensure that
21 users who are minors shall not engage in any activity that has been restricted
22 for adults only.

23 (5) Obtain consent prior to permitting minor account holders from
24 accessing content or enabling features the developer has designated as
25 unsuitable for use by minors without parental guidance or supervision.

26 B. A developer of a covered application shall not deliver personalized
27 advertising to minors.

28 C.(1) If the developer chooses to call an age signal facilitated by an
29 application distribution provider, the developer shall request the minimum

1 amount of information needed for purposes of compliance with this Part.

2 (2) If the developer chooses to call an age signal facilitated by an
3 application distribution provider, the developer shall not:

4 (a) Willfully disregard any information regarding an individual's age or
5 age category that is otherwise available to the developer.

6 (b) Share the information obtained from the age signal with third
7 parties, except for a service provider, but only if necessary for the service
8 provider to implement any safety measure or privacy protections for minors or
9 otherwise required by law.

10 (c) Use the age signal for any purpose beyond that intended by this Part,
11 including but not limited to using the age signal to back into or attempt to back
12 into a users date of birth.

13 E. Nothing in this Section shall require the developer to determine
14 whether a user is an adult or a minor, provided the developer and an
15 application distribution provider are controlled by the same entity.

16 §1776.6. Developer; liability

17 A. A developer of a covered application is liable for correctly identifying
18 whether its application is a covered application pursuant to this Part. No
19 application distributor is required to proactively identify any covered
20 application, and an application distributor shall not be held liable in any case
21 where a developer provides inaccurate information about its application.

22 B. A developer of a covered application shall not be liable for an
23 erroneous age signal provided by an application distribution provider, if it
24 makes a reasonable effort, taking into consideration available technology, to
25 properly use the age signal and carry out other age assurance, if needed, as
26 proportionate to the risks presented to any person using its applications.

27 §1776.7. Enforcement

28 A. The attorney general shall have exclusive authority to enforce the
29 provisions of this Part.

Proposed law provides that a developer is responsible for correctly identifying whether its application is a covered application. Further provides that application distributors are not liable for relying on inaccurate information provided to them by the developers.

Proposed law provides that a developer is not liable for an erroneous age signal from an application distribution provider if the developer makes reasonable efforts to use the signal appropriately and implement age assurance measures proportionate to risk.

Proposed law provides that the attorney general has exclusive authority to enforce proposed law and authorizes civil penalties of up to \$1,000 per violation. Further prohibits a private right of action.

Effective August 1, 2028.

(Adds R.S. 51:1776.1-1776.7)