

2026 Regular Session

HOUSE BILL NO. 427

BY REPRESENTATIVES SCHLEGEL, EDMONSTON, MIKE JOHNSON, AND LARVADAIN

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

1 AN ACT

2 To amend and reenact R.S. 9:2717.4(B)(3) through (10), (C)(4), and (5)(a), relative to
3 material harmful to minors; to provide for definitions; to make technical changes; to
4 provide relative to settings on minor accounts; to provide for an effective date; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 9:2717.4 (B)(3) through (10), (C)(4), and (5)(a) are hereby amended
8 and reenacted to read as follows:

9 §2717.4. Kids Online Protection and Anti-Grooming Act

10 * * *

11 B. For purposes of this Section:

12 * * *

13 (3) "Material harmful to minors" has the same meaning as provided in R.S.
14 51:2121.

15 ~~(3)~~ (4)(a) "Microtransaction" means any of the following:

16 (i) A purchase made in an online video game involving surprise mechanics,
17 new characters, or other in-game items.

18 (ii) A purchase made using a virtual currency that is purchasable or
19 redeemable using cash or credit that is included as part of a paid subscription service.

20 (iii) Any purchase or transfer of virtual currency on a covered platform.

1 (b) The term ~~shall~~ does not include a purchase made in an online video game
2 using a virtual currency that is earned through game play and is not otherwise
3 purchasable or redeemable using cash or credit or included as part of a paid
4 subscription service.

5 ~~(4)~~ (5) "Minor" ~~means an account holder on the covered platform who~~
6 ~~resides in this state under circumstances where the covered platform reasonably~~
7 ~~believes or has actual knowledge that the account holder is under the age of sixteen~~
8 ~~and is not emancipated or married~~ has the same meaning as provided in R.S.
9 9:2717.2.

10 ~~(5)~~ (6) "Nonprofit corporation" means any organization organized on a
11 not-for-profit basis ~~under~~ pursuant to the provisions of Chapter 2 of Title 12 of the
12 Louisiana Revised Statutes of 1950.

13 ~~(6)~~ (7)(a) "Online platform" means any public website, online service, online
14 application, or mobile application that predominantly provides a community forum
15 for user-generated content, such as sharing videos, images, games, audio files, or
16 other content, including a social media service, social network, or virtual reality
17 environment.

18 (b) A website, online service, online application, or mobile application is not
19 an online platform solely on the basis that it includes a chat, comment, or other
20 interactive function that is incidental to its predominant purpose.

21 ~~(7)~~ (8) "Online video game" means a video game, including an educational
22 video game, that accesses the internet and allows the user to do any of the following:

23 (a) Create and upload content that is not incidental to game play such as
24 character or level designs.

25 (b) Engage in microtransactions within the game.

26 (c) Communicate with other users.

27 ~~(8)~~ (9) "Precise geolocation" means information derived from technology,
28 including but not limited to global positioning system level latitude and longitude
29 coordinates or other mechanisms, that directly identify the specific location of a

1 natural person with precision and accuracy within a radius of one thousand seven
2 hundred fifty feet. The provisions of this definition ~~shall~~ do not extend to the content
3 of communications.

4 (9) (10) "School" means any child daycare center as defined in R.S.
5 17:407.33, any public or nonpublic school enrolling students in prekindergarten
6 through grade twelve, any institution under the management and supervision of a
7 public postsecondary education management board, any nonpublic college or
8 university, any program or initiative of the Board of Regents, or any proprietary
9 school as defined in R.S. 17:3140.1.

10 ~~(10) "Sexually explicit material" shall have the same meaning as provided~~
11 ~~in R.S. 25:225.~~

12 C. Every owner or operator of a covered platform who contracts with a
13 minor, including the creation of an online account, shall owe a duty of care to the
14 minor. The duty of care shall require the covered platform to take reasonable
15 measures in the operation of the covered platform to prioritize the privacy of the
16 minor's account and establish the following default privacy settings for minors:

17 * * *

18 (4) ~~Restrict the visibility of the minor's account to only connected accounts~~
19 Set minor accounts to private mode in a manner in which only users to whom the
20 minor is connected on the covered platform may view or respond to content posted
21 by the minor.

22 (5) Allow the legal representative of a minor to choose to be informed via
23 text, voice, email, through the legal representative's linked account or through the
24 covered platform's parental control interface within a reasonable time, if any of the
25 following occur:

26 (a) A minor is exposed to ~~sexually explicit material~~ harmful to minors on a
27 covered platform.

28 * * *

1 Section 2. Section 2 of Act No. 236 of the 2025 Regular Session of the Legislature
2 of Louisiana is hereby repealed in its entirety.

3 Section 3. Section 1 of Act No. 236 of the 2025 Regular Session and the provisions
4 of this Act shall become effective upon signature by the governor or, if not signed by the
5 governor, upon expiration of the time for bills to become law without signature by the
6 governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed
7 by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

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 427 Engrossed

2026 Regular Session

Schlegel

Abstract: Amends the Kids Online Protection and Anti-Grooming Act and provides relative to material harmful to minors.

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.

Proposed law repeals present law and provides that covered platforms must 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 provides that the legal representative of a minor be informed if a minor is exposed to sexually explicit material.

Proposed law changes present law and requires notification if a minor is exposed to material harmful to minors.

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

Effective upon signature of governor or lapse of time for gubernatorial action.

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