

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) "Family account application" means an application that does all of the
4 following:

5 (a) Offers subaccounts or profiles within the application.

6 (b) Requires a paid subscription or account creation with payment method
7 verification as the application's primary business model.

8 (c) Does not permit account creation by individuals under eighteen years of
9 age.

10 (d) Verifies that the primary account holder is an adult using commercially
11 available methods that are reasonably designed to ensure accuracy.

12 (11) "Minor" means an individual who is under the age of eighteen and is not
13 emancipated or married.

14 (12) "Minor account" means an account with a covered application store
15 provider that is established by an individual who the covered application store
16 provider has determined through its age verification methods is under eighteen years
17 of age, and is not emancipated or married, and requires affiliation with a parent
18 account.

19 (13) "Mobile device" means a phone or general-purpose tablet that does all
20 of the following:

21 (a) Provides cellular or wireless connectivity.

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

23 (c) Runs a mobile operating system.

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

25 (14) "Mobile operating system" means software that does all of the
26 following:

27 (a) Manages mobile device hardware resources.

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

29 (c) Controls memory allocation.

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

2 (15) "Parent" means, with respect to a minor, individuals who have legal
3 authority to make decisions on behalf of the minor.

4 (16) "Parent account" means an account with a covered application store
5 provider that is both of the following:

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

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

10 (17) "Parental consent disclosure" means the following information that a
11 covered application store provider is required to provide to a parent or legal guardian
12 before obtaining parental consent:

13 (a) If the covered application store provider has an age rating for the
14 application or in-application purchase, the application's or in-application purchase's
15 age rating.

16 (b) If the covered application store provider has a content description for the
17 application or in-application purchase, the application's or in-application's content
18 description.

19 (c) A description of:

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

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

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

24 (18)(a) "Pre-loaded application" means an application that is present on a
25 mobile device at the time of purchase, initial activation, or first use of the device by
26 a consumer.

27 (b) Pre-loaded application does not include core operating system functions,
28 essential device drivers, basic-device operations, essential phone applications,
29 settings applications, emergency services applications, or security or system
30 maintenance applications essential to device functionality.

1 (19) "Significant change" means a material modification to an application's
2 terms of service or privacy policy that does any of the following:

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

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

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

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

8 (20) "Verifiable parental consent" means authorization that is all of the
9 following:

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

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

14 (c) Requires the parent or legal guardian to make an affirmative choice to
15 grant consent or decline consent.

16 §1772. Application stores

17 A. A covered application store provider shall do all of the following:

18 (1) At the time an individual who is located in this state creates an account
19 with a covered application store provider, do both of the following:

20 (a) Request age information from the individual.

21 (b)(i) Verify the individual's age category using commercially available
22 methods that are reasonably designed to ensure accuracy, including but not limited
23 to a means of verification provided through the use of a real-time age verification
24 system authorized by the commissioner of the office of motor vehicles.

25 (ii) For individuals under eighteen years of age, a method is commercially
26 available if it includes affirmative age attestation by someone who is reasonably
27 believed to be the parent or legal guardian, along with other information collected
28 in the ordinary course of account creation or use.

1 (2) If the age verification methods or process described in Paragraph (1) of
2 this Subsection determines the individual to be a minor, the covered application store
3 provider shall do both of the following:

4 (a) Require the account to be affiliated with a parent account.

5 (b) Obtain verifiable parental consent from the holder of the affiliated parent
6 account before allowing the minor to do any of the following:

7 (i) Download an application.

8 (ii) Purchase an application.

9 (iii) Access an application that has been pre-loaded into a device.

10 (iv) Enable the functionality to make in-application purchases.

11 (3) After receiving notice of a significant change from a developer, notify
12 the user of the significant change, and for a minor account, notify the holder of the
13 affiliated parent account and obtain renewed verifiable parental consent.

14 (4) Provide to a developer, in response to a request authorized pursuant to
15 51:1773, both of the following:

16 (a) The age category for a user located in this state.

17 (b) The status of verified parental consent for a minor located in this state.

18 (5) Notify a developer when a parent revokes parental consent.

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

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

21 (i) Verifying a user's age.

22 (ii) Obtaining parental consent.

23 (iii) Maintaining compliance records.

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

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

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

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

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

5 §1773. Developer requirements

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

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

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

9 (b) For a minor account, whether verifiable parental consent has been
10 obtained pursuant to R.S. 51:1772(A)(2)(b).

11 (2) Notify covered application store providers of a significant change to the
12 application.

13 (3) Enforce all age-related restrictions.

14 (4) Enforce any developer-created age-related restrictions.

15 (5) Ensure compliance with applicable laws and regulations. Any developer
16 required by R.S. 9:2800.29 to age-verify users at the application level shall continue
17 to be responsible for age verification. No provision in this Part shall be construed
18 to eliminate this responsibility. A developer who is required by law to conduct age
19 verification at the application level, but to whom R.S. 9:2800.29 does not apply, may
20 utilize the age signal from the covered application store to fulfill its age verification
21 obligation.

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

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

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

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

27 (c) To comply with applicable law.

28 B. A developer may request personal age verification data or parental
29 consent:

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

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

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

7 C.(1) A developer, other than one required to verify age pursuant to R.S.
8 9:2800.29, pursuant to R.S. 51:1773(A)(5), shall use the verified age signal from an
9 operating system or application store to do all of the following:

10 (a) Enforce legally required minimum age restrictions.

11 (b) Ensure compliance with all laws and other obligations.

12 (c) In the provision of any age-appropriate defaults, safeguards, or
13 experiences, except as provided in this Section.

14 (2) If the developer determines that an internal age signal conflicts with the
15 age signal from a covered application store, the developer may rely on the signal
16 from the covered application store unless the developer has actual knowledge that
17 its internal signal is more accurate. If the developer has actual knowledge that its
18 internal signal is more accurate, such as if the user provided proof of age to the
19 developer, the developer shall use its internal signal or the lower of the two signals.

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

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

24 (2) Knowingly misrepresent any information in the parental consent
25 disclosure.

26 (3) Sell age category data to any person.

27 E. (1) Notwithstanding Subsections A through D of this Section, a developer
28 of a family account application may:

1 (a) Use the age range of the primary account holder as the age category for
2 purposes of applying age-related safety defaults and access to features within the
3 application.

4 (b) Permit the primary account holder to attest to the age categories of
5 associated subaccounts.

6 (2) A developer of a family account application remains subject to all other
7 requirements of this Section.

8 §1774. Protections

9 A.(1) A covered application store provider is not liable for a violation of this
10 Part if the covered application store provider demonstrates a good faith effort to
11 comply with the requirements in R.S. 51:1772.

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

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

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

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

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

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

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

1 (b) Block or filter spam.

2 (c) Prevent criminal activity.

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

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

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

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

11 (a) What is necessary to verify age categories and parental consent status as
12 required by this Part.

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

15 (5) Relieve a developer of its obligation to conduct age verification as
16 required by R.S. 9:2800.29.

17 §1775. Enforcement; penalties

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

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

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

27 (2) Except as provided in Paragraph (3) of this Subsection, the attorney
28 general shall not initiate an action if the person cures the notice violation within
29 forty-five days after the date on which the person receives the notice by providing

1 the attorney general with a written statement indicating that the violation is cured and
2 no further violations will occur.

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

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

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

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

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

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

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

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

28 Section 5. Section 1 and this Section of this Act shall become effective upon
29 signature by the governor or, if not signed by the governor, upon expiration of the time for

1 bills to become law without signature by the governor, as provided by Article III, Section
 2 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
 3 by the legislature, this Act shall become effective on the day following such approval.

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

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, definitions, a covered application store provider's responsibilities and a developer's responsibilities.

Not yet effective law provides for liabilities and protections and 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", "family account application", "minor", "minor account", "mobile device", "mobile operating system", "parent", "parent account", "parental consent disclosure", "pre-loaded application", "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 certain 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 of 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 requires that a developer do all of the following:

- (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 pursuant to proposed law.
- (2) Notify covered application store providers of a significant change to the application.
- (3) Enforce all age-related restrictions.
- (4) Enforce any developer-created age-related restrictions.
- (5) 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.
- (6) Implement any developer-created safety-related features or defaults.
- (7) 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 outlines when a developer may request personal age verification data or parental consent.

Proposed law provides that a developer, other than one required to verify age pursuant to present law, pursuant to proposed law, shall use the verified age signal from an operating system or application store to do all of the following:

- (1) Enforce legally required minimum age restrictions.
- (2) Ensure compliance with all laws and other obligations.
- (3) In the provision of any age-appropriate defaults, safeguards, or experiences, except as provided present law.

Proposed law provides that if the developer determines that an internal age signal conflicts with the age signal from a covered application store, the developer may rely on the signal from the covered application store unless the developer has actual knowledge that its internal signal is more accurate. If the developer has actual knowledge that its internal signal is more accurate, such as if the user provided proof of age to the developer, the developer shall use its internal signal or the lower of the two signals.

Proposed law provides for what a developer shall not do.

Proposed law provides for what a developer of a family account application may 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 allows the attorney general to 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 set by the attorney general.

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 pursuant to proposed law.

Proposed law directs 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 La. R.S. of 1950; Adds R.S. 51:1771-1775; Repeals Act No. 481 of the 25RS)

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 the definition for "pre-loaded application".
3. Amend for when obtaining verifiable parental consent is required.
4. Add provisions of present law to compliance requirements outlined in proposed law.
5. Amend when a developer shall use the verified age signal from an operating system or application store.
6. Add for what age signal shall be used by a developer.
7. Change proposed law from a developer shall not share age category data with any person and instead provide that a developer shall not sell age category data to any person.
8. Amend proposed law to provide that a covered application store provider is not liable for a violation of proposed law if the covered application store demonstrates a good faith effort to comply with the requirements of proposed law.
9. Provide that nothing in proposed law shall be construed to require a covered application store provider or developer to obtain parental consent for an application that meets certain requirements.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Define "family account application".
3. Provide that certain information required to be provided to a parent can also be provided to a legal guardian.

4. Clarify what "significant change" includes.
5. Add that a legal guardian can also make an affirmative choice to grant consent or decline consent regarding verifiable parental consent.
6. Clarify what a covered application store is required to do.
7. Remove an exemption for verifiable parental consent for a pre-loaded application.
8. Clarify what a covered application store shall provide to a developer in response to a request authorized pursuant to proposed law.
9. Amend proposed law to provide that a developer shall verify for a minor account whether verifiable parental consent has been obtained pursuant to proposed law.
10. Remove the obligation that the developer shall 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.
11. Remove references to present law from compliance requirements.
12. Clarify that a developer, other than one required to verify age pursuant to present law, pursuant to proposed law, shall use a verified age signal from an operating system or application store to take certain actions.
13. Add what a developer of a family account application may do.
14. Remove proposed law that provides that nothing in proposed law shall be construed to require a covered application store provider or developer to obtain parental consent for an application that meets certain requirements.