

ACT No. 185

2026 Regular Session

HOUSE BILL NO. 977

BY REPRESENTATIVE BEAULLIEU

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 * * *

22 PART II. PROTECTION OF CHILDREN ON APPLICATIONS

23 §1771. Definitions

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

1 (1) "Age category" means one of the following categories of individuals
 2 based on age:

3 (a) "Child" means an individual who is under thirteen years old.

4 (b) "Younger teenager" means an individual who is at least thirteen years old
 5 and under sixteen years old.

6 (c) "Older teenager" means an individual who is at least sixteen years old
 7 and under eighteen years old.

8 (d) "Adult" means an individual who is at least eighteen years old.

9 (2) "Age category data" means information about a user's age that is
 10 collected by a covered application store provider and shared with a developer.

11 (3) "Age rating" means a classification that provides an assessment of the
 12 suitability of an application's content for different age groups.

13 (4) "Application" means a software program that is designed to run on a
 14 connected device or a mobile device.

15 (5) "Connected device" means a smartphone, tablet, computer, gaming
 16 console, or virtual reality device that enables users to connect to the internet and
 17 download software applications.

18 (6) "Content description" means a description of the specific content
 19 elements that informed an application's age rating.

20 (7) "Covered application store" means a publicly available website, software
 21 application, or electronic service that allows users to download applications from
 22 third-party developers onto a mobile device or connected device.

23 (8) "Covered application store provider" means a person who owns, operates,
 24 or controls a covered application store that allows users in this state to download
 25 applications.

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

28 (10) "Family account application" means an application that does all of the
 29 following:

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

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

3 **(c) Does not permit account creation by individuals under eighteen years of**
4 **age.**

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

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

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

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

16 **(a) Provides cellular or wireless connectivity.**

17 **(b) Is capable of connecting to the internet.**

18 **(c) Runs a mobile operating system.**

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

20 **(14) "Mobile operating system" means software that does all of the**
21 **following:**

22 **(a) Manages mobile device hardware resources.**

23 **(b) Provides common services for mobile device programs.**

24 **(c) Controls memory allocation.**

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

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

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

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

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

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

8 (a) If the covered application store provider has an age rating for the
9 application or in-application purchase, the application's or in-application purchase's
10 age rating.

11 (b) If the covered application store provider has a content description for the
12 application or in-application purchase, the application's or in-application's content
13 description.

14 (c) A description of:

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

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

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

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

22 (b) Pre-loaded application does not include core operating system functions,
23 essential device drivers, basic-device operations, essential phone applications,
24 settings applications, emergency services applications, or security or system
25 maintenance applications essential to device functionality.

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

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

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

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

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

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

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

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

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

12 §1772. Application stores

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

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

16 (a) Request age information from the individual.

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

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

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

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

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

- 1 (i) Download an application.
- 2 (ii) Purchase an application.
- 3 (iii) Access an application that has been pre-loaded into a device.
- 4 (iv) Enable the functionality to make in-application purchases.
- 5 (3) After receiving notice of a significant change from a developer, notify
- 6 the user of the significant change, and for a minor account, notify the holder of the
- 7 affiliated parent account and obtain renewed verifiable parental consent.
- 8 (4) Provide to a developer, in response to a request authorized pursuant to
- 9 51:1773, both of the following:
- 10 (a) The age category for a user located in this state.
- 11 (b) The status of verified parental consent for a minor located in this state.
- 12 (5) Notify a developer when a parent revokes parental consent.
- 13 (6) Protect personal age verification data by doing all of the following:
- 14 (a) Limiting collection and processing to data necessary for:
- 15 (i) Verifying a user's age.
- 16 (ii) Obtaining parental consent.
- 17 (iii) Maintaining compliance records.
- 18 (b) Transmitting personal age verification data using industry-standard
- 19 encryption protocols that ensure data integrity and data confidentiality.
- 20 B. A covered application store provider shall not do any of the following:
- 21 (1) Enforce a contract or terms of service against a minor unless a covered
- 22 application store provider has obtained verifiable parental consent.
- 23 (2) Knowingly misrepresent the information in the parental consent
- 24 disclosure.
- 25 (3) Share age verification data except between a covered application store
- 26 provider and a developer as required by this Part or as required by law.
- 27 §1773. Developer requirements
- 28 A. A developer shall do all of the following:
- 29 (1) Verify through the covered application store's data sharing methods:
- 30 (a) The age category of users located in this state.

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

3 (2) Notify covered application store providers of a significant change to the
 4 application.

5 (3) Enforce all age-related restrictions.

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

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

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

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

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

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

19 (c) To comply with applicable law.

20 B. A developer may request personal age verification data or parental
 21 consent:

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

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

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

28 C.(1) A developer, other than one required to verify age pursuant to R.S.
 29 9:2800.29, pursuant to R.S. 51:1773(A)(5), shall use the verified age signal from an
 30 operating system or application store to do all of the following:

1 (a) Enforce legally required minimum age restrictions.

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

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

5 (2) If the developer determines that an internal age signal conflicts with the
6 age signal from a covered application store, the developer may rely on the signal
7 from the covered application store unless the developer has actual knowledge that
8 its internal signal is more accurate. If the developer has actual knowledge that its
9 internal signal is more accurate, such as if the user provided proof of age to the
10 developer, the developer shall use its internal signal or the lower of the two signals.

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

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

15 (2) Knowingly misrepresent any information in the parental consent
16 disclosure.

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

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

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

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

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

27 §1774. Protections

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

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

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

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

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

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

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

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

19 (b) Block or filter spam.

20 (c) Prevent criminal activity.

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

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

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

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

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

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

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

5 §1775. Enforcement; penalties

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

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

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

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

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

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

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

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

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

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

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

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

16 Section 5. Section 1 and this Section of this Act shall become effective upon
17 signature by the governor or, if not signed by the governor, upon expiration of the time for
18 bills to become law without signature by the governor, as provided by Article III, Section
19 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved
20 by the legislature, this Act shall become effective on the day following such approval.

21 Section 6. Sections 2, 3, 4 and this Section of this Act shall become effective on July
22 1, 2027.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____