

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
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As Engrossed: H3/13/25

A Bill

HOUSE BILL 1726

By: Representatives Gramlich, A. Collins, Springer

By: Senators J. Boyd, C. Tucker

For An Act To Be Entitled

AN ACT TO CREATE THE ARKANSAS KIDS ONLINE SAFETY ACT;
AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE ARKANSAS KIDS ONLINE
SAFETY ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 4, Chapter 88, is amended to add an additional subchapter to read as follows:

Subchapter 15 – Arkansas Kids Online Safety Act

4-88-1501. Title.

This subchapter shall be known and may be cited as the "Arkansas Kids Online Safety Act".

4-88-1502. Definitions.

As used in this subchapter:

(1) "Child" means an individual who is twelve (12) years of age or less;

(2) "Compulsive usage" means any response stimulated by external factors that causes an individual to engage in repetitive behavior that is reasonably likely to cause loss of control, anxiety, or depression;

(3) "Connected device" means an electronic device that:
(A) Is capable of connecting to the internet, either directly or indirectly through a network, to communicate information at the



direction of an individual;

(B) Has computer processing capabilities for collecting, sending, receiving, or analyzing data; and

(C) Is primarily designed for or marketed to consumers;

(4)(A) "Covered platform" means an entity that operates an online platform, messaging application, or video streaming service that connects to the internet and intentionally designs, markets, or promotes features, content, or services with the primary purpose of attracting or engaging individuals who are sixteen (16) years of age or younger.

(B) "Covered platform" does not include:

(i) An entity acting in the entity's own capacity as a provider of:

(a) A common carrier service subject to the Telecommunications Act of 1996, Pub. L. No. 104-104;

(b) A broadband internet access service as defined in 47 C.F.R. § 8.1(b), as it existed on January 1, 2025;

(c) An email service;

(d) A teleconferencing or videoconferencing service that allows reception and transmission of audio and video signals for real-time communication, provided that:

(1) It is not an online platform such as a social media service or social network; and

(2) The real-time communication is initiated by using a unique link or identifier to facilitate access; or

(e) A wireless messaging service, including a service that is provided through short messaging service or multimedia messaging service protocols:

(1) That is not a component of or linked to an online platform; and

(2) Where the predominant or exclusive function is direct messaging consisting of the transmission of text, photos, or videos that are sent by electronic means, where messages are transmitted from the sender to the recipient, and are not posted within an online platform or publicly;

(ii) An organization that is not organized to carry on business for its own profit or the profit of its members;

(iii) A public or private preschool, elementary school, secondary school, or any institution of vocational, professional, or higher education, or any service provided on behalf of those institutions that are subject to federal or state laws governing student privacy;

(iv) A library as defined in the Library Services and Technology Act, 20 U.S.C. § 9121 et seq., as it existed on January 1, 2025;

(v) A news website or news application when:

(a) The inclusion of video content on the website or application is related to the website or application's own gathering, reporting, or publishing of news content; and

(b) The website or application is not otherwise an online platform;

(vi) A product or service that primarily functions as business-to-business software;

(vii) A virtual private network or similar service that exists solely to route internet traffic between locations; or

(viii) An interactive gaming platform that complies with the requirements of the Children's Online Privacy Protection Act, 15 U.S.C. § 6501 et seq., and the regulations, rules, guidance, and exemptions under the Children's Online Privacy Protection Act, 15 U.S.C. § 6501 et seq., as it existed on January 1, 2025;

(5) "Deidentified" means data that does not identify and is not linked or reasonably linkable to a device that is linked or reasonably linkable to an individual, regardless of whether the information is aggregated;

(6) "Geolocation" means information sufficient to identify a street name and a name of a city or town;

(7)(A) "Individual-specific advertising to minors" means advertising or any other effort to market a product or service that is directed to a specific minor or a device that is linked or reasonably linkable to a minor based on:

(i) The personal data of the minor or a group of minors who are similar in sex, age, income level, race, or ethnicity to the specific minor to whom the product or service is marketed;

(ii) Psychological profiling of a minor or group of

minors; or

(iii) A unique identifier of the device.

(B) "Individual-specific advertising to minors" includes advertising or any other effort to market a product or service that is directed to a specific minor or a device that is linked or reasonably linkable to a minor as a result of use by the minor, access by device of the minor, or use by a group of minors who are similar to the specific minor of more than a single:

(i) Website;

(ii) Online service;

(iii) Online application;

(iv) Mobile application; or

(v) Connected device.

(C) "Individual-specific advertising to minors" does not include:

(i) Advertising or marketing to a minor or the device of the minor's specific request for information or feedback, including without limitation a minor's current search query;

(ii) Contextual advertising, including without limitation when an advertisement is displayed based on the content of the covered platform on which the advertisement appears and does not vary based on personal information related to the minor; or

(iii) Processing personal information solely for measuring or reporting advertising or content performance, reach, or frequency, including without limitation independent measurement.

(D) Subdivision (7)(A) of this section does not prohibit a covered platform that knows that an individual is a minor from delivering an advertisement that is age-appropriate for the minor involved and intended for a minor, so long as the covered platform does not use any personal data other than whether the individual is a minor in deciding to deliver the advertisement;

(8) "Knows" means to have actual knowledge or knowledge fairly implied on the basis of objective circumstances;

(9) "Mental health disorder" means the same as "mental disorder" under the most current edition of the Diagnostic and Statistical Manual of Mental Disorders;

(10) "Minor" means an individual who is sixteen (16) years of age or younger;

(11) "Narcotic drugs" means the same as defined in the Controlled Substances Act, 21 U.S.C. § 801 et seq., as it existed on January 1, 2025;

(12)(A) "Online platform" means any public-facing website, online service, online application, or mobile application created primarily to serve a community forum for user generated content, including without limitation sharing videos, images, audio files, or other content.

(B) "Online platform" does not include:

(i) An entity that solely provides access to third-party applications through a website, online service, online application, or mobile application without exercising control over the functionality, content, or user interactions within those applications;

(ii) A broadband internet service; or

(iii) A telecommunications service, as defined in 47 U.S.C. § 153, as it existed on January 1, 2025;

(13) "Parent" means:

(A) A natural parent of a minor;

(B) A legal guardian of a minor; or

(C) An individual with legal custody of a minor;

(14) "Personal data" means information that identifies or is linked or reasonably linkable to a particular minor, including without limitation a consumer device identifier that is linked or reasonably linkable to a minor;

(15) "Personalized recommendation system" means a fully or partially automated system used to suggest, promote, or rank content, including other users or posts, based on the personal data of a user or users;

(16) "Precise geolocation information" means geolocation information that identifies an individual's location within a range of five (5) miles or less;

(17) "Verifiable parental consent" means the same as defined in the Children's Online Privacy Protection Act, 15 U.S.C. § 6501 et seq., as it existed on January 1, 2025; and

(18) "Video streaming service" means a digital platform that

enables users to upload, share, or view user-generated video content in real time.

4-88-1503. Duty of care – Prevention of harm to minors – Limitations.

(a) A covered platform shall take reasonable measures in the design and operation of any product, service, or feature that the covered platform knows is used by minors to avoid any heightened risk of harm to minors caused by such product, service, or feature, including without limitation:

(1) The following mental health disorders, consistent with evidence-informed medical information:

(A) Anxiety;

(B) Depression;

(C) Eating disorders;

(D) Substance use disorders; and

(E) Suicidal behaviors;

(2) Patterns of use that indicate or encourage addiction-like behaviors;

(3) Physical violence, online bullying, and harassment of the minor;

(4) Sexual exploitation and abuse;

(5) Promotion and marketing of narcotic drugs, tobacco products, gambling, or alcohol; and

(6) Predatory, unfair, or deceptive marketing practices and other financial harms.

(b) This section does not require a covered platform to prevent or preclude:

(1) A minor from deliberately and independently searching for or specifically requesting content; or

(2) The covered platform or individuals on the covered platform from providing resources for the prevention or mitigation of the harms described in subsection (a) of this section.

4-88-1504. Safeguards for minors – Parental tools – Reporting – Application.

(a) A covered platform shall provide an individual that the covered platform knows is a minor with readily accessible and easy-to-use safeguards

to:

(1) Limit the ability of other individuals to communicate with the minor;

(2) Prevent other users, whether registered or not, from viewing the minor's personal data collected by or shared on the covered platform, including without limitation restricting public access to personal data;

(3) Limit features that are incorporated for the sole or primary purpose of increasing, sustaining, or extending use of the covered platform by the minor, including without limitation:

(A) Automatic playing of media;

(B) Rewards for time spent on the covered platform; and

(C) Other features that result in compulsive usage of the covered platform by the minor;

(4) Control personalized recommendation systems by providing the minor with the ability to:

(A) Opt out of personalized recommendation systems while still allowing the display of content based on a chronological format; or

(B) Limit access to certain types or categories of recommendations from the personalized recommendation systems;

(5) Restrict the sharing of the precise geolocation information of the minor to other users on the covered platform; and

(6) Provide notice regarding the tracking of the minor's precise geolocation information.

(b) A covered platform shall provide an individual that the covered platform knows is a minor with readily accessible and easy-to-use options to:

(1) Delete the minor's account and any personal data collected from or shared by the minor on the covered platform; and

(2) Limit the amount of time spent by the minor on the covered platform.

(c) In the case of a user that the covered platform knows is a minor, a covered platform shall provide that the default setting for any safeguard described under subsection (a) of this section shall be the option available on the covered platform that provides the most protective level of control that is offered by the covered platform over privacy and safety for that user.

(d)(1) A covered platform shall provide readily accessible and easy-

to-use settings for a parent to support an individual that the covered platform knows is a minor with respect to the individual's use of the covered platform.

(2) The parental settings provided by a covered platform under subdivision (d)(1) of this section shall include:

(A) The ability to manage a minor's privacy and account settings, including without limitation the safeguards and options established under subsections (a) and (b) of this section, in a manner that allows a parent to:

(i) View the privacy and account settings; and

(ii) In the case of a user that the covered platform knows is a child, change and control the privacy and account settings; and

(B) The ability to:

(i) Restrict purchases and financial transactions by the minor; and

(ii) View metrics of total time spent on the covered platform and restrict time spent on the covered platform by the minor.

(3) A covered platform shall provide clear and conspicuous notice to an individual that the platform knows is a minor when the settings under subdivisions (1)–(3) of this subsection (d) are in use and what settings or controls have been applied.

(4) If a covered platform knows a user is a child, the covered platform shall ensure that the settings described under subdivisions (d)(1) and (d)(2) of this section are enabled by default.

(e)(1) A covered platform shall provide:

(A) A readily accessible and easy-to-use means to submit reports to the covered platform of harms to a minor;

(B) An electronic point of contact specific to matters involving harms to a minor; and

(C) Confirmation of the covered platform's receipt of such a report and a means to track a submitted report through the covered platform.

(2)(A) A covered platform shall establish an internal process to receive and substantively respond to such reports in a reasonable and timely manner, but in no case later than:

(i) Ten (10) days after receipt of a report, if for

the most recent calendar year, the covered platform averaged more than ten million (10,000,000) active users on a monthly basis in the United States; or

(ii) Twenty-one (21) days after receipt of a report, if for the most recent calendar year, the covered platform averaged ten million (10,000,000) or fewer active users on a monthly basis in the United States.

(B) However, if the report under this subsection (e) involves an imminent threat to the safety of a minor, a covered platform shall address as promptly as possible the reported threat to safety.

(f) If a covered platform knows an individual is a minor, the covered platform shall not facilitate advertising to the minor of:

- (1) Narcotic drugs;
- (2) Tobacco products;
- (3) Gambling; or
- (4) Alcohol.

(g) A covered platform shall implement the safeguards and parental controls described under subsections (a)–(d) of this section by providing:

(1) Information and control options in a clear and conspicuous manner that:

(A) Considers the differing ages, capacities, and developmental needs of the minors most likely to access the covered platform; and

(B) Does not encourage a minor or a parent of a minor to weaken or disable safeguards or parental controls;

(2) Readily accessible and easy-to-use controls to enable or disable safeguards or parental controls; and

(3) Information and control options in the same language, form, and manner as the covered platform provides the product or service used by minors and their parents.

(h) It is unlawful and a violation of the Deceptive Trade Practices Act, § 4-88-101 et seq., for any covered platform to design, modify, or manipulate a user interface of a covered platform with the purpose or substantial effect of subverting or impairing user autonomy, decision-making, or choice regarding safeguards or parental controls required under this section.

(i) This section does not:

(1) Prevent a covered platform from taking reasonable measures to:

(A) Block, detect, or prevent the distribution of unlawful, obscene, or other harms to minors as described in § 4-88-1503; or

(B) Block or filter spam, prevent criminal activity, or protect the security of a covered platform;

(2) Require the disclosure of a minor's browsing behavior, search history, messages, contact list, or other content or metadata of his or her communications;

(3) Prevent a covered platform from using a personalized recommendation system to display content to a minor if the personalized recommendation system only uses information on:

(A) The language spoken by the minor;

(B) The city the minor is located in; or

(C) The minor's age;

(4) Prohibit a covered platform from integrating its products or service with controls from third-party systems, including without limitation operating systems or gaming consoles, to meet the requirements imposed under subsections (a)–(d) of this section regarding safeguards for minors and settings for parents, provided that:

(A) The controls meet the requirements under subsections (a)–(d) of this section; and

(B) The minor or parent is provided with reasonable notice under the circumstances of the integration and use of the controls; or

(5) Require a covered platform to weaken existing privacy and security protections or prevent implementation of new privacy and security protections of a platform or service, including without limitation privacy-enhancing technologies.

4-88-1505. Disclosure – Notice – Personalized recommendation system – Advertising and marketing information and labels – Resources.

(a)(1) Before registration or purchase of a covered platform by an individual that the platform knows is a minor, the covered platform shall provide clear, conspicuous, and easy-to-understand:

(A) Notice of the policies and practices of the covered platform regarding personal data and safeguards for minors; and

(B) Information about how to access the safeguards and parental tools required under subdivision (a)(2)(A) of this section.

(2)(A) In the case of an individual that a covered platform knows is a child, the platform shall provide information about the parental settings and safeguards required under subdivision (a)(2)(A) of this section to a parent of the child and obtain verifiable parental consent from the parent before the initial use of the covered platform by the child.

(B) A covered platform is deemed to have satisfied the requirement described in subdivision (a)(2)(A) if the covered platform uses reasonable efforts taking into consideration available technology to provide a parent with the information described in subdivision (a)(2)(A) of this section and to obtain verifiable parental consent under § 4-88-1504.

(C) If the covered platform is not required to obtain verifiable parental consent under § 4-88-1504, the covered platform shall provide information about the parental tools and safeguards required under § 4-88-1504 to a parent of a user that the platform knows is a child and obtain parental consent from the parent before the initial use of the covered platform by the child.

(b) In a clear, conspicuous, and easy-to-understand manner, a covered platform shall set out in its terms and conditions of use:

(1) An overview of how the personalized recommendation system is used by the covered platform to provide information to the users of the covered platform who are minors, including without limitation how the personalized recommendation system uses the personal data of minors; and

(2) Information about options for a minor or his or her parent to opt out of or control the personalized recommendation system.

(c) A covered platform that facilitates advertising aimed at a user that the covered platform knows is a minor shall provide clear, conspicuous, and easy-to-understand information and labels to the minor on advertisements regarding:

(1) The name of the product, service, or brand and the subject matter of an advertisement;

(2) If the covered platform engages in individual-specific advertising to minors, why a particular advertisement is directed to a specific minor, including without limitation material information about how the minor's personal data is used to direct the advertisement to the minor;

and

(3) Whether particular media displayed to the minor is an advertisement or marketing material, including without limitation disclosure of endorsements of products, services, or brands made for commercial consideration by other users of the covered platform.

(d) A covered platform shall provide to a minor and his or her parent clear, conspicuous, easy-to-understand, and comprehensive information in a prominent location regarding:

(1) The covered platform's policies and practices regarding collection and retention of personal data and safeguards in place to protect minors; and

(2) How to access the parental settings and tools required under § 4-88-1504.

(e) To the extent practicable, a covered platform shall ensure that the disclosures required by this section are made available in the same language, form, and manner as the covered platform provides any product or service used by a minor and his or her parent.

4-88-1506. Enforcement.

(a) In an enforcement action brought under this subchapter, the Attorney General shall allege a violation of a specific provision or specific provisions of this subchapter.

(b)(1) A violation of this subchapter is:

(A) An unfair and deceptive act or practice under the Deceptive Trade Practices Act, § 4-88-101 et seq.; and

(B) Punishable solely by action of the Attorney General.

(2) All remedies, penalties, and authority granted to the Attorney General under the Deceptive Trade Practices Act, § 4-88-101 et seq., shall be available to the Attorney General for the enforcement of this subchapter.

(3) The remedies and penalties for violations under this subchapter are cumulative and in addition to other procedures or remedies for violations or conduct under other law.

(c) Before initiating an enforcement action against a covered platform for an alleged violation of this subchapter, the Attorney General shall first provide written notice to the covered platform that is alleged to have

committed or to be committing one (1) or more of the violations of this subchapter.

(d) If, to the extent reasonably practicable, the covered platform cures the alleged violation of this subchapter within ninety (90) days of receiving the notice specified in subsection (c) of this section, then the Attorney General shall not pursue further enforcement action for those alleged violations of this subchapter.

4-88-1507. Kids Online Safety Council – Creation.

(a) There is created within the Department of Commerce a council to be known as the "Kids Online Safety Council".

(b) The council shall consist of nine (9) members appointed by the Secretary of the Department of Commerce and include diverse participation from:

(1) Academic experts, health professionals, and members of civil society with expertise in mental health, substance use disorders, and the prevention of harms to minors;

(2) Representatives in academia and civil society with specific expertise in privacy and civil liberties;

(3) Parents and youth representation;

(4) Representatives of covered platforms;

(5) Representatives of the State Securities Department, the Department of Corrections, the Department of Health, and the Department of Human Services;

(6) Educators; and

(7) Representatives of communities of socially disadvantaged individuals as defined in the Small Business Act, 15 U.S.C. § 631 et seq., as it existed on January 1, 2025.

(c) The council shall:

(1) Identify emerging or current risks of harms to minors associated with online platforms;

(2) Recommend measures and methods for assessing, preventing, and mitigating harms to minors online;

(3) Recommend methods and themes for conducting research regarding online harms to minors, including in English and languages other than English; and

(4) Recommend best practices and clear, consensus-based technical standards for transparency reports and audits, as required under this subchapter, including methods, criteria, and scope to promote overall accountability.

4-88-1508. Filter bubble transparency requirements – Definitions.

(a) As used in this section:

(1) "Algorithmic ranking system" means a computational process, including without limitation a computational process derived from algorithmic decision-making, machine learning, statistical analysis, or other data processing or artificial intelligence techniques, used to determine the selection, order, relative prioritization, or relative prominence of content from a set of information that is provided to a user on a covered platform, including without limitation:

(A) The ranking of search results;

(B) The provision of content recommendations;

(C) The display of social media posts; or

(D) Any other method of automated content selection;

(2) "Downstream provider" means, with respect to a search syndication contract, the person that receives access to an index of web pages on the internet from an upstream provider under such contract;

(3)(A) "Input-transparent algorithm" means an algorithmic ranking system that does not use the user-specific data of a user to determine the selection, order, relative prioritization, or relative prominence of information that is furnished to such user on a covered platform, unless the user-specific data is expressly provided to the covered platform by the user for that purpose.

(B) For purposes of subdivision (a)(3)(A) of this section, user-specific data that is provided by a user for the express purpose of determining the selection, order, relative prioritization, or relative prominence of information that is furnished to such user on a covered platform:

(i) Shall include user-supplied search terms, filters, speech patterns if provided for the purpose of enabling the covered platform to accept spoken input or select the language in which the user interacts with the covered platform, saved preferences, and the current

precise geolocation information that is supplied by the user;

(ii) Shall include the user's current approximate geolocation information;

(iii) Shall include data affirmatively supplied to the covered platform by the user that expresses the user's desire to receive particular information, such as the social media profiles the user follows, the video channels the user subscribes to, or other content or sources of content on the platform the user selects;

(iv) Shall not include the history of the user's connected device, including the user's history of web searches and browsing, previous geographical locations, physical activity, device interaction, and financial transactions; and

(v) Shall not include inferences about the user or the user's connected device, without regard to whether such inferences are based on data described in subdivision (a)(3)(B)(i) or subdivision (a)(3)(B)(ii) of this section;

(4)(A) "Opaque algorithm" means an algorithmic ranking system that determines the selection, order, relative prioritization, or relative prominence of information that is furnished to the user on a covered platform based, in whole or part, on user-specific data that was not expressly provided by the user to the platform for such purpose.

(B) "Opaque algorithm" does not include an algorithmic ranking system used by a covered platform if:

(i) The only user-specific data, including without limitation inferences about the user, that algorithmic ranking system uses is information relating to the age of the user; and

(ii) The information is only used to restrict a user's access to content on the basis that the individual is a minor;

(5) "Search syndication contract" means a contract or subcontract for the sale of, license of, or other right to access an index of web pages or search results on the internet for the purpose of operating an internet search engine;

(6) "Upstream provider" means, with respect to a search syndication contract, the person that grants access to an index of web pages or search results on the internet to a downstream provider under the contract; and

(7) "User-specific data" means information relating to an individual or a specific connected device that would not necessarily be true of every individual or device.

(b)(1) It is unlawful:

(A) For any person to operate a covered platform that uses an opaque algorithm unless the person complies with the requirements of subdivision (b)(2) of this section; or

(B) For any upstream provider to grant access to an index of web pages on the internet under a search syndication contract that does not comply with the requirements of subdivision (b)(3) of this section.

(2)(A) A covered platform operating an opaque algorithm shall:

(i) Provide notice to users of the covered platform:

(a) That the covered platform uses an opaque algorithm that uses user-specific data to select the content the user sees, with such notice presented in a clear, conspicuous manner on the covered platform whenever the user interacts with an opaque algorithm for the first time that can be dismissed by the user; and

(b) In the terms and conditions of the covered platform, in a clear, accessible, and easily comprehensible manner to be updated no less frequently than one (1) time every six (6) months:

(1) The most salient features, inputs, and parameters used by the opaque algorithm;

(2) How any user-specific data used by the algorithm is collected or inferred about a user of the covered platform, and the categories of such data;

(3) Any options that the covered internet platform makes available for a user of the covered platform to opt out or exercise options under subdivision (b)(2)(A)(ii) of this section, modify the profile of the user, or influence the features, inputs, or parameters used by the opaque algorithm; and

(4) Any quantities, such as time spent using a product or specific measures of engagement or social interaction, that the opaque algorithm is designed to optimize, as well as a general description of the relative importance of each quantity for such ranking; and

(ii) Make available a version of the covered platform that uses an input-transparent algorithm and enables users to easily

switch between the version of the platform that uses an opaque algorithm and the version of the covered platform that uses the input-transparent algorithm.

(B) Subdivision (b)(2)(A) of this section shall not apply to an internet search engine if:

(i) The internet search engine is operated by a downstream provider with fewer than one thousand (1,000) employees; and

(ii) The internet search engine uses an index of web pages on the internet to which the downstream provider received access under a search syndication contract.

(3) An upstream provider engaged in a search syndication contract shall:

(A) Make available to the downstream provider the same input-transparent algorithm used by the upstream provider for purposes of complying with subdivision (b)(2)(A)(ii) of this section; and

(B) Not impose any additional costs, degraded quality, reduced speed, or other constraint on the functioning of the input-transparent algorithm when used by the downstream provider to operate an internet search engine relative to the performance of the input-transparent algorithm when used by the upstream provider to operate an internet search engine.

(4) A covered platform shall not deny, charge different prices or rates for, or condition the provision of a service or product to an individual based on the individual's election to use a version of the platform that uses an input-transparent algorithm as provided under subdivision (b)(2)(A)(ii) of this section.

(c) This section does not limit or prohibit a covered platform's ability to, at the direction of an individual user or group of users, restrict another user from searching for, finding, accessing, or interacting with a user's or group's account, content, data, or online community.

4-88-1509. Construction.

(a) For purposes of enforcing this subchapter, in making a determination of whether a covered platform has knowledge fairly implied on the basis of objective circumstances that a user is a minor, the Attorney General shall rely on competent and reliable empirical evidence, taking into

account the totality of the circumstances, including without limitation consideration of whether the operator, using available technology, exercised reasonable care.

(b) This subchapter does not require:

(1) The collection of any personal data that a covered platform is not already collecting in the normal course of business;

(2) A covered platform to implement an age gating or age verification functionality;

(3) The disclosure of information that may impact the privacy of users or the security of a covered platform's service;

(4) A covered platform to weaken existing privacy and security protections or prevent implementation of new privacy and security protections of a platform or service, including without limitation privacy-enhancing technologies; or

(5) A covered platform to perform an action that is not technically feasible.

(c) This subchapter does not restrict a covered platform's ability to:

(1) Cooperate with law enforcement agencies regarding activity that the covered platform reasonably and in good faith believes may violate federal law, state law, or local regulations;

(2) Comply with a civil, criminal, or regulatory inquiry or any investigation, subpoena, or summons by federal, state, local, or other government authorities; or

(3) Investigate, establish, exercise, respond to, or defend against legal claims.

(d) A video streaming service is in compliance with this subchapter if:

(1) It predominantly consists of news, sports, entertainment, or other video programming content that is preselected by the provider and not user-generated;

(2) Any chat, comment, or interactive functionality that the video streaming service provides is incidental to, directly related to, or dependent on provision of that content; and

(3) If the video streaming service requires account owner registration and is not predominantly news or sports, the video streaming service includes the capability:

(A) To limit a minor's access to the video streaming service, including without limitation utilizing a system of age-rating;

(B) To limit the automatic playing of on-demand content selected by a personalized recommendation system for an individual that the video streaming service knows is a minor;

(C) To provide an individual that the video streaming service knows is a minor with readily accessible and easy-to-use options to delete an account held by the minor and delete any personal data collected from the minor on the service, or, in the case of a video streaming service that allows a parent to create a profile for a minor, to allow a parent to delete the minor's profile, and to delete any personal data collected from the minor on the video streaming service;

(D) For a parent to manage a minor's privacy and account settings, and restrict purchases and financial transactions by a minor;

(E) To provide an electronic point of contact specific to matters described in subdivision (d)(3) of this section;

(F) To offer a clear, conspicuous, and easy-to-understand notice of the policies and practices with respect to personal data and the capabilities described in this subdivision (d)(3); and

(G) When providing on-demand content, to employ measures that safeguard against serving advertising for narcotic drugs, tobacco products, gambling, or alcohol directly to the account or profile of an individual that the video streaming service knows is a minor.

SECTION 2. DO NOT CODIFY. EFFECTIVE DATE.

This act is effective on and after July 1, 2026.

/s/Gramlich