



Knowledge Standards of Enacted U.S. State Youth Privacy & Safety Laws

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Federal Youth Privacy Laws

[Children's Online Privacy Protection Rule](#) (COPPA) - Effective 4/21/2000

- **Standard (A)**¹: The law applies to operators of websites or online services that are **directed to children** and/or to operators that have **actual knowledge** that it is collecting personal information from a child.
- **Scope**: Operators of a website or online service that collect or maintain personal information from or about the site or service's users and visitors and any operators of connected services that collect personal information online. The law applies to personal data collected from children under thirteen.
- Defines **"child"** as an individual under the age of **thirteen**.
- **Parental Consent**: The law requires operators to obtain **verifiable parental consent** before collecting, using, and/or disclosing personal information from children.

FPF published an [analysis](#) and [accompanying infographic](#) regarding verifiable parental consent (VPC) under COPPA.

State Youth Privacy Laws

[California AB 2273](#) ("California Age-Appropriate Design Code Act") - Effective 7/1/24 *Pending Litigation

- **Standard (C)**: The law applies to covered businesses that provide online products, services, and features **"likely to be accessed by a child."**
 - To determine what is "likely to be accessed by a child," businesses may consider whether the online product, service, or feature is determined, based on competent and reliable evidence regarding audience composition, to be routinely accessed by a significant number of children; has design elements that are known to be of interest to children, including, but not limited to, games, cartoons, music, and celebrities who appeal to children; or a significant amount of the audience of the online service, product, or feature is determined, based on internal company research, to be children.

¹ A letter denotes the knowledge standard type, Standard (A) for actual knowledge and Standard (C) for constructive knowledge.

- The law requires that covered businesses estimate the age of young users with a reasonable level of certainty appropriate to the risks that arise from the business's data management practices or provide strict privacy protections by default to all users.
- **Scope:** The law incorporates the definition of covered businesses established by the CCPA.
 - “Online product, service, or feature” does not include broadband internet access service, telecommunications service, or the delivery of a physical product.
- Defines “**child**” or “**children**” as a consumer or consumers under **eighteen** years of age.
- **Parental Consent:** None.

[Florida SB 262](#) ("Florida Digital Bill of Rights") - Effective 7/1/24

- **Standard (C):** The law applies to an online platform that provides an online service, product, game, or feature "**likely to be predominantly accessed by children.**"
 - Civil penalties may be increased for violations that involve the data of a known child. A platform that willfully disregards a child’s age is considered to have actual knowledge. The law mentions estimating a user’s age but does not affirmatively require age estimation.
- **Scope:** Online platforms that are a social media, online game, or online gaming platform. The law defines “social media platform” as a form of electronic communication through which individuals create online communities or groups to share information, ideas, personal messages, and other content. “Online gaming platforms” is undefined.
- Defines “**child**” or “**children**” as a consumer or consumers under **eighteen** years of age.
- **Parental Consent:** None.

[Louisiana HB 61/Act 440](#) - Effective 8/1/24

- **Standard: None.** The law does not specify the level of knowledge the interactive computer service must have about whether a user is a minor.
- **Scope:** Interactive computer services, including services that provide information services, systems, or access software enabling multiple users to access a computer server, including internet access.
- Defines “**minor**” as any person under the age of **eighteen** who is not emancipated.
- **Parental Consent:** The law will require services to obtain consent from the legal representative of a minor before entering into a contract or an agreement with a minor, including for the creation of an online account.

[Maryland HB 901](#) (“Age-Appropriate Design Code Act”) - Effective 10/1/24

- **Standard (C):** The law applies to entities that develop and provide online services, products, or features that are **reasonably likely to be accessed by children.**
 - The law defines “reasonably likely to be accessed” as meaning that it is reasonable to expect that the online product would be accessed by children,

based on (1) the online product being directed to children as defined in COPPA; (2) the online product being determined, based on competent and reliable evidence regarding audience composition, to be routinely accessed by a significant number of children; (3) the online product being substantially similar or the same as an online product that satisfies item (2) of this subsection; (4) the online product featuring advertisements marketed to children; (5) the covered entity's internal research findings determining that a significant amount of the online product's audience is composed of children; or (6) the covered entity knows or should have known that a user is a child.

- **Scope:** A covered entity is a sole proprietorship, partnership, LLC, association, or other legal entity operating for profit (1) that collects consumers' personal data or has individuals' personal data collected on its behalf by third parties, determines the purposes and means of the processing of individuals' personal data, operates in MD, and meets one or more of the following requirements:
 - (1) has a gross revenue in excess of \$25 million; (2) alone or in combination, annually buys, receives for the covered entity's commercial purposes, sells, or shares for commercial purposes, alone or in combination, the personal data of 50,000 or more individuals, households, or devices; or (3) derives 50% or more of its annual revenues from selling individuals' personal data.
- Defines **"child"** as an individual who is under **eighteen** years of age.
- **Parental Consent:** None.

State Social Media Laws

[Arkansas SB 396/Act 689](#) ("The Social Media Safety Act") - Effective 9/1/23 *Pending [Litigation](#)

- **Standard (A):** The law applies to a social media company that **knowingly permits a minor** to be an account holder on the company's social media platform.
- **Scope:** Social media platforms with at least \$100,000,000 in annual gross revenue. **Note that the statute includes a lengthy definition of "social media" and several exceptions to the definition.*
- Defines **"minor"** as an individual under **eighteen** years of age.
 - This law requires social media companies to perform "reasonable" age verification using a third-party vendor.
- **Parental Consent:** The law will require the express consent of a parent or guardian for a minor to hold an account on a social media platform.

[Louisiana SB 162](#) ("Secure Online Child Interaction and Age Limitation Act") - Effective 7/1/24

- **Standard (A):** The law applies to a social media company that **reasonably believes or has actual knowledge** that an individual is a minor under the age of sixteen.

- **Scope:** Social media companies with at least 5 million account holders worldwide. **Note that the statute includes a lengthy definition of “social media” and several exceptions to the definition.*
- Defines “**minor**” as any person under the age of **sixteen** who is not emancipated or married.
 - The law requires a social media company to make commercially reasonable efforts to verify the age of Louisiana account holders with a level of certainty appropriate to the risks that arise from the information management practices of the company or apply the accommodations afforded to minors to all account holders.
- **Parental Consent:** The law will require the express consent of a parent or guardian for a minor to hold an account on a social media platform.

[Ohio HB 33](#) (“Social Media Parental Notification Act”) - Effective 1/15/24 *Pending [Litigation](#)

- **Standard (A&C):** The law applies to an operator of an online website, service, or product that **targets children** or is **reasonably anticipated to be accessed by children**.
 - To determine what targets or is reasonably anticipated to be accessed by children, operators may consider the subject matter; language; design elements; visual content; use of animated characters or child-oriented activities and incentives; music or other audio content; age of models; presence of child celebrities or celebrities who appeal to children; advertisements; empirical evidence regarding audience composition; and evidence regarding the intended audience.
- **Scope:** Operators of an online platform that allows for social interaction between users, public or semi-public profiles, sharing connections with other users, or creating and posting content viewable by others (messages, chats, videos, etc.).
- Defines “**child**” as a consumer under **sixteen** years of age who is not emancipated.
- **Parental Consent:** The law will require operators to obtain verifiable parental consent before entering into a contract or an agreement with a minor, including for the creation of an online account. The law includes a list of verifiable consent methods.

[Tennessee HB1891/SB2097](#) (“Protecting Children from Social Media Act”) - Effective 1/1/25

- **Standard: None.** The law will require all social media companies to verify the age of any individual who holds or attempts to hold an account.
- **Scope:** Social media companies, which are an interactive computer service that provides a social media platform.
 - A social media platform is a website or internet application that allows account creation and enables the account holder to communicate with other account holders and users through posts. **Note that the law includes several exceptions.*
- Defines “**minor**” as an individual who is under **eighteen** years of age and is not emancipated.

- **Parental Consent:** The law will require social media companies to verify the express consent for a minor to become or continue as an account holder.
 - The law will also require companies to provide parents with means to “supervise” the minor’s account.

[Texas Act HB 18](#) ("Securing Children Online through Parental Empowerment (SCOPE) Act") - Effective 9/1/24

- **Standard (A):** The law applies to digital service providers that have **actual knowledge** of or willfully disregard a minor’s age.
 - The law will prohibit digital service providers from allowing individuals to create an account before registering their age with the provider.
- **Scope:** Digital services that allow users to interact socially with other users, allow users to create a public or semi-public profile for signing into service, and allow users to create or post content.
 - Additionally, the law will require sites where at least one-third of the site’s material is “harmful” or “obscene” to verify that a person accessing the site is at least eighteen.
- Defines “**minor**” as a child under **eighteen** years of age.
- **Parental Consent:** The law will require digital services to obtain verifiable parental consent before collecting and processing a minor’s data. The law will require digital service providers to create a process for parents or guardians to register as a “known minor’s verified parent.”

[Utah SB 152](#) ("Social Media Regulation Act") - Effective 3/1/24 *Pending [Litigation](#)

- **Standard: None.**
 - The law will require social media companies to verify the age of a Utah resident before creating or maintaining a social media account. **Note that this age verification requirement effectively requires covered companies to have actual knowledge of users’ age.*
- **Scope:** Social media companies (interactive computer services) with at least 5 million account holders worldwide. **Note that the statute includes a lengthy definition of “social media” and several exceptions to the definition.*
- Defines “**minor**” as a resident under **eighteen** years of age who is not emancipated or married.
- **Parental Consent:** The law will require companies to obtain the express consent of a parent or guardian before a Utah resident under the age of 18 may maintain or open an account.

[Utah HB 311](#) - Effective 3/1/24 *Pending [Litigation](#)

- **Standard: None.** The law does not include a knowledge standard regarding the knowledge that an individual is a minor. However, it prohibits a social media company

from using a practice, design, or feature that the company **knows or which, by the exercise of reasonable care, should know** causes a Utah minor account holder to become addicted to the social media platform.

- **Scope:** Social media companies (interactive computer services) with at least 5 million account holders worldwide. **Note that the statute includes a lengthy definition of “social media” and several exceptions to the definition.*
- Defines “**minor**” as a resident under **eighteen** years of age who is not emancipated or married.
- **Parental Consent:** None.

Comprehensive State Privacy Laws

The following list includes comprehensive state privacy laws that have specific obligations for child and/or teen data. This list is not exhaustive of all comprehensive state privacy laws. The knowledge standards below refer to the knowledge of an individual’s age needed to trigger obligations for minors’ privacy protections.

[California Consumer Privacy Act](#) (CCPA) - Effective 7/1/23

- **Standard (A):** The law applies to businesses that have **actual knowledge** that a consumer is a child.
 - A business that **willfully disregards** a consumer’s age is deemed to have had actual knowledge of the consumer’s age.
- **Scope:** A for-profit entity that does business in California, collects consumers' personal information, and meets at least one of the following threshold requirements: (a) Annual gross revenues exceeding \$25 million (b) Annually buys, sells, or shares the personal information of 100,000 or more consumers or households (c) Derives 50% or more of its annual revenues from selling consumers’ personal information.
- Defines “**child**” as under **sixteen** years of age.
- **Parental Consent:** The law requires businesses to obtain parental consent for the sale or sharing of an individual’s personal information that is under **thirteen** years of age.

[Colorado Privacy Act](#) (CPA) - Effective 7/1/23

- **Standard (A):** The law applies to controllers processing the personal data of a **known child**, which is included in the law’s definition of “sensitive data.”
- **Scope:** Controllers that do business in Colorado or target Colorado residents with commercial products or services and either (a) control or process personal data of at least 100,000 consumers in a year; or (b) derive revenue from selling personal data and control or process data of at least 25,000 consumers.
- Defines “**child**” as under **thirteen** years of age.
- **Parental Consent:** The law requires controllers to obtain parental consent to process the personal data of a child.

[Connecticut Data Privacy Act](#) (CTDPA) - Effective 7/1/23

- **Standard (A):** The law applies to controllers offering an online service, product, or feature to consumers whom the controller has **actual knowledge, or willfully disregards**, are minors.
- **Scope:** Controllers that do business in Connecticut or target Connecticut residents with commercial products or services and either (a) control or process personal data of at least 100,000 consumers in a year (excluding payment data); or (b) derive 25% of revenue from selling personal data and control or process data of at least 25,000 consumers.
- Defines “**minor**” as under **eighteen** years of age.
- **Parental Consent:** The law requires controllers to obtain parental consent to process the personal data of a child.

[Delaware Personal Data Privacy Act](#) (DPDPA) - Effective 1/15/25

- **Standard (A):** The law applies to operators of internet websites, online or cloud computing services, online applications, or mobile applications who have **actual knowledge** that a child is using the service or application.
- **Scope:** Any internet website, online or cloud computing service, online application, or mobile application targeted or intended to reach an audience composed predominantly of children or an advertising service that provides marketing or advertising for a website, online or cloud computing service, online application, or mobile application directed to children and which has received the notice required by subsection (d).
- Defines “**child**” as under **eighteen** years of age.
- **Parental Consent:** None.

[Florida SB 262](#) ("Florida Digital Bill of Rights") - Effective 7/1/24

- **Standard (C):** The law’s youth privacy provisions apply to an online platform that provides an online service, product, game, or feature "**likely to be predominantly accessed by children.**"
 - Civil penalties may be increased for violations that involve the data of a known child. A platform that willfully disregards a child’s age is considered to have actual knowledge. The law mentions estimating a user’s age but does not affirmatively require age estimation.
 - **Note:** *Recent proposed rulemaking on the comprehensive privacy sections of the law includes a proposed definition of willfully disregards:*
 - “a) A controller willfully disregards a consumer’s age if it, based on the facts or circumstance readily available to the controller, should reasonably have been aroused to question whether a consumer was a child and thereafter failed to perform reasonable age verification.
 - (b) The department will not find a controller willfully disregarded a consumer’s age if that controller utilizes a reasonable age verification method with respect to all its consumers and that reasonable age

verification method determined that the consumer was not a child unless the controller later obtained actual knowledge that the consumer was a child and failed to act.”

- **Scope:** Businesses that collect Florida consumers’ personal data, make in excess of \$1 billion in global gross annual revenues, and meet one of the following thresholds:
 - (a) Derives 50 percent or more of its global gross annual revenues from the online sale of advertisements, including from providing targeted advertising or the sale of ads online;
 - (b) Operates a consumer smart speaker and voice command component service with an integrated virtual assistant connected to a cloud computing service that uses hands-free verbal activation; or
 - (c) Operates an app store or digital distribution platform that offers at least 250,000 different software applications for consumers to download and install.
- Defines “**child**” or “**children**” as a consumer or consumers under **eighteen** years of age.
- **Parental Consent:** None. *The proposed rulemaking includes a requirement for verifiable parental consent for the collection of data from a child under eighteen.*

[Maryland Online Data Privacy Act \(MODPA\)](#) - Effective 10/1/25

- **Standard (C):** The law’s prohibition on processing personal data for targeted advertising or the sale of data will apply to the personal data of a consumer that the controller **knew or should have known** is under **eighteen** years of age.
- **Scope:** Organizations that either (1) control or process the personal data of at least 35,000 consumers in a year (excluding payment data); or (2) control or process the personal data of at least 10,000 individuals and derive more than 20% of gross revenue from the sale of personal data.
- Defines “**child**” as defined in COPPA (under the age of **thirteen**).
 - The law includes the personal data of a consumer “that the controller knows or has reason to know is a child” in its definition of “sensitive data.”
- **Parental Consent:** None beyond compliance with COPPA. The law will allow a parent to exercise rights included in the law on behalf of a child.

[New Jersey Data Privacy Act \(NJDP\)](#) - Effective 1/15/25

- **Standard (A):** The law applies to controllers **knowingly** processing minors’ personal data.
- **Scope:** Controllers that either (a) control or process personal data of at least 100,000 consumers in a year (excluding payment data); or (b) derive revenue or a discount from selling personal data and control or process data of at least 25,000 consumers.
- Defines “**child**” as having the same meaning as COPPA, under **thirteen** years of age.
 - The law also requires that consent be obtained from consumers between **thirteen** and **seventeen** years of age for data processing for targeted advertising, sales, or profiling.

- **Parental Consent:** The law requires controllers to obtain parental consent to process the personal data of a child.

[Oregon Consumer Privacy Act](#) (OCPA) - Effective 7/1/24

- **Standard (A):** The law applies to controllers who collect personal data from a **known** child.
- **Scope:** Controllers that do business in Oregon or provide services to Oregon residents and either (a) control or process personal data of at least 100,000 consumers in a year (excluding payment data); or (b) derive 25% or more of revenue from selling personal data and control or process data of at least 25,000 consumers.
- Defines “**child**” as **thirteen** years of age and younger.
 - The law also requires that consent be obtained from consumers for data processing for targeted advertising, sales, or profiling when the controller has actual knowledge or willfully disregards that the consumer is at least **thirteen** and not older than **fifteen** years of age.
- **Parental Consent:** The law requires controllers to obtain parental consent to process the personal data of a child.

For more information or to learn how to become involved with FPF's Youth Privacy efforts, please contact Chloe Altieri at caltieri@fpf.org.