

	Louisiana HB 147	Utah SB 287	Mississippi SB 2246	Virginia SB 1515	Arkansas SB 66	Texas HB 1181	Montana SB 544
<b>Active clause</b>	Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material.	A commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of an individual attempting to access the material.	Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material.	Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall, through the use of	A commercial entity that knowingly and intentionally publishes or distributes material that is harmful to minors on the internet from a website that contains a substantial portion of material that is harmful to minors is liable if the commercial entity fails to perform reasonable age verification to verify the age of the individual attempting to access the material.	A commercial entity that knowingly and intentionally publishes or distributes material on an internet website, including a social media platform, more than one-third of which is sexual material harmful to minors, shall use reasonable age verification methods as described in Section 129B.003 to verify that an individual attempting to access the material is 18 years of age or older.	A commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of the material must be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material.
<b>Methods</b>	(8) "Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen years of age or older by using any of the following methods:	(9) "Reasonable age verification methods" means verifying that the person seeking to access the material is 18 years old or older by using any of the following methods:	"Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen (18) years of age or older by using any of the following methods:	Any commercial entity that knowingly and intentionally publishes or distributes material that is harmful to minors on the internet from a website that contains a substantial portion of such material shall, through the use of	"Reasonable age verification" means to confirm that a person seeking to access published material that may have a substantial portion of material that is harmful to minors is at least eighteen (18) years of age.	A commercial entity that knowingly and intentionally publishes or distributes material on an internet website or a third party that performs age verification under this chapter shall require an individual to:	"Reasonable age verification methods" include verifying that the person seeking to access the material is 18 years of age or older by using any of the following methods:
<b>Digital ID</b>	(a) Provide a digitized identification card as defined in R.S. 51:3211.	(a) Use of a digitized information card as defined in this section.	(i) Provide a digitized identification card;	(i) another commercially reasonable method of age and identity verification, verify that any person attempting to access such material harmful to minors is 18 years of age or older.	A digitized identification card, including a digital copy of a driver's license under § 27-16-601 et seq.	provide digital identification;	providing a digitized identification card;
<b>Transaction data</b>	(i) Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the information is at least eighteen years of age or older.	(j) Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the material.	Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the information is at least eighteen (18) years of age or older.	(ii) another commercially reasonable method of age and identity verification, verify that any person attempting to access such material harmful to minors is 18 years of age or older.	"Digitized identification card" means a data file available on any mobile device that has connectivity to the internet through a state-approved application that allows the mobile device to download the data file from the Department of Public Safety and Corrections or an authorized representative of the Department of Public Safety and Corrections that contains all of the data elements visible on the face and back of a license or identification card and displays the current status of the license or identification card.	REASONABLE AGE VERIFICATION METHODS. (a) In this section, "digital identification" means information stored on a digital network that may be accessed by a commercial entity and that serves as proof of the identity of an individual.	"Digitized identification card" means a data file available on any mobile device that has connectivity to the internet through a state-approved application that allows the mobile device to download the data file from the Office of Driver Services that contains all of the data elements visible on the face and back of a license or identification card and displays the current status of the license or identification card, including valid, expired, cancelled, suspended, revoked, active, or inactive;
<b>Transaction data</b>	(10) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.	"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event.
<b>Transaction data</b>	Transactional data can include but is not limited to records from mortgage, education, and employment entities.	Transactional data includes records from mortgage, education, and employment entities.	Transactional data can include, but is not limited to, records from mortgage, education, and employment entities.	Transactional data includes without limitation records from mortgage, education, and employment entities.	Transactional data includes records from mortgage, education, and employment entities.	The term includes records from mortgage, education, and employment entities.	Transactional data may include but is not limited to records from mortgage, education, and employment entities.
<b>Age threshold</b>	"Minor" means any person under the age of eighteen years.	"Minor" means any person under 18 years old.	"Minor" means any person under the age of eighteen (18) years.	"Juvenile" means a person less than 18 years of age.	"Minor" means an individual under eighteen (18) years of age.	"A minor" means an individual younger than 18 years of age.	"Minor" means any person under 18 years of age.
<b>Content</b>	"Substantial portion" means more than thirty-three and one-third percent of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.	"Substantial portion" means more than 33-1/3% of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.	"Substantial portion" means more than thirty-three and one-third (33 1/3) percent of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.	"Substantial portion" means more than one-third percent of total material on a website that meets the definition of material harmful to minors.	"Substantial portion" means more than thirty-three and thirty-three hundredths percent (33.33%) of total material on a website which meets the definition of material harmful to minors as defined by this section.	"Substantial portion" means more than 33 1/3% of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.	"Substantial portion" means more than 33 1/3% of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.
<b>Penalty</b>	Any commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.	A commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.	Any commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.	Any commercial entity that violates the provisions of this section shall be subject to civil liability for damages resulting from a minor's access to such material harmful to a minor and reasonable attorney fees and costs.	A commercial entity that violates this subchapter is liable to an individual for damages resulting from a minor accessing the material harmful to minors, including court costs and reasonable attorney's fees as ordered by the court.	If the attorney general believes that an entity is knowingly violating or has knowingly violated this chapter and the action is in the public interest, the attorney general may bring an action in a Travis County district court or the district court in the county in which the principal place of business of the entity is located in this state to enjoin the violation, recover a civil penalty, and obtain other relief the court considers appropriate.	A commercial entity that is found to have violated this section must be liable to an individual for damages resulting from a minor accessing the material, including court costs and reasonable attorney fees as ordered by the court.
<b>Data protection</b>	Any commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.	A commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.	Any commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.	If a commercial entity or third party vendor performs a reasonable age verification, the commercial entity shall not retain any identifying information of the individual after access to the material has been granted.	A commercial entity that performs the age verification required by Subsection (a) or a third party that performs the age verification required by Subsection (a) may not retain any identifying information of the individual.	A commercial entity or third party that performs the required age verification may not retain any identifying information of the individual after access has been granted to the material.	
<b>Data protection</b>	A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.	A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.	A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.	A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.	A commercial entity that is found to have knowingly retained identifying information of the individual after access to the material has been granted is liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney's fees as ordered by the court.	A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual must be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.	
<b>Content</b>	"Material harmful to minors" is defined as all of the following: (a) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest; (b) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors: (i) Pubic hair, anus, vulva, genital, or nipple of the female breast; (ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital; (iii) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act.	"Material harmful to minors" is defined as all of the following: (a) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest; (b) Material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors: (i) Pubic hair, anus, vulva, genital, or nipple of the female breast; (ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital; or (iii) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act;	"Material harmful to minors" is defined as all of the following: (i) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest; (ii) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors: 42.1. Pubic hair, anus, vulva, genital, or nipple of the female breast. 42.2. Touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital. 3. Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act.	"Material harmful to minors" means any description or representation of nudity, sexual conduct, sexual ecitement, or sadomasochistic abuse when it (i) appeals to the prurient, shameful, or morbid interest of minors; (ii) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and	"Material harmful to minors" means: (A) Any material that the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest; (B) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated displays or depictions of any of the following, in a manner patently offensive with respect to minors: (i) Nipple of the female breast, public hair, anus, vulva, or genital; (ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital; or (iii) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions of a sexual act and any other sexual act;	"Sexual material harmful to minors" includes any material that: (A) The average person applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to or pander to the prurient interest; (B) In a manner patently offensive with respect to minors, exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated displays or depictions of: (i) a person's pubic hair, anus, or genitals or the nipple of the female breast; (ii) touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital; or (iii) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act;	"Material harmful to minors" is defined as all of the following: (a) Any material that the average person, applying contemporary community standards, would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest; (b) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors: (i) Pubic hair, anus, vulva, genital, or nipple of the female breast; (ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anus, or genital; or (iii) sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act;
<b>Scope</b>	"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.	(1) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.	"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.	"Commercial entity" means a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or 3 other legally recognized entity.	"Commercial entity" means a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or 3 other legally recognized entity.	"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.	"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.
<b>Exceptions - ISP etc</b>	No internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that provider's control, including transmission, downloading, intermediate storage, access software, or other to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	No internet service provider, affiliate or subsidiary of an internet service provider, search engine, or cloud service provider shall be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet, or a facility, system, or network not under that provider's control, including transmission, downloading, storage, or providing access, to the extent that such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	No internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that provider's control, including transmission, downloading, storage, access software, or other to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	An internet service provider, or any of its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that internet service provider's control, including transmission, downloading, intermediate storage, access software, or other to the extent that such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	An internet service provider, or any of its affiliates or subsidiaries, search engine, or cloud service provider may not be held to have violated this chapter solely for providing access or connection to or from a website or other information or content on the internet or on a facility, system, or network not under that provider's control, including transmission, downloading, intermediate storage, access software, or other services to the extent the provider or search engine is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	An internet service provider, or its affiliates or subsidiaries, a search engine, or a cloud service provider may not be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that provider's control, including transmission, downloading, intermediate storage, access software, or other forms of access or storage to the extent the provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.	An internet service provider or its affiliates or subsidiaries, a search engine, or a cloud service provider may not be held to have violated the provisions of this section solely for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that provider's control, including transmission, downloading, intermediate storage, access software, or other forms of access or storage to the extent the provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.
<b>Exceptions - artistic</b>	The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.	The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.	The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.	(ii) is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.	The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.	taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.	The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.
<b>Exceptions - News</b>	This section shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.	This section shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.	The provisions of this act shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.	This section does not: (1) Apply to a news or public interest broadcast, website video, report, or event; (2) Affect the rights of a news-gathering organization; or (3) Apply to cloud service providers.	This section does not: (1) Apply to a news or public interest broadcast, website video, report, or event; (2) Affect the rights of a news-gathering organization; or (3) Apply to cloud service providers.	This chapter does not apply to a bona fide news or public interest broadcast, website video, report, or event and may not be construed to affect the rights of any news-gathering organizations.	This section may not apply to any bona fide news or public interest broadcast, website video, report, or event and may not be construed to affect the rights of any news-gathering organizations.
<b>Exceptions - News</b>	(6) "News-gathering organization" means any of the following: (a) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this Subparagraph, who can provide documentation of such employment with the newspaper, news publication, or news source; (b) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this Subparagraph, who can provide documentation of such employment.	"News-gathering organization" means any of the following: (a) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subsection, who can provide documentation of such employment with the newspaper, news publication, or news source; or (b) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subsection, who can provide documentation of such employment.	"News-gathering organization" means any of the following: (i) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this Subparagraph, who can provide documentation of such employment with the newspaper, news publication, or news source; (ii) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this Subparagraph, who can provide documentation of such employment.	"News-gathering organization" means: (A) An employee of a newspaper, news publication, or news source, printed or published on an online or mobile platform, of current news and public interest, while operating as an employee of a news-gathering organization, who can provide documentation of the employment with the newspaper, news publication, or news source; or (B) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee of a news-gathering organization, who can provide documentation of the employment.	"News-gathering organization" includes: (A) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, who is acting within the course and scope of that employment and can provide documentation of that employment with the newspaper, news publication, or news source; (B) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service who is acting within the course and scope of that employment and can provide documentation of that employment.	"News-gathering organization" means any of the following: (i) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subsection (f) (i), who can provide documentation of employment with the newspaper, news publication, or news source; and (ii) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service, while operating as an employee as provided in this subsection (f) (ii), who can provide documentation of employment.	"News-gathering organization" means any of the following: (i) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subsection (f) (i), who can provide documentation of employment with the newspaper, news publication, or news source; and (ii) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service, while operating as an employee as provided in this subsection (f) (ii), who can provide documentation of employment.