

Alabama, Arkansas, Florida, Georgia, Idaho, Indiana and Kansas:

[Alabama HB 164](#)

[Arkansas SB 66](#)

[Florida HB 3](#)

[Georgia SB 351](#)

Active clause

to provide age-verification requirements for the distribution of sexual material harmful to minors through certain adult websites, applications, and digital and virtual platforms;

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 harmful to minors on a website or application, if the website or application contains a substantial portion of material harmful to minors, must use either anonymous age verification or standard age verification to verify that the age of a person attempting to access the material is 18 years of age or older and prevent access to the material by a person younger than 18 years of age. The commercial entity must offer anonymous age verification and

A commercial entity that knowingly and intentionally publishes or distributes material that is harmful to minors on a public website which contains a substantial portion of material that is harmful to minors is liable if the commercial entity fails to perform reasonable age verification of the individual attempting to access the material.

Methods	<p>REASONABLE AGE-VERIFICATION METHOD. Any commercially available software, application, program, or methodology that, when enabled, provides reasonable assurances that any individual accessing certain published material is 18 years of age or older.</p>	<p>"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;</p>	<p>"Standard age verification" means any commercially reasonable method of age verification approved by the commercial entity.</p>	<p>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 18 years of age.</p>
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Digital ID	<p>A digitized identification card, including a digital copy of a driver's license under § 27-16-601 et seq.;</p>	<p>The submission of a digitized identification card, including a digital copy of a driver's license;</p>
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"Digitized identification card" means a data file available on a 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;

Digitized identification card' means a data file available on a mobile device with connectivity to the internet that contains all of the data elements visible on the face and back of a driver's license or identification card and displays the current status of the driver's license or identification card as being valid, expired, cancelled, suspended, revoked, active, or inactive.

Any commercially reasonable age verification method that meets or exceeds an Identity Assurance Level 2 standard, as defined by the National Institute of Standards and Technology

Government ID

Government-issued identification;

The submission of government-issued identification;

Databases

Transactional data

Any commercially
reasonable age
verification method
that holds an Identity
Assurance Level 2
(IAL2).

Transactional data

"Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or a third party used for the purpose of satisfying a request or event.

Transactional data

"Transactional data" includes without limitation records from mortgage, education, and employment entities.

Age threshold	MINOR. An individual under 18 years of age.	"Minor" means an individual under eighteen (18) years of age;	'Minor' means any individual under the age of 18 years.
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Content Threshold	<p>SUBSTANTIAL PORTION. More than 33 1/3 percent.</p> <p>Section 3. (a) Any commercial entity that knowingly and intentionally publishes or distributes sexual material harmful to minors through an adult website shall use a reasonable age-verification method to provide reasonable assurance that individuals under 18 years of age cannot access the material harmful to minors.</p>	<p>"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 that is harmful to minors as defined by this section;</p>	<p>"Substantial portion" means more than 33.3 percent of total material on a website or application.</p> <p>Substantial portion' means more than 33.33 percent of total material on a public website which meets the definition of material that is harmful to minors as defined in this Code section.</p>
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Any individual injured by a violation of Section 3, Section 8, or Section 9 may bring a civil action in circuit court against the commercial entity to recover actual and punitive damages, court costs, and reasonable attorney's

In addition to any other remedy under part II of this chapter, the department may collect a civil penalty of up to \$50,000 per violation and reasonable attorney fees and court costs.

A commercial entity that violates this Code section is liable to an individual for damages resulting

Penalty

fees. If the injured individual is a minor, then a parent or legal guardian may bring action on his or her behalf.

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.

A commercial entity that violates subsection (2) for failing to prohibit access or prohibit a minor from future access to material harmful to minors after a report of unauthorized or unlawful access is liable to the minor for such access, including court costs and reasonable attorney fees as ordered by the court. Claimants may be awarded up to \$10,000 in damages. A civil action for a claim under this paragraph must be brought within 1 year from the date the complainant knew, or reasonably should have known, of the alleged violation.

from a minor accessing material harmful to minors, including court costs and reasonable attorneys' fees as ordered by the court. (3) A commercial entity that violates this Code section shall be subject to a fine of up to \$10,000.00 for each violation, the amount of which shall be determined by the superior court in the county in which any affected minor resides. The Attorney General or solicitor general or district attorney having jurisdiction shall institute proceedings to impose such fine within one year of the violation. The issuance of a fine under this paragraph shall not preclude any right of action.

Upon a finding by the court that a violation of

Section 3, Section 8,
or Section 9 has
occurred, the Attorney
General, upon petition
to the court, may
recover a civil penalty
up to ten thousand
dollars (\$10,000) per
violation.

Data protection	Any commercial entity or third party that performs the required age-verification under Section 3 shall not retain any personally identifying information of the individual after access has been granted to the sexual 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.	May not retain personal identifying information used to verify age once the age of an account holder or a person seeking an account has been verified.	When a commercial entity or third party performs a reasonable age verification, the commercial entity shall not retain any identifying information after access to the material has been granted.
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Data protection
penalty

A commercial entity that is found to have knowingly retained identifying information of the individual, as prohibited in subsection (a), 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 an 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 an individual after access to the material has been granted is liable to such individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney's fees as ordered by the court.

<p>Content Definition</p>	<p>HARMFUL TO MINORS. The term as defined under Section 13A-12-200.1, Code of Alabama 1975</p>	<p>"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, 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, pubic hair, anus, vulva, or genitals; (ii)</p>	<p>"Material harmful to minors" means any material that: 1. The average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest; 2. Depicts or describes, in a patently offensive way sexual conduct as specifically defined in s. 847.001(19); and 3. When taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.</p>	<p>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, prurient interest; S. B. 351 - 28 - 24 LC 49 1936S (B) Any of the following materials that exploit, are devoted to, or principally consist 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</p>
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Scope	<p>COMMERCIAL ENTITY. The term includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.</p>	<p>"Commercial entity" means a corporation, limited 2 liability company, partnership, limited partnership, sole proprietorship, or 3 other legally recognized entity.</p>	<p>"Commercial entity" includes a corporation, a limited liability company, a partnership, a limited partnership, a sole proprietorship, and any other legally recognized entity.</p>	<p>Commercial entity' means a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized entity.</p>
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Kentucky, Louisiana, Mississippi, Montana, Nabraska and North Caro

[Kentucky HB 278](#)

[Louisiana HB 77](#)

[Louisiana HB 142](#)

[Mississippi SB 2346](#)

		Any commercial entity		
		that knowingly and	Any commercial entity	Any commercial
	Any covered platform	intentionally	that knowingly and	entity that knowingly
	that knowingly and	publishes or	intentionally	and intentionally
	intentionally publishes	distributes material	publishes or	publishes or
	or distributes material	harmful to minors on	distributes material	distributes material
	on the internet, more	the internet from a	harmful to minors on	harmful to minors on
	than one-third (1/3) of	website that contains	the internet from a	the internet from a
	which is matter	a substantial portion	website that contains	website that contains
	harmful to minors, and	of such material shall	a substantial portion	a substantial portion
	fails to perform age	be subject to civil	of such material shall	of such material shall
	verification, either by	penalties as provided	be held liable if the	be held liable if the
	itself or through a third	in this Section if the	entity fails to perform	entity fails to perform
	party, of individuals	entity fails to perform	reasonable age	reasonable age
	attempting to access	reasonable age	verification methods	verification methods
	the matter shall be	verification methods	to verify the age of	to verify the age of
	liable as provided in	to verify the age of	individuals	individuals
	this section.	individuals attempting	attempting to access	attempting to access
		to access the	the material.	the material.
		material.		
Active clause				

Methods	<p>"Age verification" means verifying that the person seeking access to the matter is eighteen (18) years old or older, through any of the following methods:</p>	<p>"Reasonable age verification methods" means verifying that a person seeking to access the material is eighteen years of age or older by using any of the following methods:</p>	<p>(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:</p>	<p>"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:</p>
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Digital ID	<p>(a) Providing a digitized identification card as defined in R.S. 51:3211</p>	<p>(a) Provide a digitized identification card as defined in R.S. 51:3211.</p>	<p>(i) Provide a digitized identification card;</p>
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"Digitized identification card" means a data file available on any mobile device which 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.

Requiring the person attempting to access the material to comply with a commercial age verification system that verifies in any of the following ways:

(b) Require the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways: (ii) Require the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways:

State-issued form of identification, including but not limited to an operator's license or personal identification card issued under KRS Chapter 186 that establishes age;

Government ID

Government-issued identification.

(i) Government-issued identification.

Government-issued identification;

Identification issued
by any agency of the
United States
government that
establishes age; or

Databases

Transactional data	Any commercially reasonable method of identification that relies on public or private transactional data to verify that the person attempting to access the matter is at least eighteen (18) years of age or older;	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.	(ii) 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.	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.
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Transactional data "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, including but not limited to records from mortgage, utility, and education entities or other reliable document that establishes age.

(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 can include but is not limited to records from mortgage, education, and employment entities. Transactional data can include, but is not limited to, records from mortgage, education, and employment entities.

Age threshold	"Minor" means any person under the age of eighteen (18) years;	"Minor" means any person under the age of eighteen years.	Minor" means any person under the age of eighteen years.	"Minor" means any person under the age of eighteen (18) years.
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Content Threshold	"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 17 minors" as defined by this Section.	"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 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.
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Any person injured by
a violation of this
section, or a parent or
legal guardian on

Data protection

Any covered platform or third party that performs the age verification required under Section 14 of this Act shall not retain any identifying information of the individual after access has been granted to the matter

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. 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.

Data protection penalty	<p>A covered platform or third party that is found to have knowingly retained identifying information of the individual after access has been granted to the matter shall be liable to the individual for: (a) Damages of one thousand dollars (\$1,000) for each twenty-four (24) hour period that the information is retained; and (b) Actual damages, court costs, and reasonable attorney's fees.</p>	<p>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.</p>	<p>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.</p>

Content Definition	<p>"Matter harmful to minors" means: (a) Any matter that the average person, applying contemporary community standards, and taking the matter as a whole with respect to minors, would find is designed to appeal to, or pander to, the prurient interest; (b) Any matter 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: 1. Pubic area, anus, vulva, genitals, or nipple of the female breast; 2. Touching, caressing, or fondling of buttocks, anuses,</p>	<p>"Material harmful to minors" means 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, genitals, or nipple of the female</p>	<p>"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, genitals,</p>	<p>"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,</p>
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Scope	<p>"Covered platform" means an entity that:</p> <p>(a) Is a website; and</p> <p>(b) Is in the regular course of trade or business to create, host, or make available content that meets the definition of matter harmful to minors under subsection (8) of this section, with the objective of earning a profit, regardless of whether: 1. The entity actually earns a profit on the activities described in this paragraph; or 2. Creating, hosting, or making available content that meets the definition of matter harmful to minors under subsection (8) of this section is the sole source of income or principal business</p>	<p>"Commercial entity" means corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.</p>	<p>"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.</p>	<p>"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.</p>
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Oklahoma, South Carolina, Tennessee, Texas, Utah and Virginia:

[Oklahoma SB 1959](#)

[South Carolina HB 3424](#)

[Tennessee SB 1792](#)

[Texas HB 1181](#)

Active clause

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 provide Internet service subscribers and cellular service subscribers the opportunity, before any individual using such services may access the material, to request that access to the material by subscription service be denied.

Beginning January 1, 2025, 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 must 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.

An individual or commercial entity that publishes or distributes in this state a website that contains a substantial portion of content harmful to minors is liable if the individual or commercial entity does not: (1) Verify, using a reasonable age-verification method, the age of each active user attempting to access its website; or (2) Verify, using a reasonable age-verification method, the age of an active user attempting to access its website again after completion of an age-verified session.

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 by Section 129B.003 to verify that an individual attempting to access the material is 18 years of age or older.

Methods	<p>“Reasonable age verification methods” means verifying that the person seeking access to the available material is eighteen (18) years of age or older by using the following methods:</p>	<p>"Reasonable age verification methods" means verifying that the person seeking to access the material is eighteen years old or older by using any of the following methods:</p>	<p>"Reasonable age-verification method" includes the following means of establishing the age of the person attempting to view content harmful to minors, implemented in a manner not easily bypassed or circumvented:</p>	<p>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:</p>
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Digital ID	<p>use of a digitized identification card as defined in this section</p>	<p>use of a digitized identification card as defined in this subsection;</p>	<p>provide digital identification;</p>
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“Digitized identification card” means a data file available on any mobile device, which has connectivity to the Internet, through a state-approved application that allows the mobile device to download the data file from a state agency or any authorized agent of a state agency that contains all of the data elements visible on the face and back of a license or identification card and displays the current state of the licensed or identification card; verification through an independent, third-party age verification service that compares the personal information entered by the individual who is seeking access to the material that is available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification; or

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.

verification through an independent, third-party age verification service that compares the personal information entered by the individual who is seeking access to the material that is available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for purpose of age and identity verification, or

comply with a commercial age verification system that verifies age using:

Government ID

(A) The matching of a photograph of the active user taken between the attempt to view content harmful to minors and the viewing of content harmful to minors, using the device by which the attempt to view content harmful to minors is being made, to the photograph on a valid form of identification issued by a state of the United States of America; or government-issued identification;

Databases

Transactional data	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 material.	(8) A commercially reasonable method relying on public or private transactional data to verify that the age of the person attempting to access the information is at least eighteen (18) years of age or older;	a commercially reasonable method that relies on public or private transactional data to verify the age of an individual.
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Transactional data	<p>“Transactional data” means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or a third party used for the purpose of satisfying a request or event. Transactional data may include, but not be limited to, records from mortgage, education, and employment entities.</p>	<p>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.</p>	<p>"Transactional data": (A) 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; and (8) Includes records from a mortgage, education, or employment entity;</p>	<p>"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.</p>
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Transactional data	<p>"Transactional data" includes records from mortgage, education, and employment entities.</p>	<p>The term includes records from mortgage, education, and employment entities.</p>
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Age threshold	<p>“Minor” means any person eighteen (18) years of age or younger;</p>	<p>"Minor" is defined as the term is used in Section 16-15-375.</p>	<p>"Minor" means a person under eighteen (18) years of age;</p>	<p>A"Minor" means an individual younger than 18 years of age.</p>
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Content Threshold	<p>“Substantial portion” means when more than a third of the total material available on the website meets the definition of material harmful to minors as defined in this section</p>	<p>"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 in this section.</p>	<p>"Substantial portion" means thirty-three and one-third percent (33 1/3%) or more of the total amount of data available on a website;</p>
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A. Any commercial entity that knowingly and intentionally publishes or distributes obscene material, or material that depicts or promotes child pornography or child sexual exploitation, on the Internet may be held liable to an individual for nominal damages, actual damages, court costs, and reasonable attorney fees as ordered by the court.

Penalty

B. A commercial entity that has violated this act in a manner that satisfies standards for imposition of punitive damages elsewhere provided by law may be held liable to an individual for punitive damages.

Any commercial entity that knowingly and intentionally publishes or distributes obscene material, or material that depicts, describes, or promotes child pornography or child sexual exploitation, on the Internet may be held liable to an individual for nominal damages, actual damages, court costs, and reasonable attorney fees as ordered by the court.

An individual or commercial entity that is found to have violated subsection (c) is liable to an individual for damages resulting from a minor's accessing the content harmful to minors, including court costs and reasonable attorney 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.

C. Individual claims that satisfy the generally applicable standards for joinder or class action elsewhere provided by law or rules of court, as applicable, may combine their claims in a single action.

Data protection

A commercial entity or third party that performs reasonable age verification methods shall not retain any identifying information of the individual after access has been granted to the material.

A website owner, commercial entity, or third party that executes a required age verification method shall: (1) Retain at least seven (7) years of historical anonymized age-verification data; and (2) Not retain any personally identifying information of the active user after access to the content harmful to minors 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.

Data protection
penalty

A commercial entity that is found to have knowingly retained identifying information of the individual, except as is reasonably necessary to effectuate a block request under this section, 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.

An individual or commercial entity that is found to have knowingly retained personally identifying information of an active user after access has been granted to the active user is liable to the active user for damages resulting from retention of the identifying information, including court costs and reasonable attorney fees as ordered by the court.

Content Definition	<p>“Harmful to minors” means the same as terms defined in Sections 1040.75 through 1040.77 of Title 21 of the Oklahoma Statutes;</p>	<p>"Material harmful to minors" is defined as those terms are used in Section 16-15-375</p>	<p>"Content harmful to minors" means: (A)(i) Text, audio, imagery, or video the average person, applying contemporary community standards and taking the material as a whole and with respect to minors of any age, would find sexually explicit and harmful or inappropriate for minors or designed to appeal to or pander to the prurient interest; or (ii) Text, audio, imagery, or video that exploits, is devoted to, or principally consists of an actual, simulated, or animated display or depiction of any of the following: (a) Pubic hair, vulva, vagina, penis, testicles, anus, or nipple of a human</p>	<p>"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.</p>
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Scope

“Commercial entity” means a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized entity	"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 other legally recognized entity;	A"Commercial entity" includes a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized business entity.
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An Internet service provider, or its affiliates or subsidiaries, a search engine, or a 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 that constitutes sexual

taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

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 a news-gathering organization.

A "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

[Idaho H 498](#)

[Indiana SB 17](#)

[Kansas SB 394](#)

Any commercial entity that knowingly and intentionally publishes material that is harmful to minors on the internet from a website that contains a substantial portion of such material shall be liable if the entity fails to perform reasonable age verification to verify the age of individuals attempting to access the material or, after verifying the age of the individual, provides a minor access to the material.

An adult oriented website operator may not knowingly or intentionally publish an adult oriented adult oriented website operator uses a reasonable age verification method to prevent a minor from accessing the adult oriented website.

Any commercial entity that knowingly shares or distributes material that is harmful to minors on a website and such material appears on 25% or more of the webpages viewed on such website in any calendar month, or that knowingly hosts such website shall verify that any person attempting to access such website, who is a resident of this state or who is located in this state at the time of such attempted access, is 18 years of age or older.

"Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen (18) years of age or older by:

"Reasonable age verification method" means a method of determining that an individual seeking to access a website containing material harmful to minors is not a minor by using one or more of the following methods:

It shall be a violation of this section to allow a person to access such website without verifying such person is 18 years of age or older. Such age verification shall be conducted through the use of:

Providing a digitized identification card as defined in this section; or

A mobile credential.

"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 a data file 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.

An independent third party age verification service that compares the identifying information entered by the individual who is seeking access with material that is available from a commercially available data base, or an aggregate of data bases, that is regularly used by government agencies and businesses for the purpose of age and identity verification.

any other commercially reasonable method of age and identity verification

Requiring that the person attempting to access the material complies with a commercial age verification system that verifies age in one or more of the following ways:

Government-issued identification; or

A commercially available database that is regularly used by businesses or governmental entities for the purpose of age and identity verification

Public or private transactional data.

Any commercially reasonable method that relies on public or private transactional data to verify the age of the individual attempting to access the material.

"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. The term includes records that relate to a mortgage, education, or employment.

Transactional data may include but is not limited to records from mortgage, education, and employment entities.

"Minor" means any person under the age of eighteen (18) years.

"Minor" means a person less than eighteen (18) years of age.

"Substantial portion" means more than one-third (1/3) of total material on a website.

If a website links by hypertext link to the material of a third-party website, the material on such third-party website shall not be considered toward the total percentage of material if that third-party website does not contain material harmful to minors and if such linking does not constitute an attempt to intentionally dilute the percentage calculation of material harmful to minors in order to evade the provisions of this section.

Substantial portion. – More than thirty-three and one-third percent (33 1/3%) of total material on a website, which meets the definition of material harmful to minors as defined in this subsection.

A parent or guardian The parent or legal
guardian of a minor,
who was able to

<p>If a claimant prevails in an action brought under this section, the court shall award: (a) Injunctive relief sufficient to prevent the defendant from engaging in the conduct described in section 6-3803, Idaho Code; (b) Nominal and compensatory damages; 1 (c) Statutory damages in an amount no less than ten thousand dollars 2 (\$10,000); and 3 (d) Court costs and reasonable attorney's fees.</p>	<p>A parent or guardian who prevails in an action described in this section is entitled to: (1) either: (A) actual damages; or (B) damages of up to five thousand dollars (\$5,000); (2) injunctive relief; and (3) court costs, reasonable attorney's fees, and other reasonable expenses of litigation, including expert witness fees. A person that brings an action for injunctive relief under this section and prevails is entitled to: (1) injunctive relief; and (2) court costs, reasonable attorney's fees, and other reasonable expenses of litigation, including expert witness fees.</p>	<p>who was able to access a website without verifying such minor's age in violation of this section, may bring a private action against the commercial entity that violates the provisions of this section. Notwithstanding the provisions of K.S.A. 50-634 and 50-636, and amendments thereto, a person bringing such action may seek the following relief: (1) Actual damages resulting from a minor's access to material that is harmful to a minor; (2) statutory damages in an amount not less than \$50,000; and (3) reasonable attorney fees and costs.</p>
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	A person to which this section applies, and any third party	
Any commercial entity or third party that takes steps to perform a reasonable age verification required pursuant to this chapter shall not retain any identifying information of the individual after age verification has been performed.	verification service used by a person to which this section applies, may not retain identifying information of the person seeking access to an adult oriented website, unless retention of the identifying information is required by a court order.	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 website.

An individual whose identifying information is retained in violation of this section may bring an action against the person that unlawfully retained the individual's identifying information. An individual who prevails in an action described in this section is entitled to: (1) either: (A) actual damages; or (B) damages of up to five thousand dollars (\$5,000); (2) injunctive relief; and (3) court costs, reasonable attorney's fees, and other reasonable expenses of litigation, including expert witness fees.

If a commercial entity is found to have knowingly retained identifying information of an individual after access to a website has been granted to such individual, then such commercial entity shall be liable to such individual for damages resulting from such retention, including reasonable attorney fees and costs as ordered by the court.

"Harmful to minors" means: (a) 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 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) Pubic hair, anus, vulva, genitals, or nipple of the female breast; (ii) Touching, caressing, or fondling of nipples.

"Material harmful to minors" means matter or a performance described in IC 35-49-2-2.

"Harmful to minors" means the same as defined in K.S.A. 21-6402, and amendments thereto

<p>"Commercial entity" means a corporation, a limited liability company, a partnership, a limited partnership, a sole proprietorship, or another legally recognized business entity.</p>	<p>"Person" means a human being, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity</p>	<p>"Commercial entity" means a corporation, partnership, limited liability company, limited liability partnership, limited partnership, sole proprietorship or any other for profit organization</p>
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[Montana SB 544](#)

[Nebraska LB 1092](#)

[North Carolina HB 8](#)

[North Carolina HB 534](#)

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.

A commercial entity shall not knowingly and intentionally publish or distribute material harmful to minors on the Internet on a website that contains a substantial portion of such material unless the entity uses a reasonable age verification method to verify the age of an individual attempting to access the material.

Age verification required. – 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 use of:

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 subject to civil penalties as provided in this section if the entity fails to perform reasonable age verification methods to verify the age of the individuals attempting to access the material.

"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:

Reasonable age verification method means a process to verify that the person attempting to access the material is at least eighteen years of age or older through the use of

Reasonable age verification methods.
– Verifying that a person seeking to access the material is 18 years of age or older by requiring the person attempting to access the material to comply with a commercial age verification

system that verifies in any of the following ways:

providing a digitized identification card;

a digitized identification card, including a digital copy of a driver's license

Digitized
identification card
means a data file that
contains all of the
data elements visible
on the face and back
of a government-
issued operator's
license or
identification card
and displays the
current status of the
license or card;

requiring the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways:

a financial document or other document that is a reliable proxy for age,

government-issued identification

a government-issued identification,

Government-issued identification

a commercially
available database
that is regularly used
by businesses or
governmental entities
for the purpose of age
and identity
verification

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 18 years of age
or older

any commercially
reasonable method
that relies on public
or private
transactional data to
verify the age of the
person attempting to
access the material;

another commercially
reasonable method of
age and identity
verification, verify the
age of the individuals
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
18 years of age or
older

"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 and includes records from mortgage, education, and employment entities.

Transactional data may include but is not limited to records from mortgage, education, and employment entities

"Minor" means any person under 18 years of age
Minor means any person under eighteen years of age

"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 an amount which is more than one-third of the total material on a website

Substantial portion. – More than thirty-three and one-third percent (33 1/3%) of total material on a website, which meets the definition of material harmful to minors as defined in this subsection
Substantial portion. – More than thirty-three and one-third percent (33 1/3%) of total material on a website, which meets the definition of material harmful to minors as defined in this subsection.

A person aggrieved by a violation of section 3 of this act may bring a civil action against the commercial entity or third party which engaged in that violation to recover such relief as may be appropriate. (2) In an action under this section, appropriate relief includes: (a) Such preliminary and other equitable or declaratory relief as may be appropriate; (b) Damages under

Civil liability. – Any commercial entity, or third party that performs the required age verification on behalf of the commercial entity, shall be subject to civil liability for any violation of this section. (d) Cause of Action. – A civil action may be brought against any commercial entity, or third party that performs the required age verification on behalf of the commercial entity.

Any commercial entity that violates this section may be liable for a civil penalty, to be assessed by the court, of not more than five thousand dollars (\$5,000) for each day of violation. Additionally, the Attorney General may request and the court may impose an additional civil penalty not to exceed ten thousand dollars (\$10,000) for each violation of this section against any commercial entity

A minor or a parent or guardian of such minor aggrieved by a violation of subsection (1) of section 3 of this act may recover actual damages caused by such violation.

Any commercial entity that violates this section may be ordered to pay to the Attorney General all costs, expenses, and fees related to investigations and proceedings associated with the violation, including attorney fees.

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.

A commercial entity or third party that performs an age verification required by this section shall not retain any identifying information of the individual after access has been granted to the material.

No data retention. – Any commercial entity, or third party that performs the required age verification on behalf of the commercial entity, shall not retain any identifying information of the individual after access has been granted to the material.

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.

An individual whose information was retained in violation of subsection (2) of section 3 of this act may recover actual damages caused by such violation.

<p>"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 9 actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors: (A) nubic hair</p>	<p>Material harmful to minors means any material to which all of the following apply: (a) The average person, applying contemporary community standards, would find, taking the material as a whole and with respect to its consumption by minors, that such material is designed to appeal to or pander to the prurient interest; (b) The material is patently offensive to prevailing standards in the adult community as a whole with respect to its consumption by minors; and (c) The material taken as a whole lacks serious literary, artistic, nolitical, or scientific</p>	<p>Harmful to minors. – As defined in G.S. 14-190.13</p>	<p>Harmful to minors. – As defined in G.S. 14-190.13</p>
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"Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

Commercial entity includes a corporation, limited liability company, partnership, limited partnership, sole proprietorship, or other legally recognized entity;

Commercial entity. – Corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

Commercial entity. – Corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

[Texas HB 18](#)

[Utah SB 287](#)

[Virginia SB 1515](#)

A digital service provider as defined by Section 509.001 that knowingly publishes or distributes material, more than one-third of which is harmful material or obscene as defined by Section 43.21, Penal Code, must use a commercially reasonable age verification method to verify that any person seeking to access content on or through the provider's digital service 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 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 or 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

(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:

(a) use of a digitized information card as defined in this section;

"Digitized identification card" means a data file available on any mobile device which has connectivity to the Internet through a state-approved application that allows the mobile device to download the data file from a state agency or an authorized agent of a state agency 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.

(b) verification through an independent, third-party age verification service that compares the personal information entered by the individual who is seeking access to the material that is available from a commercially available database, or aggregate of databases, that is regularly used by government agencies and businesses for the purpose of age and identity verification; or

(i) a commercially available database that is regularly used by businesses or governmental entities for the purpose of age and identity verification or

(c) any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the material.

(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.

"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" includes records from mortgage, education, and employment entities.

"Minor" means a child who is younger than 18 years of age who has not had the disabilities of minority removed for general purposes.

"Minor" means any person under 18 years old.

"Juvenile" means a person less than 18 years of age.

"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 in this section.

"Substantial portion" means more than and one-third percent of total material on a website that meets the definition of material harmful to minors.

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 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 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 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.

"Harmful material" has the meaning assigned by Section 43.24, Penal Code.

"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,

"Material harmful to minors" means any description or representation of nudity, sexual conduct, sexual excitement, 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

"Digital service provider" means a person who: (A) owns or operates a digital service;

(B) determines the purpose of collecting and processing the personal identifying information of users of the digital service; and (C) determines the means used to collect and process the personal identifying information of users of the digital service.

(1) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

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, storing, or providing access, to the extent that such provider is not responsible for the creation of the content of the

the material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(iii) is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.

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 a news-gathering organization.

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