

Todd Weiler proposes the following substitute bill:

**App Store Accountability Act**

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd Weiler**

House Sponsor: James A. Dunnigan

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**LONG TITLE**

**General Description:**

This bill enacts provisions governing app store operations and creates requirements for age verification and parental consent.

**Highlighted Provisions:**

This bill:

- defines terms;
- requires app store providers to:
  - verify a user's age category;
  - obtain parental consent for minor accounts;
  - notify users and parents of significant changes;
  - share age category and consent data with developers; and
  - protect age verification data;
- prohibits app store providers from:
  - enforcing contracts against minors without parental consent; and
  - misrepresenting parental content disclosures;
- requires developers to:
  - verify age category and consent status through app stores; and
  - notify app stores of significant changes;
- prohibits developers from:
  - enforcing contracts against minors without verified parental consent; and
  - misrepresenting parental content disclosures;
- designates violations of certain provisions as deceptive trade practices;
- requires the Division of Consumer Protection to establish standards for age verification methods;
- creates a private right of action for parents of harmed minors;



- 62 (3) "Age rating" means a classification that provides an assessment of the suitability of an  
63 app's content for different age groups.
- 64 (4) "App" means a software application or electronic service that a user may run or direct  
65 on a mobile device.
- 66 (5) "App store" means a publicly available website, software application, or electronic  
67 service that allows users to download apps from third-party developers.
- 68 (6) "App store provider" means a person that owns, operates, or controls an app store that  
69 allows users in the state to download apps.
- 70 (7) "Content description" means a description of the specific content elements that informed  
71 an app's age rating.
- 72 (8) "Developer" means a person that owns or controls an app made available through an  
73 app store in the state.
- 74 (9) "Division" means the Division of Consumer Protection, established in Section 13-2-1.
- 75 (10) "Knowingly" means to act with actual knowledge or to act with knowledge fairly  
76 inferred based on objective circumstances.
- 77 (11) "Minor" means an individual under 18 years old.
- 78 (12) "Minor account" means an account with an app store provider that:  
79 (a) is established by an individual who the app store provider has determined is under 18  
80 years old through the app store provider's age verification methods; and  
81 (b) requires affiliation with a parent account.
- 82 (13) "Mobile device" means a portable computing device that:  
83 (a) provides cellular or wireless connectivity;  
84 (b) is capable of connecting to the Internet;  
85 (c) runs a mobile operating system; and  
86 (d) is capable of running apps through the mobile operating system.
- 87 (14) "Mobile operating system" means software that:  
88 (a) manages mobile device hardware resources;  
89 (b) provides common services for mobile device programs;  
90 (c) controls memory allocation; and  
91 (d) provides interfaces for applications to access device functionality.
- 92 (15) "Parent" means, with respect to a minor, any of the following individuals who have  
93 legal authority to make decisions on behalf of the minor:  
94 (a) an individual with a parent-child relationship under Section 78B-15-201;  
95 (b) a legal guardian; or

96 (c) an individual with legal custody.

97 (16) "Parent account" means an account with an app store provider that:

98 (a) is verified to be established by an individual who the app store provider has  
99 determined is at least 18 years old through the app store provider's age verification  
100 methods; and

101 (b) may be affiliated with one or more minor accounts.

102 (17) "Parental consent disclosure" means the following information that an app store  
103 provider is required to provide to a parent before obtaining parental consent:

104 (a) if the app store provider has an age rating for the app or in-app purchase, the app's or  
105 in-app purchase's age rating;

106 (b) if the app store provider has a content description for the app or in-app purchase, the  
107 app's or in-app purchase's content description;

108 (c) a description of:

109 (i) the personal data collected by the app from a user; and

110 (ii) the personal data shared by the app with a third party; and

111 (d) if personal data is collected by the app, the methods implemented by the developer to  
112 protect the personal data.

113 (18) "Significant change" means a material modification to an app's terms of service or  
114 privacy policy that:

115 (a) changes the categories of data collected, stored, or shared;

116 (b) alters the app's age rating or content descriptions;

117 (c) adds new monetization features, including:

118 (i) in-app purchases; or

119 (ii) advertisements; or

120 (d) materially changes the app's:

121 (i) functionality; or

122 (ii) user experience.

123 (19) "Verifiable parental consent" means authorization that:

124 (a) is provided by an individual who the app store provider has verified is an adult;

125 (b) is given after the app store provider has clearly and conspicuously provided the  
126 parental consent disclosure to the individual; and

127 (c) requires the parent to make an affirmative choice to:

128 (i) grant consent; or

129 (ii) decline consent.

130 Section 2. Section **13-75-201** is enacted to read:

131 **Part 2. App Store Provider and Developer Requirements**

132 **13-75-201 (Effective 05/06/26). App store provider requirements.**

133 (1) An app store provider shall:

134 (a) at the time an individual who is located in the state creates an account with the app  
135 store provider:

136 (i) request age information from the individual; and

137 (ii) verify the individual's age category using:

138 (A) commercially available methods that are reasonably designed to ensure  
139 accuracy; or

140 (B) an age verification method or process that complies with rules made by the  
141 division under Section 13-75-301;

142 (b) if the age verification method or process described in Subsection (1)(a) determines  
143 the individual is a minor:

144 (i) require the account to be affiliated with a parent account; and

145 (ii) obtain verifiable parental consent from the holder of the affiliated parent account  
146 before allowing the minor to:

147 (A) download an app;

148 (B) purchase an app; or

149 (C) make an in-app purchase;

150 (c) after receiving notice of a significant change from a developer:

151 (i) notify the user of the significant change; and

152 (ii) for a minor account:

153 (A) notify the holder of the affiliated parent account; and

154 (B) obtain renewed verifiable parental consent;

155 (d) provide to a developer, in response to a request authorized under Section 13-75-202:

156 (i) age category data for a user located in the state; and

157 (ii) the status of verified parental consent for a minor located in the state;

158 (e) notify a developer when a parent revokes parental consent; and

159 (f) protect personal age verification data by:

160 (i) limiting collection and processing to data necessary for:

161 (A) verifying a user's age;

162 (B) obtaining parental consent; or

163 (C) maintaining compliance records; and

- 164           (ii) transmitting personal age verification data using industry-standard encryption  
165           protocols that ensure:  
166           (A) data integrity; and  
167           (B) data confidentiality.
- 168 (2) An app store provider may not:  
169       (a) enforce a contract or terms of service against a minor unless the app store provider  
170       has obtained verifiable parental consent;  
171       (b) knowingly misrepresent the information in the parental consent disclosure; or  
172       (c) share personal age verification data except:  
173           (i) between an app store provider and a developer as required by this chapter; or  
174           (ii) as required by law.

175       Section 3. Section **13-75-202** is enacted to read:

176       **13-75-202 (Effective 05/06/26). Developer requirements.**

- 177 (1) A developer shall:  
178       (a) verify through the app store's data sharing methods:  
179           (i) the age category of users located in the state; and  
180           (ii) for a minor account, whether verifiable parental consent has been obtained;  
181       (b) notify app store providers of a significant change to the app;  
182       (c) use age category data received from an app store provider to:  
183           (i) enforce any developer-created age-related restrictions;  
184           (ii) ensure compliance with applicable laws and regulations; and  
185           (iii) implement any developer-created safety-related features or defaults.  
186       (d) request personal age verification data or parental consent:  
187           (i) at the time a user:  
188               (A) downloads an app; or  
189               (B) purchases an app;  
190           (ii) when implementing a significant change to the app; or  
191           (iii) to comply with applicable laws or regulations.
- 192 (2) A developer may request personal age verification data or parental consent:  
193       (a) no more than once during each 12-month period to verify:  
194           (i) accuracy of user age verification data; or  
195           (ii) continued account use within the verified age category;  
196       (b) when there is reasonable suspicion of:  
197           (i) account transfer; or



231 (c) litigation costs.

232 Section 6. Section **13-75-402** is enacted to read:

233 **13-75-402 (Effective 05/07/25). Safe harbor.**

234 (1) A developer is not liable for a violation of this chapter if the developer demonstrates  
235 that the developer:

236 (a) relied in good faith on:

237 (i) personal age verification data provided by an app store provider; and

238 (ii) notification from an app store provider that verifiable parental consent was

239 obtained if the personal age verification data indicates that the user is a minor; and

240 (b) complied with the requirements described in Section 13-75-202.

241 (2) For purposes of setting the age category of an app and providing content description

242 disclosures to an app store provider, a developer complies with Subsection

243 13-75-202(4)(b) if the developer:

244 (a) uses widely adopted industry standards to determine:

245 (i) the app's age category; and

246 (ii) the content description disclosures; and

247 (b) applies those standards consistently and in good faith.

248 (3) The safe harbor described in this section:

249 (a) applies only to actions brought under this chapter; and

250 (b) does not limit a developer or app store provider's liability under any other applicable  
251 law.

252 (4) Nothing in this chapter shall displace any other available remedies or rights authorized  
253 under the laws of this state or the United States.

254 Section 7. Section **13-75-403** is enacted to read:

255 **13-75-403 (Effective 05/07/25). Severability.**

256 (1) If any provision of this chapter or the application of any provision to any person or  
257 circumstance is held invalid by a final decision of a court of competent jurisdiction, the  
258 remainder of this chapter shall be given effect without the invalid provision or  
259 application.

260 (2) The provisions of this chapter are severable.

261 Section 8. Section **13-75-404** is enacted to read:

262 **13-75-404 (Effective 05/07/25). Application and limitations.**

263 Nothing in this chapter shall be construed to:

264 (1) prevent an app store provider or developer from taking reasonable measures to:



- 265 (a) block, detect, or prevent distribution to minors of:
- 266 (i) unlawful material;
- 267 (ii) obscene material; or
- 268 (iii) other harmful material;
- 269 (b) block or filter spam;
- 270 (c) prevent criminal activity; or
- 271 (d) protect app store or app security;
- 272 (2) require an app store provider to disclose user information to a developer beyond:
- 273 (a) age category; or
- 274 (b) verification of parental consent status;
- 275 (3) allow an app store provider or developer to implement measures required by this
- 276 chapter in a manner that is:
- 277 (a) arbitrary;
- 278 (b) capricious;
- 279 (c) anticompetitive; or
- 280 (d) unlawful;
- 281 (4) require an app store provider or developer to obtain parental consent for an app that:
- 282 (a) provides direct access to emergency services, including:
- 283 (i) 911;
- 284 (ii) crisis hotlines; or
- 285 (iii) emergency assistance services legally available to minors;
- 286 (b) limits data collection to information necessary to provide emergency services in
- 287 compliance with 15 U.S.C. Sec. 6501 et seq., Children's Online Privacy Protection
- 288 Act;
- 289 (c) provides access without requiring:
- 290 (i) account creation; or
- 291 (ii) collection of unnecessary personal information; and
- 292 (d) is operated by or in partnership with:
- 293 (i) a government entity;
- 294 (ii) a nonprofit organization; or
- 295 (iii) an authorized emergency service provider; or
- 296 (5) require a developer to collect, retain, reidentify, or link any information beyond what is:
- 297 (a) necessary to verify age categories and parental consent status as required by this
- 298 chapter; and

299 (b) collected, retained, reidentified, or linked in the developer's ordinary course of  
300 business.

301 Section 9. **Effective Date.**

302 (1) Except as provided in Subsections (2) and (3), this bill takes effect May 7, 2025.

303 (2) The actions affecting the following sections take effect on May 6, 2026:

304 (a) Section 13-75-201 (Effective 05/06/26); and

305 (b) Section 13-75-202 (Effective 05/06/26).

306 (3) The actions affecting Section 13-75-401 (Effective 12/31/26) take effect on December  
307 31, 2026.