

**Effective 10/1/2024**

**13-71-101 Definitions.**

- (1) "Account holder" means a person who has, creates, or opens an account or profile to use a social media service.
- (2) "Age assurance system" means measures reasonably calculated to enable a social media company to identify whether a current or prospective Utah account holder is a minor with an accuracy rate of at least 95%.
- (3) "Connected account" means an account on the social media service that is directly connected to:
  - (a) the minor account holder's account; or
  - (b) an account that is directly connected to an account directly connected to the minor account holder's account.
- (4) "Content" means any information, visual depictions, tools, features, links, software, or other materials that appear on or are available or enabled through a social media service.
- (5) "Directly connected" means an account on the social media service that is connected to another account by:
  - (a) sending a request to connect to another account holder and having the request to connect accepted by the other account holder; or
  - (b) receiving a request to connect from another account holder and accepting the request to connect.
- (6) "Director" means the director of the division.
- (7) "Division" means the Division of Consumer Protection created in Section 13-2-1.
- (8) "Minor" means an individual under 18 years old that:
  - (a) has not been emancipated as that term is defined in Section 80-7-102; or
  - (b) has not been married.
- (9) "Parent" includes a legal guardian.
- (10)
  - (a) "Personal information" means information that is linked or can be reasonably linked to an identified individual or an identifiable individual.
  - (b) "Personal information" includes a person's:
    - (i) first and last name;
    - (ii) date of birth;
    - (iii) home or physical address, including street name and city;
    - (iv) screen or user name that reveals an individual's email address, first name, or last name;
    - (v) telephone number;
    - (vi) Social Security number;
    - (vii) photograph, video, or audio file containing a person's image or voice;
    - (viii) geolocation information sufficient to identify street name and city; and
    - (ix) any other identifier that a person may use to contact a specific individual.
- (11) "Push notification" means an automatic electronic message displayed on an account holder's device, when the user interface for the social media service is not actively open or visible on the device, that prompts the account holder to repeatedly check and engage with the social media service.
- (12) "Resident" means the same as that term is defined in Section 53-3-102.
- (13) "Social media company" means an entity that owns or operates a social media service.
- (14)
  - (a) "Social media service" means a public website or application that:

- (i) displays content that is primarily generated by account holders and not by the social media company;
  - (ii) permits an individual to register as an account holder and create a profile that is made visible to the general public or a set of other users defined by the account holder;
  - (iii) connects account holders to allow users to interact socially with each other within the website or application;
  - (iv) makes available to each account holder a list or lists of other account holders with whom the account holder shares a connection within the system; and
  - (v) allows account holders to post content viewable by other users.
- (b) "Social media service" does not include:
- (i) email;
  - (ii) cloud storage; or
  - (iii) document viewing, sharing, or collaboration services.
- (15) "User" means an individual who accesses or uses a social media service.
- (16)
- (a) "Utah account holder" means a person who is a Utah resident and an account holder.
  - (b) "Utah account holder" includes a Utah minor account holder.
- (17) "Utah minor account holder" means a Utah account holder who is a minor.
- (18) "Verifiable parental consent" means authorization from a parent for a social media service to collect, use, and disclose personal information of a Utah minor account holder, that complies with the following verifiability requirements:
- (a) the social media service shall provide advance notice to the parent describing information practices related to the minor account holder's personal information; and
  - (b) the social media service shall receive confirmation that the parent received the notice described in Subsection (18)(a).

Enacted by Chapter 206, 2024 General Session