

Effective 1/1/2025

Superseded 10/1/2026

78B-6-2601 Definitions.

As used in this part:

- (1) "Activate" means the process of powering on a device and associating the device with a user account.
- (2) "Device" means a tablet or a smart phone manufactured on or after January 1, 2025.
- (3) "Filter" means generally accepted and commercially reasonable software used on a device that is capable of preventing the device from accessing or displaying obscene material through Internet browsers or search engines owned or controlled by the manufacturer in accordance with prevailing industry standards including blocking known websites linked to obscene content via mobile data networks, wired Internet networks, and wireless Internet networks.
- (4) "Internet" means the same as that term is defined in Section 13-40-102.
- (5) "Manufacturer" means a person that:
 - (a)
 - (i) is engaged in the business of manufacturing a device;
 - (ii) holds the patents for the device the person manufactures; or
 - (iii) holds the patents for the operating system on a device; and
 - (b) has a commercial registered agent as that term is defined in Section 16-17-102.
- (6) "Minor" means an individual under the age of 18 who is not emancipated, married, or a member of the armed forces of the United States.
- (7) "Obscenity" means the same as that term is defined in Section 32B-1-504.
- (8) "Operating system" means software that manages all of the other application programs on a device.
- (9) "Password" means a string of characters or other secure method used to enable, deactivate, modify, or uninstall a filter on a device.
- (10)
 - (a) "Retailer" means a person, that is not a manufacturer, that sells a device directly to consumers.
 - (b) "Retailer" includes an employee of a retailer acting in the course and scope of the employee's employment.
- (11) "Smart phone" means the same as that term is defined in Section 63A-2-101.5.
- (12) "Tablet" means a mobile device that:
 - (a) is equipped with a mobile operating system, touchscreen display, and rechargeable battery; and
 - (b) has the ability to support access to a cellular network.
- (13) "Video game console" means a discrete computing system, including the system's components and peripherals, primarily used for playing video games, but does not include a smartphone or tablet.

Enacted by Chapter 166, 2024 General Session