



Senate

General Assembly

File No. 261

February Session, 2022

Substitute Senate Bill No. 208

Senate, April 4, 2022

The Committee on Children reported through SEN. ANWAR of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SOCIAL MEDIA AND PARENTAL CONSENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2022*) For the purposes of the
2 Children's Online Privacy Protection Act, 15 USC 6501 et seq., as
3 amended from time to time, in the state of Connecticut, "child" means
4 an individual under the age of sixteen.

5 Sec. 2. (NEW) (*Effective October 1, 2022*) (a) As used in this section, the
6 terms "operator", "web site or online service directed to children",
7 "parent" and "personal information" have the same meaning as
8 provided in the Children's Online Privacy Protection Act, 15 USC 6501
9 et seq., as amended from time to time.

10 (b) On and after October 1, 2022, not later than ten days after receipt
11 of a request by a parent, an operator shall delete the account of such
12 parent's child, as defined in section 1 of this act, or cease the further use
13 or maintenance in retrievable form, or future online collection, of
14 personal information collected from such child, on any of the operator's

15 web sites or online services directed to children. Each operator shall
16 provide a reasonable, accessible and verifiable means by which a parent
17 can make such request to the operator.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	New section
Sec. 2	<i>October 1, 2022</i>	New section

KID *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

This bill raises, from 13 to 16, the age up to which a parent's consent is required for social media access. The bill also requires commercial websites or online services directed to children to (1) delete the child's account, (2) stop using or maintaining it in retrievable form, or (3) stop collecting the child's personal information, when requested by the parent or legal guardian. This bill has no fiscal impact on the state or municipalities.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sSB 208****AN ACT CONCERNING SOCIAL MEDIA AND PARENTAL CONSENT.****SUMMARY**

This bill raises, from 13 to 16, the age up to which a parent's (i.e., legal guardian's) consent is required for social media access. The bill does so by changing the definition of "child" to mean an individual under age 16, for the purposes of the federal Children's Online Privacy Protection Act (COPPA) in Connecticut (see BACKGROUND).

Starting on October 1, 2022, within 10 days of receiving a parent's request, the bill requires persons with commercial websites or online services directed to children ("operators"), to (1) delete the child's account, (2) stop using or maintaining it in retrievable form, or (3) stop collecting the child's personal information (i.e., identifiable information about an individual collected online, such as name, address, telephone and Social Security numbers, and photograph).

It also requires operators to provide a reasonable, accessible, and verifiable way for parents to make this request.

EFFECTIVE DATE: October 1, 2022

OPERATOR

Under the bill, "operator" means any person who (1) operates an Internet website or online service and who collects or maintains personal information from or about the users of, or visitors to, the website or online service, or on whose behalf the information is collected or maintained, or (2) offers products or services for sale through that website or online service.

Personal information is collected or maintained on behalf of an

operator when (1) it is collected or maintained by an operator's agent or service provider or (2) the operator benefits by allowing another person to collect personal information directly from the website or online service's users.

BACKGROUND

Children's Online Privacy Protection Act (COPPA)

The federal Children's Online Privacy Protection Act (COPPA) regulates the online collection of personal information from children under 13. It applies to commercial websites and online services directed at children and other commercial websites or online services that have actual knowledge that they are collecting information from children.

Operators must post a link to their privacy policies on their homepages and on each page where they collect personal information from children. The act generally requires a parent's consent for a website to collect personal information from children. Exceptions include online activities such as contests, newsletters, and homework help (some of these require parental notification if there is continued contact between the child and the website) (15 USC § 6501 et seq.).

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 13 Nay 0 (03/15/2022)