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136th General Assembly

Regular Session   **Sub. H. B. No. 226**

2025-2026

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To enact sections 1349.07, 1349.071, 1349.072,	1
1349.073, 1349.074, and 1349.075 of the Revised	2
Code to require application stores to obtain	3
consent from and disclose certain information to	4
parents before permitting minors to download	5
certain applications and to name this act the	6
App Store Accountability Act.	7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1349.07, 1349.071, 1349.072,	8
1349.073, 1349.074, and 1349.075 of the Revised Code be enacted	9
to read as follows:	10
Sec. 1349.07. As used in sections 1349.07 to 1349.075 of	11
the Revised Code:	12
(A) "Adult" means an individual who is at least eighteen	13
years of age.	14
(B) "Age category" means one of the following categories	15
of individuals based on age:	16
(1) Child;	17

(2) Younger teenager;   18

(3) Older teenager;   19

(4) Adult.   20

(C) "Age category data" means information about a user's   21
age category that is collected by an application store provider   22
and shared with a developer.   23

(D) "Age rating" means a clarification that provides an   24
assessment of the suitability of the content of an application   25
for different age groups.   26

(E) "Application" means a software application or   27
electronic service that a user may run or direct on a mobile   28
device.   29

(F) "Application store" means a publicly available web   30
site, software application, or electronic service that allows   31
users to download applications from third-party developers onto   32
a mobile device.   33

(G) "Application store provider" means a person that owns,   34
operates, or controls an application store that allows users in   35
this state to download applications onto a mobile device.   36

(H) "Child" means an individual who is less than thirteen   37
years of age.   38

(I) "Content description" means a description of the   39
specific content elements that inform the age rating of an   40
application.   41

(J) "Developer" means a person that owns or controls an   42
application made available through an application store in this   43
state.   44

(K) "Knowingly" means to act with actual knowledge or with   45
knowledge fairly inferred based on objective circumstances.   46

(L) "Minor" means an individual who is less than eighteen   47
years of age.   48

(M) "Minor account" means an account with an application   49
store provider that is established by an individual who the   50
application store provider determines is a minor through the   51
application store provider's age verification methods and   52
requires affiliation with a parent account.   53

(N) "Mobile device" means a telephone or general purpose   54
tablet that meets all of the following: 55

(1) Provides cellular or wireless connectivity;   56

(2) Is capable of connecting to the internet;   57

(3) Runs a mobile operating system;   58

(4) Is capable of running applications through the mobile   59
operating system.   60

(O) "Mobile operating system" means software that meets   61
all of the following: 62

(1) Manages mobile device hardware resources;   63

(2) Provides common services for mobile device programs;   64

(3) Controls memory allocation;   65

(4) Provides interfaces for applications to access device   66
functionality.   67

(P) "Older teenager" means an individual who is at least   68
sixteen years of age and less than eighteen years of age.   69

(Q) "Parent" includes a legal guardian.   70

(R) "Parent account" means an account with an application   71

store provider that is verified to be established by an   72

individual who the application store provider determines is an   73

adult through the application store provider's age verification   74

methods and may be affiliated with one or more minor accounts.   75

(S) "Parental consent disclosure" means the following   76

information: 77

(1) The age rating, if any, for the application or intra-   78

application purchase;   79

(2) The content description, if any, for the application   80

or intra-application purchase;   81

(3) A description of both of the following: 82

(a) The personal data collected by the application from a   83

user;   84

(b) The personal data shared by the application with a   85

third party.   86

(4) If personal data is collected by the application, the   87

methods implemented by the developer to protect the personal   88

data.   89

(T) "Significant change" means a material modification to   90

the terms of service or privacy policy of an application that   91

does any of the following: 92

(1) Changes the categories of data collected, stored, or   93

shared;   94

(2) Alters the the age rating or content descriptions of   95

the application;   96

(3) Adds new monetization features, including intra-   97

application purchases or advertisements; 98

(4) Materially changes the functionality of or user experience in the application. 99
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(U) "Verifiable parental consent" means authorization that meets all of the following: 101
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(1) Is provided by an individual who the application store provider verifies to be an adult; 103
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(2) Is given after the application store provider clearly and conspicuously provides the parental consent disclosure to the individual; 105
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(3) Requires the individual to make an affirmative choice to grant or decline consent. 108
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(V) "Younger teenager" means an individual who is at least thirteen years of age and less than sixteen years of age. 110
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Sec. 1349.071. (A) An application store provider shall do all of the following: 112
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(1) At the time an individual located in this state creates an account with the application store provider, both of the following: 114
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(a) Require the individual to provide the individual's age before creating the account; 117
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(b) Verify the age category of the individual using either of the following: 119
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(i) Commercially available methods that are reasonably designed to ensure accuracy; 121
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(ii) An age verification method or process that complies with rules adopted by the director of commerce under division 123
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(C) of this section.   125

(2) If the age verification method or process described in
division (A)(1) of this section determines that the individual
is a minor, both of the following: 126
                                                                                                    127
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(a) Require the account to be affiliated with a parent
account;   129
                                                                                                    130

(b) Obtain verifiable parental consent from the holder of
the affiliated parent account before allowing a minor to do any
of the following: 131
                                                                                                    132
                                                                                                    133

(i) Download an application;   134

(ii) Purchase an application;   135

(iii) Make an intra-application purchase.   136

(3) After receiving notice of a significant change from a
developer, both of the following: 137
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(a) Notify all users that have downloaded the application
from a location in this state of the significant change;   139
                                                                                                    140

(b) For a minor account holder, both of the following: 141

(i) Notify the account holder of the affiliated parent
account;   142
                                                                                                    143

(ii) Obtain renewed verifiable parental consent.   144

(4) Provide a developer, in response to a request
authorized under section 1349.072 of the Revised Code, both of
the following: 145
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(a) Age category data for a user located in this state;   148

(b) The status of verified parental consent for a minor
located in this state.   149
                                                                                                    150

(5) Notify a developer when a parent revokes parental consent; 151
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(6) Protect personal age verification data by doing both of the following: 153
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(a) Limiting collection and processing to data necessary for the following: 155
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(i) Verifying a user's age; 157

(ii) Obtaining parental consent; 158

(iii) Maintaining compliance records. 159

(b) Transmitting personal age verification data using industry standard encryption protocols that ensure data integrity and confidentiality. 160
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(B) An application store provider shall not do any of the following: 163
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(1) Enforce a contract or terms of service against a minor unless the application store provider has obtained verifiable parental consent; 165
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(2) Knowingly misrepresent information in a parental consent disclosure; 168
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(3) Share personal age verification data except as follows: 170
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(a) Between an application store provider and a developer as required by sections 1349.07 to 1349.075 of the Revised Code; 172
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(b) As otherwise required by law. 174

(C) The director of commerce shall adopt rules in accordance with Chapter 119. of the Revised Code establishing 175
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processes and means by which an application store provider may   177

verify whether an account holder is a minor in accordance with   178

this section.   179

     Sec. 1349.072. (A) A developer shall do all of the   180

following: 181

     (1) Verify through the application store's data sharing   182

module both of the following: 183

     (a) The age category of users located in this state;   184

     (b) For a minor account, whether verifiable parental   185

consent has been obtained.   186

     (2) Notify application store providers of any significant   187

change to the developer's application;   188

     (3) Use age category data received from an application   189

store provider to do all of the following: 190

     (a) Enforce any developer-created age-related   191

restrictions;   192

     (b) Ensure compliance with applicable laws and   193

regulations;   194

     (c) Implement any developer-created safety-related   195

features or defaults.   196

     (4) Request personal age verification data or parental   197

consent at all of the following times: 198

     (a) When a user downloads or purchases the application;   199

     (b) When implementing a significant change to the   200

application;   201

     (c) Whenever necessary to comply with applicable laws or   202

regulations.   203

(B)(1) A developer shall not request personal age   204
verification data or parental consent more than every twelve   205
months to verify either of the following: 206

(a) Accuracy of user age verification data;   207

(b) Continued account use within the verified age   208
category.   209

(2) Division (B)(1) of this section does not prohibit a   210
developer from requesting personal age verification data or   211
parental consent when there is reasonable suspicion of either of   212
the following: 213

(a) Account transfer;   214

(b) Misuse outside of the verified age category.   215

(3) Division (B)(1) of this section does not prohibit a   216
developer from requesting personal age verification data or   217
parental consent at the time a user creates a new account with   218
the developer.   219

(C) When implementing any developer-created safety-related   220
features or defaults, a developer shall use the lowest age   221
category indicated by either: 222

(1) Age verification data provided by an application store   223
provider;   224

(2) Age data independently collected by the developer.   225

(D) A developer shall not do any of the following: 226

(1) Enforce a contract or terms of service against a minor   227
unless the developer has verified through the application store   228
provider that verifiable parental consent has been obtained;   229

(2) Knowingly misrepresent any information in a parental consent disclosure; 230 231

(3) Share age category data with any other person. 232

Sec. 1349.073. (A) A violation of division (B)(2) of section 1349.071 or division (D)(2) of section 1349.072 of the Revised Code is an unfair or deceptive act or practice in violation of section 1349.02 of the Revised Code. 233 234 235 236

(B) Notwithstanding section 1345.09 of the Revised Code, only the following persons have a private cause of action for any violation of sections 1349.07 to 1349.075 of the Revised Code: 237 238 239 240

(1) A minor or the parent of that minor who is harmed by a violation of division (B) of section 1349.071 of the Revised Code has a cause of action against the application store provider. 241 242 243 244

(2) A minor or a parent of that minor who is harmed by a violation of division (D) of section 1349.072 of the Revised Code has a cause of action against the developer. 245 246 247

(C) Notwithstanding section 1345.09 of the Revised Code, but subject to section 1349.073 of the Revised Code, a prevailing minor or parent in an action permitted under division (B) of this section is entitled to all of the following relief: 248 249 250 251

(1) Actual damages or one thousand dollars for each violation, whichever is greater; 252 253

(2) Reasonable attorney's fees; 254

(3) Litigation costs. 255

Sec. 1349.074. (A) A developer is not liable for a 256

violation of section 1349.072 of the Revised Code that the   257

developer demonstrates was caused by the developer's good faith   258

reliance on either of the following: 259

    (1) Personal age verification data provided by an   260

application store provider;   261

    (2) If the personal age verification data indicates that   262

the user is a minor, notification from an application store   263

provider that verifiable parental consent was obtained.   264

    (B) A developer is not liable for a violation of division   265

(D)(2) of section 1349.072 of the Revised Code if the developer   266

demonstrates both of the following: 267

    (1) The developer uses widely adopted industry standards   268

to determine the age category of the application and the content   269

description disclosure.   270

    (2) The developer applies those standards consistently and   271

in good faith.   272

    (C) This section applies only to actions brought under   273

section 1349.073 of the Revised Code and does not limit a   274

developer's or application store provider's liability under any   275

other applicable law.   276

    (D) Nothing in this section shall be construed to displace   277

any other available remedies authorized under the laws of this   278

state or the United States.   279

    Sec. 1349.075. Nothing in sections 1349.07 to 1349.075 of   280

the Revised Code shall be construed to do any of the following: 281

    (A) Prevent an application store provider or developer   282

from taking reasonable measures to do any of the following: 283

(1) Block, detect, or prevent distribution to minors of   284
unlawful, obscene, or harmful material;   285

(2) Block or filter spam;   286

(3) Prevent criminal activity;   287

(4) Protect application store or application security.   288

(B) Require an application store provider to disclose user   289
information to a developer other than the following: 290

(1) Age category;   291

(2) Verification of parental consent status.   292

(C) Allow an application store provider or developer to   293
implement measures required by sections 1349.07 to 1349.075 of   294
the Revised Code in a manner that is arbitrary, capricious,   295
adverse to competition, or unlawful;   296

(D) Require an application store provider or developer to   297
obtain parental consent for an application that meets all of the   298
following: 299

(1) Provides direct access to emergency services,   300
including: 301

(a) 9-1-1;   302

(b) Crises hotlines;   303

(c) Other emergency assistance services legally available   304
to minors.   305

(2) Limits data collection to information necessary to   306
provide emergency services in compliance with the "Children's   307
Online Privacy Protection Act," 15 U.S.C. 6501, et seq.;   308

(3) Provides access without requiring account creation or   309

collection of unnecessary personal information; and 310

(4) Is operated by or in partnership with any of the 311
following: 312

(a) A government entity; 313

(b) A nonprofit organization; 314

(c) An authorized emergency service provider. 315

(E) Require a developer to collect, retain, reidentify, or 316
link any information beyond what is either: 317

(1) Necessary to verify age categories and parental 318
consent status as required by sections 1349.07 to 1349.075 of 319
the Revised Code; 320

(2) Collected, retained, reidentified, or linked in the 321
developer's ordinary course of business. 322

Section 2. This act shall be known as the App Store 323
Accountability Act. 324