

I_136_1246-5

136th General Assembly
Regular Session
2025-2026

. B. No.

To enact sections 1349.07, 1349.071, 1349.072,
1349.073, 1349.074, and 1349.075 of the Revised
Code to require app stores to obtain consent
from and disclose certain information to parents
before permitting minors to download certain
apps and to name this act the App Store
Accountability Act.

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

Section 1. That sections 1349.07, 1349.071, 1349.072,
1349.073, 1349.074, and 1349.075 of the Revised Code be enacted
to read as follows:

Sec. 1349.07. As used in sections 1349.07 to 1349.075 of
the Revised Code:

(A) "Account holder" means the individual who is
associated with the mobile device.

(B) "Adult" means an individual who is at least eighteen
years of age.

(C) "Age category" means one of the following categories
of individuals based on age:



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<u>(1) Child;</u>	19
<u>(2) Younger teenager;</u>	20
<u>(3) Older teenager;</u>	21
<u>(4) Adult.</u>	22
<u>(D) "Age category data" means information about an account holder's age category that is collected by an app store provider and is shared with a developer.</u>	23 24 25
<u>(E) "Age rating" means one or more classifications that assess the suitability of an app's content and functions for different age groups.</u>	26 27 28
<u>(F) "App" means a software application or electronic service that a user may run or direct on a mobile device, including pre-installed apps.</u>	29 30 31
<u>(G) "App store" means a publicly available website, software application, or electronic service that allows account holders to download apps from third-party developers onto a mobile device.</u>	32 33 34 35
<u>(H) "App store provider" means a person that owns, operates, or controls an app store that allows account holders in this state to download apps onto a mobile device.</u>	36 37 38
<u>(I) "Child" means an individual who is less than thirteen years of age.</u>	39 40
<u>(J) "Content description" means a description of the specific content elements or functions that informed an app's age rating.</u>	41 42 43
<u>(K) "Developer" means a person that owns or controls an app made available through an app store or an app pre-installed</u>	44 45

onto a mobile device. 46

(L) "In-app purchase" means a charge associated with any 47
user conduct within an app and billed by an app store for the 48
acquisition of virtual currency, digital goods, digital 49
services, or other apps. 50

(M) "Knowingly" means to act with actual knowledge or to 51
act with knowledge fairly inferred based on objective 52
circumstances. 53

(N) (1) "Minor" means an individual who is less than 54
eighteen years of age. 55

(2) "Minor" does not include an individual who is less 56
than eighteen years of age and is married or legally 57
emancipated. 58

(O) "Minor account" means an account with an app store 59
provider that is established by an individual who is a minor and 60
requires affiliation with a parent account. 61

(P) "Mobile device" means a telephone or general-purpose 62
tablet that meets all of the following: 63

(1) Provides cellular or wireless connectivity; 64

(2) Is capable of connecting to the internet; 65

(3) Runs a mobile operating system; 66

(4) Is capable of running apps through the mobile 67
operating system. 68

(Q) "Mobile operating system" means software that meets 69
all of the following: 70

(1) Manages mobile device hardware resources; 71

<u>(2) Provides common services for mobile device programs;</u>	72
<u>(3) Controls memory allocation;</u>	73
<u>(4) Provides interfaces for apps to access device</u> <u>functionality.</u>	74 75
<u>(R) "Older teenager" means an individual who is at least</u> <u>sixteen years of age and less than eighteen years of age.</u>	76 77
<u>(S) "Parent" means, with respect to a minor, an individual</u> <u>who is reasonably believed to be a parent, a legal guardian, an</u> <u>individual with legal custody, or any other individual who has</u> <u>the legal authority to make decisions on behalf of the minor</u> <u>under applicable state law.</u>	78 79 80 81 82
<u>(T) "Parent account" means an account with an app store</u> <u>provider that is verified to be established by an individual who</u> <u>the app store provider determines is at least eighteen years of</u> <u>age and is married or legally emancipated through the app store</u> <u>provider's age verification methods; and may be affiliated with</u> <u>one or more minor accounts.</u>	83 84 85 86 87 88
<u>(U) "Parental consent disclosure" means the following</u> <u>information:</u>	89 90
<u>(1) If the app store provider has an age rating for the</u> <u>app, the app's age rating;</u>	91 92
<u>(2) If the app store provider has a content description</u> <u>for the app, the app's content description;</u>	93 94
<u>(3) A description of both of the following:</u>	95
<u>(a) The personal data collected by the app from an account</u> <u>holder;</u>	96 97
<u>(b) The personal data shared by the app with a third</u>	98

<u>party.</u>	99
<u>(4) If personal data is collected by the app, the methods implemented by the developer to protect the personal data.</u>	100 101
<u>(V) (1) "Pre-installed app" means any app, or portion thereof, that is present on a mobile device at the time of purchase, initial activation, or first use by the consumer, including browsers, search engines, and messaging, but excluding core operating system functions, essential device drivers, and applications necessary for basic device operation such as phone, settings, and emergency services applications.</u>	102 103 104 105 106 107 108
<u>(2) "Pre-installed app" also include apps, or portions thereof, installed or partially installed by the device manufacturer, wireless service provider, retailer, or any other party prior to purchase, initial activation, or first use by the consumer and which may be updated thereafter.</u>	109 110 111 112 113
<u>(W) "Significant change" means a material modification to an app's terms of service or privacy policy of an app that does any of the following:</u>	114 115 116
<u>(1) Changes the categories of data collected, stored, or shared;</u>	117 118
<u>(2) Alters the app's age rating or content descriptions;</u>	119
<u>(3) Introduces one of the following:</u>	120
<u>(a) In-app purchases where no in-app purchases were previously present;</u>	121 122
<u>(b) Advertisements where no advertisements were previously present in the app.</u>	123 124
<u>(X) "Verifiable parental consent" means authorization that</u>	125

<u>meets all of the following:</u>	126
<u>(1) Is provided by a parent account;</u>	127
<u>(2) Is given after the app store provider has clearly and</u>	128
<u>conspicuously provided the parental consent disclosure as part</u>	129
<u>of the app download, purchase, or in-app purchase process;</u>	130
<u>(3) Requires the parent to make an affirmative choice to</u>	131
<u>grant consent or decline consent.</u>	132
<u>(Y) "Younger teenager" means an individual who is at least</u>	133
<u>thirteen years of age and less than sixteen years of age.</u>	134
<u>Sec. 1349.071. (A) An app store provider shall do all of</u>	135
<u>the following:</u>	136
<u>(1) At the time an individual located in this state</u>	137
<u>creates an account with the app store provider, or for existing</u>	138
<u>accounts, within twelve months after the effective date of</u>	139
<u>section 1349.071 of the Revised Code, both of the following:</u>	140
<u>(a) Request age category information from the individual;</u>	141
<u>(b) Verify the individual's age category using either of</u>	142
<u>the following:</u>	143
<u>(i) Commercially available methods that are reasonably</u>	144
<u>designed to ensure accuracy;</u>	145
<u>(ii) An age verification method or process that complies</u>	146
<u>with rules adopted by the director of commerce under division</u>	147
<u>(C) of this section. For individuals under eighteen years of</u>	148
<u>age, a method is commercially reasonable if it includes</u>	149
<u>affirmative age attestation by someone who is reasonably</u>	150
<u>believed to be the parent or legal guardian, along with other</u>	151
<u>information collected in the ordinary course of account creation</u>	152

<u>or use.</u>	153
<u>(2) If the app store provider determines the individual is</u>	154
<u>a minor, both of the following:</u>	155
<u>(a) Require the account to be affiliated with a parent</u>	156
<u>account;</u>	157
<u>(b) Obtain verifiable parental consent from the holder of</u>	158
<u>the affiliated parent account each time before allowing the</u>	159
<u>minor to do any of the following:</u>	160
<u>(i) Download an app;</u>	161
<u>(ii) Purchase an app;</u>	162
<u>(iii) Make an in-app purchase.</u>	163
<u>(3) After receiving notice of a significant change from a</u>	164
<u>developer, both of the following:</u>	165
<u>(a) Notify all account holders located in this state of</u>	166
<u>the significant change;</u>	167
<u>(b) For a minor account holder, both of the following:</u>	168
<u>(i) Notify the parent account;</u>	169
<u>(ii) Obtain renewed verifiable parental consent before</u>	170
<u>providing access to the significantly changed version of the</u>	171
<u>app.</u>	172
<u>(4) Provide a developer, in response to a request</u>	173
<u>authorized under section 1349.072 of the Revised Code, both of</u>	174
<u>the following:</u>	175
<u>(a) Age category data for an account holder located in</u>	176
<u>this state;</u>	177
<u>(b) The status of verifiable parental consent for a minor</u>	178

<u>located in this state.</u>	179
<u>(5) Provide a mechanism for a parent account to withdraw consent and notify a developer when a parent revokes verifiable parental consent;</u>	180
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<u>(6) Protect age category data and any associated verification data by doing both of the following:</u>	183
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<u>(a) Limiting collection and processing to data necessary for the following:</u>	185
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<u>(i) Verifying an account holder's age category;</u>	187
<u>(ii) Obtaining verifiable parental consent;</u>	188
<u>(iii) Maintaining compliance records.</u>	189
<u>(b) Transmitting age category data using industry-standard encryption protocols that ensure data integrity and data confidentiality.</u>	190
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<u>(7) For pre-installed apps, all of the following:</u>	193
<u>(a) Provide available age category data in response to a request from a developer;</u>	194
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<u>(b) Take reasonable measures to facilitate verifiable parental consent for use of the app in response to a request from a developer.</u>	196
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<u>(8) Comply with a developer's request made in accordance with sections 1349.07 to 1349.075 of the Revised Code to prevent minor accounts from downloading or purchasing the developer's app.</u>	199
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<u>(B) An app store provider shall not do any of the following:</u>	203
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<u>(1) Enforce a contract or terms of service against a minor</u>	205
<u>unless the app store provider has obtained verifiable parental</u>	206
<u>consent;</u>	207
<u>(2) Knowingly misrepresent information in a parental</u>	208
<u>consent disclosure;</u>	209
<u>(3) Share age category data except as follows:</u>	210
<u>(a) Between an app store provider and a developer as</u>	211
<u>required by sections 1349.07 to 1349.075 of the Revised Code;</u>	212
<u>(b) As otherwise required by law.</u>	213
<u>(C) The director of commerce shall adopt rules in</u>	214
<u>accordance with Chapter 119. of the Revised Code establishing</u>	215
<u>processes and means by which an app store provider may verify</u>	216
<u>whether an account holder is a minor in accordance with this</u>	217
<u>section.</u>	218
<u>Sec. 1349.072.</u> (A) <u>A developer shall do all of the</u>	219
<u>following:</u>	220
<u>(1) Verify through the app store's data sharing methods</u>	221
<u>both of the following:</u>	222
<u>(a) The age category data of account holders located in</u>	223
<u>this state;</u>	224
<u>(b) For a minor account, whether verifiable parental</u>	225
<u>consent has been obtained.</u>	226
<u>(2) Notify app store providers of a significant change to</u>	227
<u>the developer's app;</u>	228
<u>(3) May only use age category data received through the</u>	229
<u>app store's data sharing methods to:</u>	230
<u>(a) Enforce any developer-created age-related</u>	231

<u>restrictions, safety-related features, or defaults;</u>	232
<u>(b) Ensure compliance with applicable laws and</u>	233
<u>regulations;</u>	234
<u>(4) Request age category data or verifiable parental</u>	235
<u>consent:</u>	236
<u>(a) When an account holder downloads an app or purchases</u>	237
<u>an app or launches a pre-installed app for the first time;</u>	238
<u>(b) When implementing a significant change to the app;</u>	239
<u>(c) To comply with applicable law.</u>	240
<u>(B) A developer may request age category data to verify</u>	241
<u>the following:</u>	242
<u>(1) Accuracy of the age category data associated with an</u>	243
<u>account holder;</u>	244
<u>(2) Continued account use within the age category.</u>	245
<u>(3) When there is reasonable suspicion of either of the</u>	246
<u>following:</u>	247
<u>(a) Account transfer;</u>	248
<u>(b) Misuse outside of the age category.</u>	249
<u>(4) At the time an account holder creates a new account</u>	250
<u>with the developer.</u>	251
<u>(C) When implementing any developer-created safety-related</u>	252
<u>restrictions, safety-related features, or defaults, a developer</u>	253
<u>shall use the lowest age category indicated by age category data</u>	254
<u>received through the app store's data sharing methods or age</u>	255
<u>data independently collected by the developer.</u>	256
<u>(D) A developer shall not do any of the following:</u>	257

(1) Enforce a contract or terms of service against a minor 258
unless the developer has verified through an app store's data 259
sharing methods that verifiable parental consent has been 260
obtained; 261

(2) Knowingly misrepresent any information in the parental 262
consent disclosure; 263

(3) Share age category data with any person. 264

Sec. 1349.073. (A) A violation of division (B) (2) of 265
section 1349.071 or division (D) (2) of section 1349.072 of the 266
Revised Code is an unfair or deceptive act or practice in 267
violation of section 1345.02 of the Revised Code. 268

(B) Notwithstanding section 1345.09 of the Revised Code, 269
only the following persons have a private cause of action for 270
any violation of sections 1349.07 to 1349.075 of the Revised 271
Code: 272

(1) A minor or the parent of that minor who is harmed by a 273
violation of division (B) of section 1349.071 of the Revised 274
Code has a cause of action against the app store provider. 275

(2) A minor or a parent of that minor who is harmed by a 276
violation of division (D) of section 1349.072 of the Revised 277
Code has a cause of action against the developer. 278

(C) Notwithstanding section 1345.09 of the Revised Code, 279
but subject to section 1349.073 of the Revised Code, a 280
prevailing minor or parent in an action permitted under division 281
(B) of this section is entitled to all of the following relief: 282

(1) Actual damages or one thousand dollars for each 283
violation, whichever is greater; 284

(2) Reasonable attorney's fees; 285

<u>(3) Litigation costs.</u>	286
<u>Sec. 1349.074. (A) A developer is not liable for a</u>	287
<u>violation of section 1349.072 of the Revised Code if the</u>	288
<u>developer demonstrates that the developer relied in good faith</u>	289
<u>on all of the following:</u>	290
<u>(1) Applicable age category data received through an app</u>	291
<u>store's data sharing methods;</u>	292
<u>(2) If the age category data indicates that the account</u>	293
<u>holder is a minor, notification from an app store provider that</u>	294
<u>verifiable parental consent was obtained;</u>	295
<u>(3) That the developer complied with the requirements</u>	296
<u>described in sections 1349.07 to 1349.075 of the Revised Code.</u>	297
<u>(B) The safe harbor described in this section applies only</u>	298
<u>to actions brought under sections 1349.07 to 1349.075 of the</u>	299
<u>Revised Code and does not limit a developer's or app store</u>	300
<u>provider's liability under any other applicable law.</u>	301
<u>(D) Nothing in sections 1349.07 to 1349.075 of the Revised</u>	302
<u>Code shall displace any other available remedies or rights</u>	303
<u>authorized under the laws of this state or the United States.</u>	304
<u>Sec. 1349.075. Nothing in sections 1349.07 to 1349.075 of</u>	305
<u>the Revised Code shall be construed to do any of the following:</u>	306
<u>(A) Prevent an app store provider or developer from taking</u>	307
<u>reasonable measures to:</u>	308
<u>(1) Block, detect, or prevent distribution to minors of</u>	309
<u>unlawful, obscene, or harmful material;</u>	310
<u>(2) Block or filter spam;</u>	311
<u>(3) Prevent criminal activity;</u>	312

<u>(4) Protect app store or app security.</u>	313
<u>(B) Require an app store provider to disclose user information to a developer other than the following:</u>	314 315
<u>(1) Age category data;</u>	316
<u>(2) Verification of parental consent status.</u>	317
<u>(C) Allow an app store provider or developer to implement measures required by sections 1349.07 to 1349.075 of the Revised Code in a manner that is arbitrary, capricious, adverse to competition, or unlawful;</u>	318 319 320 321
<u>(D) Require a developer to collect, retain, reidentify, or link any information beyond what is either:</u>	322 323
<u>(1) Necessary to verify age category data and parental consent status as required by sections 1349.07 to 1349.075 of the Revised Code;</u>	324 325 326
<u>(2) Collected, retained, reidentified, or linked in the developer's ordinary course of business.</u>	327 328
<u>(E) Require an app store provider or developer to block access to an app that an account holder has downloaded or installed onto a mobile device prior to the effective date of this section, except to the extent that either of the following occurs:</u>	329 330 331 332 333
<u>(1) A parent account revokes verifiable consent for an affiliated minor account;</u>	334 335
<u>(2) There has been a significant change to the app.</u>	336
<u>(F) Require the submission of government-issued identification of any individual to an app store provider;</u>	337 338
<u>(G) Require a developer or app store provider to create,</u>	339

<u>adopt, or implement an app age rating system or content</u>	340
<u>classification framework;</u>	341
<u>(H) Prohibit a developer from allowing a parent to</u>	342
<u>customize age-related restrictions, safety-related features, or</u>	343
<u>content settings for individual users within a minor account</u>	344
<u>after the initial defaults are set.</u>	345
Section 2. Section 1 of this act takes effect January 1,	346
2027.	347
Section 3. This act shall be known as the App Store	348
Accountability Act.	349