

**Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0433.01 Richard Sweetman x4333

SENATE BILL 26-051

SENATE SPONSORSHIP

Ball and Liston, Hinrichsen

HOUSE SPONSORSHIP

Paschal and Ricks,

Senate Committees

Business, Labor, & Technology

House Committees

Business Affairs & Labor

A BILL FOR AN ACT

101 **CONCERNING AGE ATTESTATION FOR USERS OF COMPUTING DEVICES.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires an operating system provider to:

- Provide an accessible interface at account setup that requires an account holder to indicate the birth date or age of the user of that device to provide a signal regarding the user's age bracket (age signal) to applications available in a covered application store;
- Provide an application developer (developer) that requests an age signal, with respect to a particular user, the technical

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
3rd Reading Unamended
March 3, 2026

SENATE
Amended 2nd Reading
March 2, 2026

ability to call an age signal via a reasonably consistent real-time application programming interface that identifies, at a minimum, the user's age-bracket data; and

- Send only the minimum amount of information necessary to comply with the bill. An operating system provider shall not share an age signal with a third party for a purpose not required by the bill.

The bill requires a developer to request an age signal with respect to a particular user from an operating system provider or a covered application store when the developer's application is downloaded and launched. A developer that receives an age signal is deemed to have knowledge of the age range of the user to whom that age signal pertains across all platforms of the application and points of access of the application. However, if a developer has clear and convincing information that a user's age is different than the age indicated by an age signal, the developer shall use that information as the primary indicator of the user's age range.

A developer shall not:

- Request more information from an operating system provider or a covered application store than is necessary to comply with the bill; or
- Share an age signal with a third party for a purpose not required by the bill.

A person that violates the bill must pay a civil penalty of not more than \$2,500 for each minor affected by each negligent violation or not more than \$7,500 for each minor affected by each intentional violation. The penalty is assessed and recovered in a civil action brought by the attorney general.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The state of Colorado has established a comprehensive
5 framework for consumer data privacy through the enactment of the
6 "Colorado Privacy Act", part 13 of article 1 of title 6, Colorado Revised
7 Statutes, which recognizes that the personal data of minors requires
8 heightened protections;

9 (b) Under the "Colorado Privacy Act", controllers that process the

1 personal data of minors are subject to additional obligations, including
2 heightened duties related to data processing, targeted advertising, and
3 profiling;

4 (c) In practice, many applications and online services lack reliable
5 information about whether a user is a minor, which limits their ability to
6 comply with these legal obligations and to implement appropriate
7 safeguards;

8 (d) As a result, minors may be exposed to harmful design features
9 or the collection and use of personal data in ways that are inconsistent
10 with the protections contemplated by Colorado law; and

11 (e) A mechanism that allows a computing device to provide a
12 minimal age-category signal to applications can enable compliance with
13 these obligations while minimizing the collection and retention of
14 personal data.

15 (2) Therefore, with this act, the general assembly intends to
16 establish a framework for age attestation that enables age-appropriate
17 protections while preserving user choice and appropriate parental
18 involvement and avoiding the need for invasive identity verification
19 methods.

20 **SECTION 2.** In Colorado Revised Statutes, **add** article 30 to title
21 6 as follows:

22 **ARTICLE 30**

23 **Age Attestation for Online Users**

24 **6-30-101. Definitions.**

25 AS USED IN THIS ARTICLE 30, UNLESS THE CONTEXT OTHERWISE
26 REQUIRES:

27 (1) "ACCOUNT" MEANS A USER ACCOUNT THAT CONNECTS AN

1 OPERATING SYSTEM TO A COVERED APPLICATION STORE.

2 (2) (a) "ACCOUNT HOLDER" MEANS AN INDIVIDUAL IN THE STATE
3 WHO IS AT LEAST EIGHTEEN YEARS OLD, OR THE PARENT OR LEGAL
4 GUARDIAN OF A USER WHO IS A MINOR, AND WHO ESTABLISHES AN
5 ACCOUNT ON A DEVICE.

6 (b) "ACCOUNT HOLDER" DOES NOT INCLUDE A PARENT OF AN
7 EMANCIPATED MINOR WHO IS A USER OF A DEVICE.

8 (3) "AGE-BRACKET DATA" MEANS NONPERSONALLY IDENTIFIABLE
9 DATA DERIVED FROM A USER'S BIRTH DATE OR AGE FOR THE PURPOSE OF
10 SHARING WITH COVERED APPLICATIONS, WHICH DATA INDICATES THE
11 USER'S AGE RANGE, INCLUDING, AT A MINIMUM, DATA THAT INDICATES
12 WHETHER A USER IS:

13 (a) UNDER THIRTEEN YEARS OLD;

14 (b) THIRTEEN YEARS OLD OR OLDER BUT UNDER SIXTEEN YEARS
15 OLD;

16 (c) SIXTEEN YEARS OLD OR OLDER BUT UNDER EIGHTEEN YEARS
17 OLD; OR

18 (d) EIGHTEEN YEARS OLD OR OLDER.

19 (4) "AGE SIGNAL" MEANS AGE-BRACKET DATA SENT THROUGH A
20 REAL-TIME SECURE APPLICATION PROGRAMMING INTERFACE FROM AN
21 OPERATING SYSTEM OR COVERED APPLICATION STORE TO A COVERED
22 APPLICATION.

23 (5) (a) "COVERED APPLICATION" MEANS A CONSUMER SOFTWARE
24 APPLICATION THAT IS ACCESSED THROUGH A COVERED APPLICATION STORE
25 AND THAT MAY BE RUN OR DIRECTED BY A USER ON A DEVICE.

26 (b) "COVERED APPLICATION" DOES NOT INCLUDE:

27 (I) A SOFTWARE APPLICATION THAT DOES NOT PROCESS USERS'

1 PERSONAL DATA; OR

2 (II) AN APPLICATION FROM A FREE, PUBLICLY AVAILABLE CODE

3 REPOSITORY.

4 (6) (a) "COVERED APPLICATION STORE" MEANS A PUBLICLY

5 AVAILABLE INTERNET WEBSITE, SOFTWARE APPLICATION, ONLINE SERVICE,

6 OR PLATFORM THAT DISTRIBUTES AND FACILITATES, ON A COMMERCIAL

7 BASIS, THE DOWNLOAD OF APPLICATIONS FROM THIRD-PARTY DEVELOPERS

8 TO USERS OF DEVICES.

9 (b) "COVERED APPLICATION STORE" DOES NOT INCLUDE:

10 (I) A CODE REPOSITORY PROVIDER;

11 (II) A CONTAINERIZED SOFTWARE DISTRIBUTION; OR

12 (III) AN ONLINE SERVICE OR PLATFORM THAT DISTRIBUTES ANY OF

13 THE FOLLOWING APPLICATIONS IF THE APPLICATION RUNS EXCLUSIVELY

14 WITHIN A SEPARATE HOST APPLICATION:

15 (A) AN EXTENSION;

16 (B) A PLUG-IN;

17 (C) AN ADD-ON; OR

18 (D) ANY OTHER SOFTWARE APPLICATION.

19 (7) "DEVELOPER" MEANS A PERSON THAT WRITES, CREATES,

20 MAINTAINS, OR CONTROLS A COVERED APPLICATION.

21 (8) "DEVICE" MEANS A COMPUTER, MOBILE DEVICE, OR SIMILAR

22 GENERAL-PURPOSE COMPUTING DEVICE THAT IS INTENDED FOR USE BY A

23 CONSUMER.

24 (9) "FAMILY ACCOUNT APPLICATION" MEANS A COVERED

25 APPLICATION THAT:

26 (a) OFFERS SUBACCOUNTS OR PROFILES WITHIN THE APPLICATION;

27 (b) REQUIRES A PAID SUBSCRIPTION OR ACCOUNT CREATION WITH

1 PAYMENT METHOD VERIFICATION AS THE APPLICATION'S PRIMARY
2 BUSINESS MODEL;

3 (c) DOES NOT PERMIT ACCOUNT CREATION BY MINORS; AND

4 (d) VERIFIES THAT THE PRIMARY ACCOUNT HOLDER FOR THE
5 APPLICATION IS OVER THE AGE OF EIGHTEEN YEARS OLD USING
6 COMMERCIALY REASONABLE AGE ESTIMATION METHODS.

7 (10) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN
8 YEARS OLD.

9 (11) "OPERATING SYSTEM PROVIDER" MEANS A PERSON THAT
10 DEVELOPS, LICENSES, OR CONTROLS THE OPERATING SYSTEM SOFTWARE
11 ON A DEVICE.

12 (12) "PERSONAL DATA" HAS THE MEANING SET FORTH IN SECTION
13 6-1-1303 (17).

14 (13) "PROCESS" HAS THE MEANING SET FORTH IN SECTION
15 6-1-1303 (18).

16 (14) "USER" MEANS THE PRIMARY USER OF A DEVICE.

17 **6-30-102. Requirements for operating system providers and**
18 **developers.**

19 (1) ON AND AFTER JULY 1, 2028, AN OPERATING SYSTEM PROVIDER
20 THAT OPERATES A COVERED APPLICATION STORE OR MAKES A COVERED
21 APPLICATION STORE AVAILABLE PRE-INSTALLED ON AN OPERATING
22 SYSTEM SHALL PROVIDE AN ACCESSIBLE INTERFACE AT ACCOUNT SETUP
23 THAT REQUIRES AN ACCOUNT HOLDER TO INDICATE THE BIRTH DATE, AGE,
24 OR AGE BRACKET OF THE USER OF THAT DEVICE FOR THE PURPOSE OF
25 PROVIDING AN AGE SIGNAL TO COVERED APPLICATIONS AVAILABLE IN THE
26 OPERATING SYSTEM PROVIDER'S COVERED APPLICATION STORE.
27 OPERATING SYSTEM PROVIDERS MAY MINIMIZE THE USE OF PERSONAL

1 DATA BY ALLOWING AN ACCOUNT HOLDER TO SELECT AN AGE BRACKET
2 FOR A USER WHO IS EIGHTEEN YEARS OLD OR OLDER WITHOUT PROVIDING
3 A BIRTH DATE OR AGE.

4 (2) ON AND AFTER JULY 1, 2028, AN OPERATING SYSTEM PROVIDER
5 OR A COVERED APPLICATION STORE SHALL:

6 (a) PROVIDE DEVELOPERS WITH A REASONABLY CONSISTENT,
7 REAL-TIME APPLICATION PROGRAMMING INTERFACE TO REQUEST AND
8 RECEIVE AN AGE SIGNAL; AND

9 (b) SEND ONLY THE MINIMUM AMOUNT OF INFORMATION
10 NECESSARY TO COMPLY WITH THIS ARTICLE 30. AN OPERATING SYSTEM
11 PROVIDER OR COVERED APPLICATION STORE SHALL NOT SHARE AN AGE
12 SIGNAL WITH A THIRD PARTY FOR A PURPOSE NOT REQUIRED BY THIS
13 ARTICLE 30.

14 (3) (a) A COVERED APPLICATION MUST USE THE APPLICATION
15 PROGRAMMING INTERFACE PROVIDED BY THE OPERATING SYSTEM
16 PROVIDER OR COVERED APPLICATION STORE TO:

17 (I) REQUEST AN AGE SIGNAL WITH RESPECT TO A PARTICULAR USER
18 WHEN THE APPLICATION IS INITIALLY LAUNCHED; AND

19 (II) UPDATE THE USER'S AGE BRACKET DATA AS NEEDED.

20 (b) (I) A COVERED APPLICATION THAT RECEIVES AN AGE SIGNAL
21 IS DEEMED TO HAVE KNOWLEDGE OF THE AGE RANGE OF THE USER TO
22 WHOM THE SIGNAL PERTAINS ACROSS ALL PLATFORMS AND POINTS OF
23 ACCESS OF THE COVERED APPLICATION.

24 (II) A DEVELOPER SHALL NOT WILLFULLY DISREGARD CLEAR AND
25 CONVINCING INFORMATION THAT INDICATES THAT A USER'S AGE IS
26 DIFFERENT THAN THE AGE-BRACKET DATA INDICATED BY AN AGE SIGNAL
27 PROVIDED BY AN OPERATING SYSTEM PROVIDER OR BY A COVERED

1 APPLICATION STORE.

2 (III) IF A DEVELOPER HAS CLEAR AND CONVINCING INFORMATION
3 THAT A USER'S AGE IS DIFFERENT THAN THE AGE INDICATED BY AN AGE
4 SIGNAL RECEIVED PURSUANT TO THIS ARTICLE 30, THE DEVELOPER SHALL
5 USE THAT INFORMATION AS THE PRIMARY INDICATOR OF THE USER'S AGE.

6 (IV) EXCEPT AS PROVIDED IN SUBSECTIONS (3)(b)(II) AND
7 (3)(b)(III) OF THIS SECTION, A DEVELOPER SHALL TREAT AN AGE SIGNAL
8 RECEIVED PURSUANT TO THIS ARTICLE 30 AS THE PRIMARY INDICATOR OF
9 A USER'S AGE RANGE.

10 (V) NOTHING IN THIS SECTION REQUIRES A DEVELOPER TO ACQUIRE
11 AGE-RELATED DATA OTHER THAN AN AGE SIGNAL.

12 (c) A DEVELOPER SHALL ENSURE THAT A COVERED APPLICATION
13 THAT RECEIVES AN AGE SIGNAL PURSUANT TO THIS ARTICLE 30 USES THE
14 AGE SIGNAL ONLY TO COMPLY WITH APPLICABLE LAW.

15 (d) A DEVELOPER SHALL ENSURE THAT A COVERED APPLICATION
16 THAT RECEIVES AN AGE SIGNAL PURSUANT TO THIS ARTICLE 30 DOES NOT:

17 (I) REQUEST MORE INFORMATION CONCERNING THE USER FROM AN
18 OPERATING SYSTEM PROVIDER OR A COVERED APPLICATION STORE THAN
19 THE MINIMUM AMOUNT OF INFORMATION NECESSARY TO COMPLY WITH
20 THIS ARTICLE 30; OR

21 (II) COMMUNICATE THE AGE SIGNAL TO A THIRD PARTY FOR A
22 PURPOSE NOT REQUIRED BY THIS ARTICLE 30.

23 (e) NOTWITHSTANDING SUBSECTIONS (3)(a)(I) AND (3)(b)(IV) OF
24 THIS SECTION, A DEVELOPER OF A FAMILY ACCOUNT APPLICATION MAY:

25 (I) USE THE AGE OF THE PRIMARY ACCOUNT HOLDER OF A FAMILY
26 ACCOUNT APPLICATION AS THE AGE OF A USER FOR PURPOSES OF APPLYING
27 AGE-RELATED SAFETY DEFAULTS AND ACCESS TO FEATURES WITHIN THE

1 FAMILY ACCOUNT APPLICATION; AND

2 (II) ALLOW THE PRIMARY ACCOUNT HOLDER OF A FAMILY
3 ACCOUNT APPLICATION TO ATTEST TO THE AGE OF THE USERS OF
4 SUBACCOUNTS OF THE FAMILY ACCOUNT APPLICATION.

5 **6-30-103. Applicability to existing devices.**

6 (1) WITH RESPECT TO A DEVICE FOR WHICH ACCOUNT SETUP WAS
7 COMPLETED BEFORE JULY 1, 2028, AN OPERATING SYSTEM PROVIDER
8 SHALL PROVIDE, BEFORE JANUARY 1, 2029, AN ACCESSIBLE INTERFACE
9 THAT ALLOWS AN ACCOUNT HOLDER TO INDICATE THE BIRTH DATE OR AGE
10 OF THE USER OF THAT DEVICE FOR THE PURPOSE OF PROVIDING AN AGE
11 SIGNAL REGARDING THE USER'S AGE-BRACKET DATA TO COVERED
12 APPLICATIONS AVAILABLE IN A COVERED APPLICATION STORE.

13 (2) IF A COVERED APPLICATION LAST UPDATED ON OR AFTER JULY
14 1, 2027, WAS DOWNLOADED TO A DEVICE BEFORE JULY 1, 2028, AND THE
15 COVERED APPLICATION HAS NOT REQUESTED AN AGE SIGNAL WITH
16 RESPECT TO THE USER OF THE DEVICE ON WHICH THE COVERED
17 APPLICATION WAS DOWNLOADED, THE COVERED APPLICATION MUST
18 REQUEST AN AGE SIGNAL FROM THE COVERED APPLICATION STORE FROM
19 WHICH THE COVERED APPLICATION WAS DOWNLOADED WITH RESPECT TO
20 THAT USER BEFORE JANUARY 1, 2029.

21 **6-30-104. Enforcement - penalties.**

22 (1) A PERSON THAT VIOLATES THIS ARTICLE 30 SHALL PAY A CIVIL
23 PENALTY OF NO MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS FOR
24 EACH MINOR HARMED BY EACH NEGLIGENT VIOLATION OR NO MORE THAN
25 SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR EACH MINOR HARMED BY
26 EACH INTENTIONAL VIOLATION. THE ATTORNEY GENERAL SHALL ASSESS
27 AND RECOVER THE PENALTY IN A CIVIL ACTION.

1 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, IF AN
2 OPERATING SYSTEM PROVIDER OR A COVERED APPLICATION STORE MAKES
3 A GOOD FAITH EFFORT TO COMPLY WITH THIS ARTICLE 30, TAKING INTO
4 CONSIDERATION AVAILABLE TECHNOLOGY AND ANY REASONABLE
5 TECHNICAL LIMITATIONS OR OUTAGES, THE OPERATING SYSTEM PROVIDER
6 OR COVERED APPLICATION STORE IS NOT LIABLE FOR AN ERRONEOUS AGE
7 SIGNAL INDICATING A USER'S AGE RANGE OR FOR CONDUCT BY A COVERED
8 APPLICATION THAT RECEIVES AN AGE SIGNAL INDICATING A USER'S AGE
9 RANGE.

10 **6-30-105. Applicability - limitations.**

11 (1) THIS ARTICLE 30 DOES NOT:

12 (a) MODIFY, IMPAIR, OR SUPERSEDE ANY ANTITRUST LAW,
13 INCLUDING THE "COLORADO STATE ANTITRUST ACT OF 2023", ARTICLE
14 4 OF THIS TITLE 6; OR

15 (b) REQUIRE THE COLLECTION OF ADDITIONAL PERSONAL DATA
16 FROM DEVICE OWNERS OR DEVICE USERS THAT IS NOT NECESSARY TO
17 COMPLY WITH THIS ARTICLE 30.

18 (2) AN OPERATING SYSTEM PROVIDER OR COVERED APPLICATION
19 STORE SHALL NOT DISCRIMINATE IN COMPLYING WITH THIS ARTICLE 30.
20 DISCRIMINATION IN COMPLYING WITH THIS ARTICLE 30 INCLUDES:

21 (a) IMPOSING LESS STRINGENT RESTRICTIONS AND OBLIGATIONS ON
22 ITS OWN APPLICATIONS AND APPLICATION DISTRIBUTION THAN IT DOES ON
23 THOSE FROM THIRD-PARTY APPLICATIONS OR APPLICATION DISTRIBUTORS;
24 OR

25 (b) USING NONPUBLICLY AVAILABLE DATA COLLECTED FROM A
26 THIRD PARTY IN THE COURSE OF COMPLIANCE WITH THIS ARTICLE 30 TO
27 COMPETE AGAINST THAT THIRD PARTY, GIVE THE COVERED APPLICATION

1 STORE'S SERVICES PREFERENCE RELATIVE TO THOSE OF A THIRD PARTY, OR
2 USE THE NONPUBLICLY AVAILABLE DATA IN AN ANTICOMPETITIVE MANNER
3 IN VIOLATION OF APPLICABLE LAW.

4 (3) THIS ARTICLE 30 DOES NOT APPLY TO:

5 (a) A BROADBAND INTERNET ACCESS SERVICE, AS DEFINED IN
6 SECTION 40-15-209 (4)(a);

7 (b) A TELECOMMUNICATIONS SERVICE, AS DEFINED IN 47 U.S.C.
8 SEC. 153 (53);

9 (c) THE DELIVERY OF OR USE OF A PHYSICAL PRODUCT;

10 (d) DATA MAINTAINED BY A STATE INSTITUTION OF HIGHER
11 EDUCATION, AS DEFINED IN SECTION 23-18-102 (10), THE STATE, A
12 SUBDIVISION OF THE STATE, THE JUDICIAL DEPARTMENT OF THE STATE, OR
13 A COUNTY, CITY AND COUNTY, OR MUNICIPALITY IF THE DATA IS
14 COLLECTED, MAINTAINED, DISCLOSED, COMMUNICATED, AND USED AS
15 AUTHORIZED BY STATE AND FEDERAL LAW FOR NONCOMMERCIAL
16 PURPOSES; OR

17 (e) AN OPERATING SYSTEM PROVIDER OR DEVELOPER THAT
18 DISTRIBUTES AN OPERATING SYSTEM OR APPLICATION UNDER LICENSE
19 TERMS THAT PERMIT A RECIPIENT TO COPY, REDISTRIBUTE, AND MODIFY
20 THE SOFTWARE WITHOUT RESTRICTION FROM THE PROVIDER OR
21 DEVELOPER, INCLUDING ANY TECHNICAL OR CONTRACTUAL RESTRICTIONS
22 ON INSTALLING ALL MODIFIED VERSIONS.

23 (4) THIS ARTICLE 30 DOES NOT IMPOSE LIABILITY THAT ARISES
24 FROM THE USE OF A DEVICE OR APPLICATION BY AN INDIVIDUAL WHO IS
25 NOT THE USER TO WHOM AN AGE SIGNAL PERTAINS ON AN OPERATING
26 SYSTEM PROVIDER, A COVERED APPLICATION STORE, OR A DEVELOPER.

27 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 30 TO THE

1 CONTRARY, THIS ARTICLE 30 DOES NOT APPLY TO A DEVELOPER IF THE
2 PREDOMINANT OR EXCLUSIVE FUNCTION OF THE COVERED APPLICATION
3 THAT THE DEVELOPER WRITES, CREATES, MAINTAINS, OR CONTROLS IS:

4 (a) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
5 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
6 ENTERPRISE, SO LONG AS ACCESS TO THE COVERED APPLICATION IS
7 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
8 ENTERPRISE;

9 (b) PROVIDING ENTERPRISE SOFTWARE FUNCTIONS USED BY
10 BUSINESSES, GOVERNMENTS, OR NONPROFIT ORGANIZATIONS; OR

11 (c) PROVIDING OR OBTAINING TECHNICAL SUPPORT FOR A
12 SOFTWARE PLATFORM, PRODUCT, OR SERVICE.

13 **SECTION 3. Act subject to petition - effective date.** This act
14 takes effect July 1, 2028; except that, if a referendum petition is filed
15 pursuant to section 1 (3) of article V of the state constitution against this
16 act or an item, section, or part of this act within the ninety-day period
17 after final adjournment of the general assembly, then the act, item,
18 section, or part will not take effect unless approved by the people at the
19 general election to be held in November 2026 and, in such case, will take
20 effect July 1, 2028.