

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

April 23, 2026
Date

Committee on Business Affairs & Labor.

After consideration on the merits, the Committee recommends the following:

SB26-051 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

1 Amend reengrossed bill, strike everything below the enacting clause and
2 substitute:

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

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

10 (b) Under the "Colorado Privacy Act", controllers that process the
11 personal data of minors are subject to additional obligations, including
12 heightened duties related to data processing, targeted advertising, and
13 profiling;

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

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

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

25 (2) Therefore, with this act, the general assembly intends to
26 establish a framework for age attestation that enables age-appropriate
27 protections while preserving user choice and appropriate parental

1 involvement and avoiding the need for invasive identity verification
2 methods.

3 **SECTION 2.** In Colorado Revised Statutes, **add** article 30 to title
4 6 as follows:

5 **ARTICLE 30**

6 **Age Attestation for Online Users**

7 **6-30-101. Definitions.**

8 AS USED IN THIS ARTICLE 30, UNLESS THE CONTEXT OTHERWISE
9 REQUIRES:

10 (1) "ACCOUNT" MEANS A USER ACCOUNT THAT CONNECTS AN
11 OPERATING SYSTEM TO A COVERED APPLICATION STORE.

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

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

18 (3) "AGE-BRACKET DATA" MEANS NONPERSONALLY IDENTIFIABLE
19 DATA DERIVED FROM A USER'S BIRTH DATE OR AGE FOR THE PURPOSE OF
20 SHARING WITH COVERED APPLICATIONS, WHICH DATA INDICATES THE
21 USER'S AGE RANGE, INCLUDING, AT A MINIMUM, DATA THAT INDICATES
22 WHETHER A USER IS:

23 (a) UNDER THIRTEEN YEARS OLD;

24 (b) THIRTEEN YEARS OLD OR OLDER BUT UNDER SIXTEEN YEARS
25 OLD;

26 (c) SIXTEEN YEARS OLD OR OLDER BUT UNDER EIGHTEEN YEARS
27 OLD; OR

28 (d) EIGHTEEN YEARS OLD OR OLDER.

29 (4) "AGE SIGNAL" MEANS AGE-BRACKET DATA SENT THROUGH A
30 REAL-TIME SECURE APPLICATION PROGRAMMING INTERFACE FROM AN
31 OPERATING SYSTEM OR COVERED APPLICATION STORE TO A COVERED
32 APPLICATION.

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

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

37 (I) A SOFTWARE APPLICATION THAT DOES NOT PROCESS USERS'
38 PERSONAL DATA; OR

39 (II) AN APPLICATION FROM A FREE, PUBLICLY AVAILABLE CODE
40 REPOSITORY.

41 (6) (a) "COVERED APPLICATION STORE" MEANS A PUBLICLY
42 AVAILABLE INTERNET WEBSITE, SOFTWARE APPLICATION, ONLINE SERVICE,
43 OR PLATFORM THAT DISTRIBUTES AND FACILITATES, ON A COMMERCIAL

1 BASIS, THE DOWNLOAD OF APPLICATIONS FROM THIRD-PARTY DEVELOPERS
2 TO USERS OF DEVICES.

3 (b) "COVERED APPLICATION STORE" DOES NOT INCLUDE:
4 (I) A CODE REPOSITORY PROVIDER;
5 (II) A CONTAINERIZED SOFTWARE DISTRIBUTION; OR
6 (III) AN ONLINE SERVICE OR PLATFORM THAT DISTRIBUTES ANY OF
7 THE FOLLOWING APPLICATIONS IF THE APPLICATION RUNS EXCLUSIVELY
8 WITHIN A SEPARATE HOST APPLICATION:

9 (A) AN EXTENSION;
10 (B) A PLUG-IN;
11 (C) AN ADD-ON; OR
12 (D) ANY OTHER SOFTWARE APPLICATION.

13 (7) "DEVELOPER" MEANS A PERSON THAT WRITES, CREATES,
14 MAINTAINS, OR CONTROLS A COVERED APPLICATION.

15 (8) "DEVICE" MEANS A COMPUTER, MOBILE DEVICE, OR SIMILAR
16 GENERAL-PURPOSE COMPUTING DEVICE THAT IS INTENDED FOR USE BY A
17 CONSUMER.

18 (9) "FAMILY ACCOUNT APPLICATION" MEANS A COVERED
19 APPLICATION THAT:

20 (a) OFFERS SUBACCOUNTS OR PROFILES WITHIN THE APPLICATION;
21 (b) REQUIRES A PAID SUBSCRIPTION OR ACCOUNT CREATION WITH
22 PAYMENT METHOD VERIFICATION AS THE APPLICATION'S PRIMARY
23 BUSINESS MODEL;
24 (c) DOES NOT PERMIT ACCOUNT CREATION BY MINORS; AND
25 (d) VERIFIES THAT THE PRIMARY ACCOUNT HOLDER FOR THE
26 APPLICATION IS OVER THE AGE OF EIGHTEEN YEARS OLD USING
27 COMMERCIALY REASONABLE AGE ESTIMATION METHODS.

28 (10) "MINOR" MEANS AN INDIVIDUAL WHO IS UNDER EIGHTEEN
29 YEARS OLD.

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

33 (12) "PERSONAL DATA" HAS THE MEANING SET FORTH IN SECTION
34 6-1-1303 (17).

35 (13) "PROCESS" HAS THE MEANING SET FORTH IN SECTION
36 6-1-1303 (18).

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

38 **6-30-102. Requirements for operating system providers and**
39 **developers.**

40 (1) ON AND AFTER JULY 1, 2028, AN OPERATING SYSTEM PROVIDER
41 THAT OPERATES A COVERED APPLICATION STORE OR MAKES A COVERED
42 APPLICATION STORE AVAILABLE PRE-INSTALLED ON AN OPERATING
43 SYSTEM SHALL PROVIDE AN ACCESSIBLE INTERFACE AT ACCOUNT SETUP

1 THAT REQUIRES AN ACCOUNT HOLDER TO INDICATE THE BIRTH DATE, AGE,
2 OR AGE BRACKET OF THE USER OF THAT DEVICE FOR THE PURPOSE OF
3 PROVIDING AN AGE SIGNAL TO COVERED APPLICATIONS AVAILABLE IN THE
4 OPERATING SYSTEM PROVIDER'S COVERED APPLICATION STORE.
5 OPERATING SYSTEM PROVIDERS MAY MINIMIZE THE USE OF PERSONAL
6 DATA BY ALLOWING AN ACCOUNT HOLDER TO SELECT AN AGE BRACKET
7 FOR A USER WHO IS EIGHTEEN YEARS OLD OR OLDER WITHOUT PROVIDING
8 A BIRTH DATE OR AGE.

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

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

14 (b) SEND ONLY THE MINIMUM AMOUNT OF INFORMATION
15 NECESSARY TO COMPLY WITH THIS ARTICLE 30. AN OPERATING SYSTEM
16 PROVIDER OR COVERED APPLICATION STORE SHALL NOT SHARE AN AGE
17 SIGNAL WITH A THIRD PARTY FOR A PURPOSE NOT REQUIRED BY THIS
18 ARTICLE 30.

19 (3) (a) A COVERED APPLICATION MUST USE THE APPLICATION
20 PROGRAMMING INTERFACE PROVIDED BY THE OPERATING SYSTEM
21 PROVIDER OR COVERED APPLICATION STORE TO:

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

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

25 (b) (I) A COVERED APPLICATION THAT RECEIVES AN AGE SIGNAL
26 IS DEEMED TO HAVE KNOWLEDGE OF THE AGE RANGE OF THE USER TO
27 WHOM THE SIGNAL PERTAINS ACROSS ALL PLATFORMS AND POINTS OF
28 ACCESS OF THE COVERED APPLICATION.

29 (II) A DEVELOPER SHALL NOT WILLFULLY DISREGARD CLEAR AND
30 CONVINCING INFORMATION THAT INDICATES THAT A USER'S AGE IS
31 DIFFERENT THAN THE AGE-BRACKET DATA INDICATED BY AN AGE SIGNAL
32 PROVIDED BY AN OPERATING SYSTEM PROVIDER OR BY A COVERED
33 APPLICATION STORE.

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

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

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

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

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

6 (I) REQUEST MORE INFORMATION CONCERNING THE USER FROM AN
7 OPERATING SYSTEM PROVIDER OR A COVERED APPLICATION STORE THAN
8 THE MINIMUM AMOUNT OF INFORMATION NECESSARY TO COMPLY WITH
9 THIS ARTICLE 30; OR

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

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

14 (I) USE THE AGE OF THE PRIMARY ACCOUNT HOLDER OF A FAMILY
15 ACCOUNT APPLICATION AS THE AGE OF A USER FOR PURPOSES OF APPLYING
16 AGE-RELATED SAFETY DEFAULTS AND ACCESS TO FEATURES WITHIN THE
17 FAMILY ACCOUNT APPLICATION; AND

18 (II) ALLOW THE PRIMARY ACCOUNT HOLDER OF A FAMILY
19 ACCOUNT APPLICATION TO ATTEST TO THE AGE OF THE USERS OF
20 SUBACCOUNTS OF THE FAMILY ACCOUNT APPLICATION.

21 **6-30-103. Applicability to existing devices.**

22 (1) WITH RESPECT TO A DEVICE FOR WHICH ACCOUNT SETUP WAS
23 COMPLETED BEFORE JULY 1, 2028, AN OPERATING SYSTEM PROVIDER
24 SHALL PROVIDE, BEFORE JANUARY 1, 2029, AN ACCESSIBLE INTERFACE
25 THAT ALLOWS AN ACCOUNT HOLDER TO INDICATE THE BIRTH DATE OR AGE
26 OF THE USER OF THAT DEVICE FOR THE PURPOSE OF PROVIDING AN AGE
27 SIGNAL REGARDING THE USER'S AGE-BRACKET DATA TO COVERED
28 APPLICATIONS AVAILABLE IN A COVERED APPLICATION STORE.

29 (2) IF A COVERED APPLICATION LAST UPDATED ON OR AFTER JULY
30 1, 2027, WAS DOWNLOADED TO A DEVICE BEFORE JULY 1, 2028, AND THE
31 COVERED APPLICATION HAS NOT REQUESTED AN AGE SIGNAL WITH
32 RESPECT TO THE USER OF THE DEVICE ON WHICH THE COVERED
33 APPLICATION WAS DOWNLOADED, THE COVERED APPLICATION MUST
34 REQUEST AN AGE SIGNAL FROM THE COVERED APPLICATION STORE FROM
35 WHICH THE COVERED APPLICATION WAS DOWNLOADED WITH RESPECT TO
36 THAT USER BEFORE JANUARY 1, 2029.

37 **6-30-104. Enforcement - penalties.**

38 (1) A PERSON THAT VIOLATES THIS ARTICLE 30 SHALL PAY A CIVIL
39 PENALTY OF NO MORE THAN TWO THOUSAND FIVE HUNDRED DOLLARS FOR
40 EACH MINOR HARMED BY EACH NEGLIGENT VIOLATION OR NO MORE THAN
41 SEVEN THOUSAND FIVE HUNDRED DOLLARS FOR EACH MINOR HARMED BY
42 EACH INTENTIONAL VIOLATION. THE ATTORNEY GENERAL SHALL ASSESS
43 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
28 STORE'S SERVICES PREFERENCE RELATIVE TO THOSE OF A THIRD PARTY, OR
29 USE THE NONPUBLICLY AVAILABLE DATA IN AN ANTICOMPETITIVE MANNER
30 IN VIOLATION OF APPLICABLE LAW.

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

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

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

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

37 (d) DATA MAINTAINED BY A STATE INSTITUTION OF HIGHER
38 EDUCATION, AS DEFINED IN SECTION 23-18-102 (10), THE STATE, A
39 SUBDIVISION OF THE STATE, THE JUDICIAL DEPARTMENT OF THE STATE, OR
40 A COUNTY, CITY AND COUNTY, OR MUNICIPALITY IF THE DATA IS
41 COLLECTED, MAINTAINED, DISCLOSED, COMMUNICATED, AND USED AS
42 AUTHORIZED BY STATE AND FEDERAL LAW FOR NONCOMMERCIAL
43 PURPOSES; OR

1 (e) AN OPERATING SYSTEM PROVIDER OR DEVELOPER THAT
2 DISTRIBUTES AN OPERATING SYSTEM OR APPLICATION UNDER LICENSE
3 TERMS THAT PERMIT A RECIPIENT TO COPY, REDISTRIBUTE, AND MODIFY
4 THE SOFTWARE WITHOUT RESTRICTION FROM THE PROVIDER OR
5 DEVELOPER, INCLUDING ANY TECHNICAL OR CONTRACTUAL RESTRICTIONS
6 ON INSTALLING ALL MODIFIED VERSIONS.

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

11 (5) NOTWITHSTANDING ANY PROVISION OF THIS ARTICLE 30 TO THE
12 CONTRARY, THIS ARTICLE 30 DOES NOT APPLY TO A DEVELOPER IF THE
13 PREDOMINANT OR EXCLUSIVE FUNCTION OF THE COVERED APPLICATION
14 THAT THE DEVELOPER WRITES, CREATES, MAINTAINS, OR CONTROLS IS:

15 (a) FACILITATING COMMUNICATION WITHIN A BUSINESS OR AN
16 ENTERPRISE AMONG EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
17 ENTERPRISE, SO LONG AS ACCESS TO THE COVERED APPLICATION IS
18 RESTRICTED TO EMPLOYEES OR AFFILIATES OF THE BUSINESS OR
19 ENTERPRISE;

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

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

24 **SECTION 2. Act subject to petition - effective date.** This act
25 takes effect July 1, 2028; except that, if a referendum petition is filed
26 pursuant to section 1 (3) of article V of the state constitution against this
27 act or an item, section, or part of this act within the ninety-day period
28 after final adjournment of the general assembly, then the act, item,
29 section, or part will not take effect unless approved by the people at the
30 general election to be held in November 2026 and, in such case, will take
31 effect July 1, 2028."

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