

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. Bill Number: HB707

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Maldonado

3. Committee: Labor and Commerce

4. Title: Consumer Data Protection Act; protections for children.

5. Summary: Prohibits a data controller from processing personal data of a known child (i) for the purposes of targeted advertising, the sale of such personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning a consumer; (ii) for any processing purpose other than the processing purpose that the controller disclosed at the time such controller collected such personal data or that is reasonably necessary for and compatible with such disclosed purpose unless such processing is reasonably necessary to provide an online service, product, or feature; or (iii) for any processing purpose without first obtaining consent from the child's parent or legal guardian.

The bill prohibits a data controller from collecting precise geolocation data from a known child unless (a) such precise geolocation data is reasonably necessary for the controller to provide such online service, product, or feature; (b) the controller provides to the known child a signal indicating that such controller is collecting such precise geolocation data; and (c) the controller obtains consent from the child's parent or legal guardian.

Additionally, the bill requires each data controller that, on or after January 1, 2025, offers any online service, product, or feature directed to consumers whom such controller has actual knowledge are children to conduct a data protection assessment for such online service, product, or feature that addresses (1) the purpose of such online service, product, or features; (2) the categories of known children's personal data that such online service, product, or feature processes; and (3) the purposes for which such controller processes known children's personal data with respect to such online service, product, or feature.

6. Budget Amendment Necessary: Preliminary

7. Fiscal Impact Estimates: Preliminary – See Item 8.

8. Fiscal Implications: The Office of the Attorney General and Department of Law indicates this bill presents no fiscal impact.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General and Department of Law

10. Technical Amendment Necessary: No.

11. Other Comments: None.

Date: 1/29/2024