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Little Profiles, Big Problems: Key Updates in Children's Privacy

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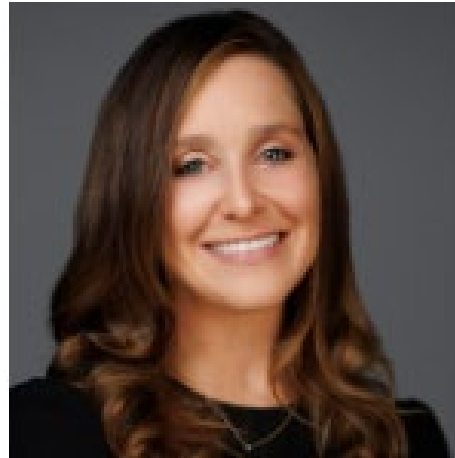
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Today's Presentation

- Introductions
- Key U.S. Children's Privacy Laws
- COPPA Updates
- Recent Enforcement
- Proposed Legislation
- Key International Children's Privacy Laws
- Q&A
- Audience Questions?

Key U.S. Children's Privacy Laws

Privacy Specific Laws

Children's Online Privacy Protection Act (COPPA)

Age-Appropriate Design Codes:

- California Age-Appropriate Design Code Act*
- Connecticut amendments to Consumer Data Privacy Act
- Maryland Kids Code
- Pending laws in IL, SC and VT

State Children's Data Protection Legislation: NY, TX, NH, NK, AR, LA, MS, MT, LA, VT

CCPA and other state consumer privacy laws: MD, VA, CO, CT

* Currently subject to ongoing litigation

Privacy-Related Laws

State Age Verification Laws for Harmful Content: AL, AR, FL, FA, ID, IN, KS, KY, LA, MS, MT, NB, NC, OK, SC, TN, TX, UT and WA

State social media legislation: AK, CA, FL, GA, LA, MS, OH, TN

On April 22, 2025, the FTC published final amendments to COPPA that took effect June 23, 2025. Operators have until **April 2026** to fully comply (exception for FTC-approved COPAA safe harbor programs which have earlier compliance dates).

Key Updates

- Changes to the definition of “website or online service directed to children”
- New definition of “mixed audience services”
- Expanded definition of “personal information”
- Prescriptive data security requirements
- Parental consent requirement for third party disclosures
- New notice requirements
- Data retention and deletion requirements
- Parental consent mechanisms



State Children's Data Protection Legislation



States are continuing to pass privacy-specific legislation requiring protection for information, with 10 states currently having done so (NY, TX, NH, NK, AR, LA, MS, MT, LA, VT).

Texas - Securing Children Online through Parental Empowerment (SCOPE)

- Effective September 1, 2024
- Prohibits digital service providers from sharing, disclosing, or selling a minor's personal identifying information without parental consent.
- Requires companies to provide parents with tools to manage and control the privacy settings on their children's accounts.
- Protection on minor interactions with AI products.

States like California, Connecticut, Colorado, Virginia, New Jersey, New Hampshire and Maryland have also amended existing consumer privacy laws to expand children's data protections.

New York – Child Data Protection (CDPA)

- Effective on June 20, 2025
- Prohibits websites, mobile applications, and other online operators from collecting, using, disclosing, or selling personal information of children under the age of 18 unless:
 - For children 12 years or younger, such processing is permitted by COPPA; or
 - For children 13 years or older, “informed consent” is obtained or such processing is strictly necessary for certain specified activities. Informed consent must be made clearly and conspicuously.
- Applies to companies with: (a) actual knowledge that data is from a minor user; and (b) the website, online service, online application, mobile application, or device is “primarily directed to minors.”

Recent Enforcement Actions and Guidance



FTC COPPA Enforcement

- September 2025 enforcement action against Sendit or unlawfully collecting personal data from children, misleading users by sending messages from fake “people,” and tricking consumers into purchasing paid subscriptions by falsely promising to reveal the senders of anonymous messages.
- January 2025, \$20M settlement with game developer for or allowing children under the age of 16 to make in-app purchases without parental consent and deceiving children about the costs of such purchases
- Between January 2023 and January 2025, FTC announced 6 enforcement actions related to COPPA investigations

State Attorneys General Enforcement

- Texas: January 2025, AG launched investigations into several technology companies regarding their handling of children’s data and violations of the Securing Children Online Through Parental Empowerment Act (SCOPE).
- Connecticut: April 2025, AG report noted updates to the CTDPA to address children and minors will lead to further enforcement. Noted that it sent inquiry letters to companies offering products and services to minors to understand how they are complying with the updated provisions of the CTPDA
- Michigan: April 30 Complaint against a streaming platform alleging systemic violations of Michigan consumer protection laws and COPPA
- August 2025 Letter from 44 AGs to various tech companies requesting stronger protection for children using platforms and engaging with AI chatbots

- **Federal Legislation:**
 - Children and Teens' Online Privacy Protection Act (COPPA 2.0) (reintroduced in Senate March 2025)
 - GUARD Act (introduced October 2025)
- **State Legislation:**
 - Children's Privacy Laws: AL, AZ, AK, CO, CT, IA, NY and TN
 - Proposed Social Media Laws: UT and SC
 - Age-Appropriate Design Codes: IL, SC and VT
 - AI Regulation:
 - California's Leading Ethical Development of AI (LEAD) Act

Key International Children's Privacy Laws



- EU Digital Services Act
- GDPR (EU and UK)
- UK Age Appropriate Design Code
- UK Online Safety Act
- Brazil Digital Statute of the Child and Adolescent
- Forthcoming updates to the Privacy Act to require a Children's Online Privacy Code by December 2026

Global Privacy Enforcement Network recently (November 3, 2025) announced a privacy sweep of websites and mobile applications commonly used by children. Regulators will examine whether websites and mobile applications that are known to be used by children or cater to them collect children's data, are transparent about their privacy practices, have age assurance mechanisms in place, and employ privacy protective controls to limit the collection of children's personal information.

Questions?

Speaker Q&A and Audience Questions