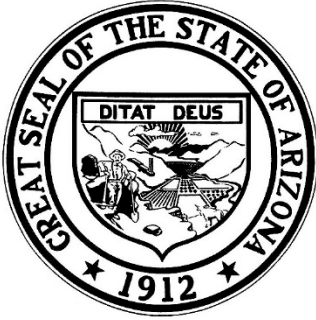


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2195**

Willoughby Substitute
Floor Amendment

-
- 1) Specifies a child-directed application must take appropriate measures to prevent the display of inappropriate and mature advertisements, rather than being prevented from displaying inappropriate and mature advertisements.
 - 2) Increases the civil penalty for noncompliance to up to \$100,000 per violation.
 - 3) Deletes language relating to the suitability of advertisements and implementation of monitoring systems.
 - 4) Makes clarifying changes.

Amendment explanation prepared by Paul Benny

Phone Number 3848

ls

2/24/2025

WILLOUGHBY SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2195

I move the following SUBSTITUTE amendment to the COMMERCE Committee Amendment to HOUSE BILL 2195 (Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 44, chapter 10, article 5, Arizona Revised
3 Statutes, is amended by adding section 44-1483, to read:

4 44-1483. Digital advertising directed toward children;
5 content restrictions; civil penalty; enforcement;
6 definitions

7 A. ~~[A.]~~ [A CHILD-DIRECTED] APPLICATION ~~[PLATFORM MAY NOT]~~ [SHALL
8 TAKE APPROPRIATE MEASURES TO PREVENT THE] DISPLAY ~~[OF]~~ INAPPROPRIATE AND
9 MATURE ADVERTISEMENTS ON [A.] [THE] CHILD-DIRECTED APPLICATION. [IN
10 DETERMINING WHETHER AN APPLICATION IS A CHILD-DIRECTED APPLICATION, ALL OF
11 THE FOLLOWING SHALL BE CONSIDERED:

12 1. THE SUBJECT MATTER.

13 2. THE VISUAL CONTENT.

14 3. THE USE OF ANIMATED CHARACTERS OR CHILD-ORIENTED ACTIVITIES.

15 4. THE AGE OF THE MODELS AND THE PRESENCE OF CHILD CELEBRITIES OR
16 CELEBRITIES WHO APPEAL TO CHILDREN.

17 5. ANY INCENTIVE.

18 6. ANY MUSIC OR OTHER AUDIO CONTENT.]

19 ~~[B. AN ADVERTISEMENT THAT IS PLACED ON A CHILD-DIRECTED APPLICATION~~
20 ~~MUST BE SUITABLE FOR INDIVIDUALS WHO ARE TWELVE YEARS OF AGE OR YOUNGER.~~

21 ~~C. AN APPLICATION PLATFORM SHALL IMPLEMENT MONITORING SYSTEMS TO~~
22 ~~ENSURE COMPLIANCE WITH THIS SECTION.]~~

23 ~~[D.]~~ [B.] ~~[A.]~~ [A CHILD-DIRECTED] APPLICATION ~~[PLATFORM]~~ THAT DOES
24 NOT COMPLY WITH THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF UP TO
25 [\$10,000] [\$100,000] PER VIOLATION.

26 ~~[E.]~~ [C.] THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION.

27 ~~[F.]~~ [D.] FOR THE PURPOSES OF THIS SECTION:

1 1. "APPLICATION PLATFORM" MEANS A DIGITAL DISTRIBUTION SERVICE THAT
2 OFFERS FOR DOWNLOAD AN APPLICATION.
3 2. "CHILD-DIRECTED APPLICATION" MEANS AN APPLICATION ~~[PLATFORM]~~
4 THAT IS PRIMARILY INTENDED FOR USE OR DOWNLOAD BY AN INDIVIDUAL WHO IS
5 ~~[TWELVE]~~ ~~[ELEVEN]~~ YEARS OF AGE OR YOUNGER.
6 3. "INAPPROPRIATE AND MATURE ADVERTISEMENT"~~[T~~
7 ~~(a)]~~ MEANS AN ADVERTISEMENT THAT ~~[INCLUDES CONTENT THAT IS~~
8 ~~UNSUITABLE FOR AN INDIVIDUAL WHO IS TWELVE YEARS OF AGE OR YOUNGER.~~
9 ~~(b) INCLUDES]~~ [SELLS OR PROMOTES] ANY OF THE FOLLOWING:
10 ~~[(i)]~~ ~~[(a)]~~ VIOLENCE.
11 ~~[(ii)]~~ ~~[(b)]~~ EXPLICIT LANGUAGE.
12 ~~[(iii)]~~ ~~[(c)]~~ SEXUAL CONTENT.
13 ~~[(iv)]~~ ~~[(d)]~~ ALCOHOL OR DRUG USE.
14 Sec. 2. Effective date
15 Section 44-1483, Arizona Revised Statutes, as added by this act, is
16 effective from and after December 31, 2026.

17 Enroll and engross to conform
18 Amend title to conform

JULIE WILLOUGHBY

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~~02/21/2025~~
~~10:40 AM~~
~~C: NS~~

2195FloorWILLOUGHBY2.docx
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