

# STATE OF NEW YORK

8893

2025-2026 Regular Sessions

## IN ASSEMBLY

June 10, 2025

Introduced by M. of A. ROZIC -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to device-level age assurance

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general business law is amended by adding a new article  
2 45-A to read as follows:

3 ARTICLE 45-A

4 DEVICE-LEVEL AGE ASSURANCE

5 Section 1509. Definitions.

6 1510. Age assurance required.

7 1511. Nondiscrimination.

8 1512. Rulemaking authority.

9 1513. Scope.

10 1514. Enforcement.

11 § 1509. Definitions. For the purposes of this article, the following  
12 terms shall have the following meanings:

13 1. "Application programming interface" or "API" shall mean a system  
14 that allows two or more software systems to communicate and exchange  
15 information, features, and functionality.

16 2. "Application store" shall mean a publicly available website, soft-  
17 ware application, or online service that distributes third party plat-  
18 forms' software applications to an internet-enabled device.

19 3. "Covered manufacturer" shall mean a manufacturer of an internet-en-  
20 abled device, an operating system provider, or an application store.

21 4. "Covered minor" shall mean a user of an internet-enabled device who  
22 a covered manufacturer has determined via one or more commercially  
23 reasonable age assurance methods to be under the age of eighteen.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD13065-02-5

1 5. "Internet-enabled device" shall mean and include any desktop,  
2 laptop, smartphone, tablet, or other device capable of connecting to the  
3 internet and enabling the user to access content on the internet,  
4 including a social media platform.

5 6. "Operating system" shall mean the system software that manages the  
6 hardware of an internet-enabled device and allows programs and applica-  
7 tions to run on such device.

8 7. "Operating system provider" shall mean any person, partnership,  
9 association, firm, business, or other legal entity, or any member there-  
10 of, who develops, distributes, and/or maintains an internet-enabled  
11 device's operating system, including but not limited to the design,  
12 programming, or supply of operating systems for internet-enabled  
13 devices.

14 8. "Social media platform" shall have the same meaning as in subdivi-  
15 sion five of section eleven hundred of this chapter.

16 § 1510. Age assurance required. 1. Upon activation of an internet-ena-  
17 bled device, a covered manufacturer shall conduct commercially reason-  
18 able age assurance to determine whether a user is a covered minor. The  
19 attorney general shall promulgate regulations identifying methods for  
20 commercially reasonable and technically feasible age assurance, which  
21 shall consider the size, financial resources, and technical capabilities  
22 of covered manufacturers, the costs and effectiveness of available age  
23 assurance techniques for users of internet-enabled devices, and preva-  
24 lent practices of the industry of covered manufacturers. Such regu-  
25 lations shall also identify the appropriate levels of accuracy that  
26 would be considered commercially reasonable and technically feasible for  
27 operators to achieve in determining whether a user is a covered minor,  
28 provided, however, that user self-reporting of age to a covered manufac-  
29 turer with no other supporting evidence shall not be an acceptable meth-  
30 od of age assurance under this section. Any information collected for  
31 the purpose of the age assurance requirement under this subparagraph  
32 shall be deleted immediately after an attempt to determine a person's  
33 age, except where necessary for applicable provisions of state or feder-  
34 al law or regulation.

35 2. After determining that a user is a covered minor under subdivi-  
36 one of this section, a covered manufacturer shall provide all websites,  
37 online services, online applications, mobile applications, or portions  
38 thereof on such user's internet-enabled device and/or application store  
39 manufactured by the covered manufacturer with a digital signal that such  
40 user is a covered minor via a real-time application programming inter-  
41 face (API).

42 3. A covered manufacturer shall ensure that, for any internet-enabled  
43 devices sold after the effective date of this article, the requirements  
44 of this section are included in any operating system and application  
45 store updates by default after such effective date.

46 § 1511. Nondiscrimination. 1. A covered manufacturer shall impose at  
47 least the same restrictions and obligations on its own websites, appli-  
48 cations, and online services as it imposes on the websites, applica-  
49 tions, and online services of third parties.

50 2. A covered manufacturer shall not withhold, degrade, lower the qual-  
51 ity, or increase the price of any product, service, or feature to a user  
52 due to the provisions of this article, other than as necessary for  
53 compliance with the provisions of this article.

54 3. A covered manufacturer shall delete all information collected for  
55 the purposes of section fifteen hundred ten of this article after such  
56 purpose has been achieved.

1 § 1512. Rulemaking authority. The attorney general shall promulgate  
2 such rules and regulations as are necessary to effectuate and enforce  
3 the provisions of this article.

4 § 1513. Scope. This article shall apply to conduct that occurs in  
5 whole or in part in New York. For purposes of this article, conduct  
6 takes place wholly outside of New York when an internet-enabled device,  
7 an operating system provider, or an application store is accessed by a  
8 user who is physically located outside of New York.

9 § 1514. Enforcement. 1. Whenever it appears to the attorney general,  
10 either upon complaint or otherwise, that any person, within or outside  
11 the state, has engaged in or is about to engage in any of the acts or  
12 practices stated to be unlawful in this article, the attorney general  
13 may bring an action or special proceeding in the name and on behalf of  
14 the people of the state of New York to enjoin any violation of this  
15 article, to obtain restitution of any moneys or property obtained  
16 directly or indirectly by any such violation, to obtain disgorgement of  
17 any profits or gains obtained directly or indirectly by any such  
18 violation, including but not limited to the destruction of unlawfully  
19 obtained data, to obtain damages caused directly or indirectly by any  
20 such violation, to obtain civil penalties of up to ten thousand dollars  
21 per violation, and to obtain any such other and further relief as the  
22 court may deem proper, including preliminary relief.

23 2. Nothing in this article shall be construed as providing the basis  
24 for, or be subject to, a private right of action to violations of this  
25 article or under any other law.

26 3. A covered manufacturer shall not be subject to the liability under  
27 this article if such manufacturer has taken commercially reasonable  
28 steps to estimate the age of its users as provided in section fifteen  
29 hundred ten of this article.

30 4. The attorney general shall maintain a website to receive  
31 complaints, information, or referrals from members of the public  
32 concerning a covered manufacturer's alleged compliance or noncompliance  
33 with the provisions of this article.

34 § 2. If any clause, sentence, paragraph, subdivision, section or part  
35 of this act shall be adjudged by any court of competent jurisdiction to  
36 be invalid, such judgment shall not affect, impair, or invalidate the  
37 remainder thereof, but shall be confined in its operation to the clause,  
38 sentence, paragraph, subdivision, section or part thereof directly  
39 involved in the controversy in which such judgment shall have been  
40 rendered. It is hereby declared to be the intent of the legislature that  
41 this act would have been enacted even if such invalid provisions had not  
42 been included herein.

43 § 3. This act shall take effect one year after it shall have become a  
44 law. Effective immediately, the addition, amendment and/or repeal of any  
45 rule or regulation necessary for the implementation of this act on its  
46 effective date are authorized to be made and completed on or before such  
47 effective date.