

Scott, Biden Introduce Child Online Protection Act

COPA would require sites to shield children from tracking, block certain types of advertisements, remove material posted by minors on request

DOVER – Recognizing the rapidly evolving capabilities of technology designed to mine user data online and target advertisements to specific website visitors, Rep. Darryl Scott and Attorney General Beau Biden introduced legislation Tuesday designed to protect the online privacy of children and ensure greater control over content posted online by minors.

The Child Online Protection Act outlines several key provisions that websites would be required to implement for users in Delaware, including a requirement to comply with requests from users to take down material they posted as minors, even if the person making the request is no longer a minor. This rule would cover websites and mobile applications, but would not allow a user to request the removal of content posted by another person.

[House Bill 261](#) also prohibits website hosts from targeting advertising for products such as alcohol, drugs, tobacco and weapons to users they know are under the age of 18. The bill also would prevent sites from gathering “personally identifiable information” from known minor users for the purpose of targeting any advertisements to them. Personally identifiable information includes home address, email address, phone numbers and geolocation data.

“We’ve already agreed as a society that children should not be exposed to ads for products like alcohol and cigarettes, this legislation attempts to bring those values to the digital realm,” said Rep. Scott, D-Dover. “Young people spend a lot of their time online surfing websites and using social networking sites, and they can easily be subjected to ads that are not age-appropriate. We know from history that laws are often slow to evolve in the face of new technology, but it’s vitally important that the law stay current when it comes to protecting our children.”

“Kids share way too much information about themselves online, and the pictures they post when they are young can come back to haunt them when they apply for their first job or apply for college,” said Attorney General Biden. “This bill will help protect kids’ privacy now and in the future.”

In order to enforce its provisions, the bill would also require sites to use some form of age verification for users whose information would be tracked or stored. Website hosts found to be in violation of COPA rules would be subject to prosecution by Biden’s Consumer Protection Unit under the state’s existing Consumer Fraud Act and face penalties of up to \$10,000 per violation.

The legislation is modeled on a similar California law, the first and only of its kind in the nation so far. HB 261 has been assigned to the House Telecommunications, Internet and Technology Committee.