

ARKANSAS SENATE
95th General Assembly - Regular Session, 2025
Amendment Form

Subtitle of House Bill 1717

TO CREATE THE ARKANSAS CHILDREN AND TEENS' ONLINE PRIVACY
PROTECTION ACT.

Amendment No. 2 to House Bill 1717

Amend House Bill 1717 as engrossed S3/31/25 (version: 3/31/25 10:37:26 AM):

Page 1, delete lines 35 and 36, and substitute the following:

"(3) "Consent" means any reasonable effort, taking into consideration available technology and including without limitation a request for authorization for future collection, use, and disclosure described in the notice, to ensure that in the case of a teen, the parent of a teen or the teen:

(A) Receives notice of the personal information collection, use, and disclosure practices of the operator; and

(B) Before the personal information of the teen is collected, freely and unambiguously authorizes, including without limitation the giving of consent through an operator's terms of service or acknowledgement of the operator's privacy policy:

(i) The collection, use, and disclosure, as applicable, of the teen's personal information; and

(ii) Any subsequent use of the teen's personal information.

(4)(A) "Disclosure" means making personal information that is collected from a child or teen by a website, online service, online application, or mobile application targeted toward children or teens or that is collected with actual knowledge the personal information from a child or teen publicly available in an identifiable form to a third party not affiliated with the operator.



(B) "Disclosure" does not include personal information provided to a person other than an operator who provides support for the internal operations of the website, online service, online application, or mobile application of the operator, including a processor;"

AND

Page 2, line 10, delete "(4)" and substitute "(5)"

AND

Page 2, line 16, delete "(5)" and substitute "(6)"

AND

Page 2, line 25, delete "(6)" and substitute "(7)"

AND

Page 2, line 28, delete "(7)" and substitute "(8)"

AND

Page 2, line 31, delete "(8)(A)(i)" and substitute "(9)(A)(i)"

AND

Page 3, line 17, delete "(9)" and substitute "(10)"

AND

Page 3, line 20, delete "(10)" and substitute "(11)"

AND

Page 3, line 22, delete "(11)(A)" and substitute "(12)(A)"

AND

Page 4, delete line 30, and substitute the following:

"does not make any other use of the audio file before deletion;

(13) "Processor" means a person that processes personal information on behalf of an operator;"

Page 4, line 31, delete "(12)(A)" and substitute "(14)(A)"

AND

Page 5, line 25, delete "(13)(A)" and substitute "(15)(A)"

AND

Page 6, line 4, delete "(14)" and substitute "(15)"

AND

Page 6, delete lines 8 through 19, and substitute the following:

"(17) "Third party" means a person, public authority, agency, or body other than the consumer, operator, processor, or an affiliate of the processor or the operator."

AND

Page 6, line 25, delete "directed to children" and substitute "directed at children or teens"

AND

Page 6, delete line 30, and substitute the following:

"(B) Except as provided in subdivisions (a)(1)(C) and (D) of this section, to collect personal information from a child or teen"

AND

Page 6, line 33, delete "compile" and substitute "maintain"

AND

Page 7, line 29, delete "verifiable"

AND

Page 7, delete lines 30 through 34, and substitute the following:

"disclosure of personal information from a teen from a parent of a teen or a teen, except when the processing is for:

(A) Providing or maintaining the specific product or service requested by the teen;

(B) Conducting the operator's internal business operations, including without limitation identifying and repairing technical errors that impair existing or intended functionality;

(C) Protecting against malicious, fraudulent, or illegal activity or detecting, responding to, or preventing security incidents or threats;

(D) Investigating, establishing, exercising, preparing for, or defending legal claims;

(E) Complying with federal, state, or local laws, rules, or regulations;

(F) Complying with a civil, criminal, or regulatory inquiry, investigation, subpoena, or a summons by federal, state, local, or other governmental authorities; or

(G) Protecting the vital interests of a natural person;"

AND

Page 8, delete lines 1 through 15

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Boyd

LJH/LJH - 04-01-2025 10:15:06

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Secretary