

Louisiana Passes Bill Requiring Interactive Computer Services to Get Parental Consent to Create Accounts for Minors

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On June 28, 2023, Louisiana Governor John Bel Edwards signed into law [H.B. 61](#), which requires interactive computer services to get parental consent (or consent from a legal representative of a minor) to enter into a contract or other agreement, including the creation of an online account, with minors younger than 18 years of age. The Act comes after similar laws enacted in [Texas](#), [Utah](#) and [Arkansas](#). H.B. 61 will take effect on August 1, 2024.

Applicability

H.B. 61 applies to any “interactive computer service,” which is defined as any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including a service or system that provides access to the internet and such systems operated or services offered by libraries or educational institutions. H.B. 61 emphasizes the need for consent for a minor to create an account, which is defined as any website, application, or similar electronic means by which users are able to create and share information, ideas, personal messages, and other content, including texts,

photos, and videos, or to participate in social networking, gaming, or a similar online service, with an interactive computer service. A minor is any person under the age of 18 who is not emancipated and is domiciled in the state of Louisiana.

In addition, H.B. 61 will require the Louisiana State Law Institute to: (1) study and report to the Legislature by March 1, 2024, as to the impact H.B. 61 is expected to have on the relevant Civil Code Articles regarding contracts and consent as they relate to minors; (2) make recommendations to address any discrepancies or ambiguities associated with the matters contained in H.B. 61; and (3) review similar legislation enacted in other states regarding best practices and compatibility with the Louisiana Civil Code.

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