
THIRD READING

Bill No: AB 1856
Author: Wicks (D)
Amended: 8/21/26 in Senate
Vote: 21

SENATE PRIV., DIGITAL TECH. & CONS. PROT. COMMITTEE: 9-0, 6/29/26
AYES: Cabaldon, Seyarto, Gonzalez, McNerney, Ochoa Bogh, Padilla, Reyes,
Umberg, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 68-1, 5/26/26 - See last page for vote

SUBJECT: Age verification signals: software applications and online services

SOURCE: Author

DIGEST: This bill updates the Digital Age Assurance Act (DAAA) by clarifying the scope of the Act and, among other things, requiring age signals to be sent to covered application stores as well as developers.

Senate Floor Amendments of 8/21/26 refine provisions regarding operating systems and the application of the provision imputing actual knowledge on developers. The amendments also clarify that the bill does not require certain conduct on the part of developers and limits their liability for certain situations.

ANALYSIS:

Existing law:

- 1) Establishes the Digital Age Assurance Act. (Civil [Civ.] Code § 1798.500 et seq.)
- 2) Defines key terms, including:

- a) “Account holder” means an individual who is at least 18 years of age and a parent or legal guardian of a user who is under 18 years of age in this state.
 - b) “Age bracket data” means nonpersonally identifiable data derived from a user’s birth date or age for the purpose of sharing with developers of applications that indicates the user’s age range, including, at a minimum, whether the user is under 13, between 13 and 16, between 16 and 18, or at least 18.
 - c) “Covered application store” means a publicly available internet website, software application, online service, or platform that distributes and facilitates the download of applications from third-party developers to users of a computer, a mobile device, or any other general purpose computing device that can access a covered application store or can download an application.
 - d) “Developer” means a person who owns, maintains, or controls an application.
 - e) “Operating system provider” means a person or entity that develops, licenses, or controls the operating system software on a computer, mobile device, or any other general purpose computing device.
 - f) “Signal” means age bracket data sent by a real-time secure application programming interface or operating system to an application.
 - g) “User” means a child under the age of 18 who is the primary user of the device. (Civ. Code § 1798.500.)
- 3) Requires an operating system provider to do all of the following:
- a) Provide an accessible interface at account setup that requires an account holder to indicate the birth date, age, or both, of the user of that device for the purpose of providing a signal regarding the user’s age bracket to applications available in a covered application store.
 - b) Provide a developer who has requested a signal with respect to a particular user with a digital signal via a reasonably consistent real-time application programming interface that identifies whether the user is under 13, between 13 and 16, between 16 and 18, or at least 18.

- c) Send only the minimum amount of information necessary to comply with the Act and not share the digital signal information with a third party for a purpose not required by the Act. (Civ. Code § 1798.501(a).)
- 4) Requires developers to request a signal with respect to a particular user from an operating system provider or a covered application store when the application is downloaded and launched.
- a) Deems a developer who receives a signal to actual knowledge of the user's age range.
 - b) Prohibits a developer from willfully disregarding internal clear and convincing information otherwise available to the developer that indicates the user's age is different than the signal indicates.
 - c) Requires a developer to treat a signal as the primary indicator of a user's age range unless the developer has internal clear and convincing information that the user's age differs from that indicated by the signal, in which case the developer must use that information as the primary indicator of the user's age.
 - d) Prohibits a developer that receives an age signal from requesting more information from an operating system provider or a covered application store than the minimum amount of information necessary to comply with the Act, and from sharing the signal with a third party not required by the Act. (Civ. Code § 1798.501(b).)
- 5) Requires an operating system provider, with respect to a device for which account setup was completed before January 1, 2025, to provide an accessible interface that allows an account holder to indicate the birth date, age, or both, of the user of that device for the purpose of providing a signal regarding the user's age bracket to applications available in a covered application store. (Civ. Code § 1798.502(a).)
- 6) Requires a developer, if the application is updated on or after January 1, 2026, or downloaded before January 1, 2027, to request a signal from a covered application store with respect to a user of the device before July 1, 2027. (Civ. Code § 1798.502(b).)
- 7) Subjects violators to civil penalties for each affected child of up to \$2,500 for negligent violations and \$7,500 for intentional violations, in an action brought by the Attorney General. Excuses operating system providers and covered application stores from liability for erroneous signals and conduct by

developers that receive signals, if the operating system provider or covered application store makes a good faith effort to comply with the Act. (Civ. Code § 1798.503.)

This bill:

- 1) Modifies and adds clarity to the following definitions to the DAAA:
 - a) Specifies that “application” does not include software components that are not themselves offered to consumers as a stand-alone executable application through a covered application store.
 - b) “Developer” means a person who owns an application or maintains or controls the hosting of the application in a covered application store.
 - c) Specifies that “operating system provider” does not mean a person or entity that distributes an operating system or application under license terms that permit a recipient to copy, redistribute, and modify the software.
 - d) “Signal” means age bracket data that pertains to the primary user of a device that is sent by a real-time secure application programming interface or operating system to an application.
- 2) Deletes the definition of “user” and specifies that the obligations of the DAAA only apply to the *primary* user of a device.
- 3) Specifies that if an operating system operates on a device and has an account setup feature, the operating system provider is required to provide an accessible interface, at account setup, that requires an account holder to indicate age information of the primary user of the device for the purpose of providing an age signal to covered application stores and developers.
- 4) Requires a covered application store to do both of the following with respect to a user of the covered application store:
 - a) Request a signal from the user’s operating system provider.
 - b) Provide the signal to a developer upon request.
- 5) Clarifies that a developer shall request a signal from an operating system provider or covered application store when the application is downloaded onto, and launched from, a particular device.
- 6) Prohibits entities from prompting the user to change their age information.

- 7) Provides that a developer that receives a signal pursuant to the DAAA shall have actual knowledge of the user's age range across both of the following, even if the developer willfully disregards the signal:
 - a) Any platform of an application, including an internet website owned, maintained, or controlled by a developer, through which the user may create an account for the platform accessed by that same application.
 - b) Any point of access of the application, including an internet website owned, maintained, or controlled by a developer and accessed by a user to create an account or log into an account from the device referenced above.
- 8) Prohibits a person from requesting a signal with respect to particular user from an operating system provider or covered application store if they are not required to do so by the DAAA or any other applicable law.
- 9) Provides that if a developer has internal "clear and convincing information" that a user's age is different than the age indicated by a signal received, the developer shall use that information as the primary indicator of the user's age and shall be deemed to have actual knowledge of the age range of the user to whom that information pertains. "Clear and convincing information" includes, but is not limited to, age information shared with a developer or by an account holder regarding the age of a user of a subaccount of the primary account of the account holder or age information shared with a developer by an account holder regarding the age of a user associated with the account or account settings established by the primary account holder.
- 10) Provides that a developer that makes a good faith effort to comply, taking into consideration available technology and any reasonable technical limitations or outages, shall not be liable for an erroneous signal indicating a user's age range or any conduct by an operating system that sent a signal indicating a user's age range.

Background

As the internet has facilitated the widespread distribution of inappropriate, exploitative, and harmful content to minors, lawmakers have long grappled with the issue of online age verification. Solutions ranged from simply asking users to confirm they were adults to requiring users to upload government-issued identification, each containing its own trade-offs. Last year, the Legislature passed AB 1043 (Wicks, Chapter 675, Statutes. 2025), which established the DAAA. The act created a framework for device-based verification for users of mobile devices

and computers. AB 1043 required that operating system providers communicate age bracket information to developers. The bill further required developers to request and treat age signals as the primary indicator of the user's age. Once AB 1043 was signed into law, the Governor released a signing message, urging the Legislature to address operational concerns of streaming services and video game developers.

This bill responds to that signing message by clarifying and modestly expanding the scope of the DAAA. It clarifies that the DAAA's requirements apply to users who are the primary users of a device. This bill also makes several clean-up changes.

This bill is author-sponsored and supported by groups such as Children Now and Common Sense Media. It is opposed by groups, including the Chamber of Progress.

Comments

According to the author:

Last year's bill, AB 1043, creates a consistent, privacy-first pathway to online age assurance — giving families the confidence that tech platforms can build the right protections for kids into their products without interfering with an app's existing account features, user settings, or ability to set parental controls. This age assurance framework establishes actual knowledge of users' age range in order for these applications to abide by applicable laws, including California's groundbreaking privacy laws. In order to provide additional guidance for age assurance, AB 1856 would clarify provisions for implementing the age assurance framework.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:No

According to the Senate Appropriations Committee:

Possible costs to the Department of Justice (DOJ) of an unknown amount. Actual costs will depend on whether the Attorney General pursues enforcement actions, and, if so, the level of additional staffing DOJ needs to handle the related workload. If DOJ hires staff to handle enforcement actions authorized by this bill, the department would incur significant costs, likely in the low hundreds of thousands of dollars annually at a minimum. If DOJ does not pursue enforcement as authorized by this bill, DOJ would likely not incur any costs. (special funds, General Fund)

As the DAAA is not effective until January 1, 2027, there is no enforcement action data available for reference.

Unknown, potentially significant cost pressure to the trial court system to adjudicate civil actions. Expanding civil penalties could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

SUPPORT: (Verified 8/22/26)

3strands Global Foundation
Bright Light Strategies
California Catholic Conference
Center for Ai and Digital Policy
Children Now
Common Sense Media
Elevate California
Los Angeles Unified School District

OPPOSITION: (Verified 8/22/26)

Chamber of Progress
Motion Picture Association of America
Technet

ARGUMENTS IN SUPPORT: Los Angeles Unified School District writes:

At the request of the Newsom Administration, this bill would clarify the original bill's scope, address multi user/family-account scenarios raised by streaming services, add data minimization requirements, and create a parallel age-signal framework for browsers and websites that are otherwise required by law to verify users' ages.

AB 1856 extends the framework of AB 1043 to apply to online products, services, and features accessed through web browsers in addition to applications downloaded from an app store.

ARGUMENTS IN OPPOSITION: Writing in opposition to a prior version of the bill, Technet writes:

We appreciate the author's efforts to build on California's existing framework governing age-appropriate design and age assurance. Companies are continuing to work in good faith to come into compliance with recently enacted legislation, AB 1043.

However, AB 1856 proposes a significant expansion in scope by extending requirements beyond applications to include any "online service, product, or feature." This raises important questions regarding how such requirements would be operationalized in practice. Unlike applications, which exist within defined distribution and compliance ecosystems, online services do not have a clear or uniform mechanism for implementing these obligations. As a result, it is unclear how entities would determine when and how to comply, or how such requirements would be enforced consistently.

ASSEMBLY FLOOR: 68-1, 5/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Rivas

NOES: DeMaio

NO VOTE RECORDED: Bennett, Flora, Hadwick, Johnson, Lackey, Muratsuchi, Patterson, Celeste Rodriguez, Sanchez, Ta, Zbur

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8/24/26 14:02:00

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