

SENATE PRIVACY, DIGITAL TECHNOLOGIES, AND CONSUMER PROTECTION COMMITTEE
Senator Christopher Cabaldon, Chair
2025-2026 Regular Session

AB 2007 (Bauer-Kahan)
Version: March 17, 2026
Hearing Date: June 29, 2026
Fiscal: No
Urgency: No
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SUBJECT

Youth programs: identifying information of youth

DIGEST

This bill prohibits certain covered entities offering programs or activities to youth outside of school hours from using the information of youth except with the express consent of their parents, as provided.¹

EXECUTIVE SUMMARY

Participation in afterschool programs, enrichment activities, sports, and other programs is a crucial part of many children's childhood. Increasingly, many of the organizations providing these programs and activities rely on the use of children's images, videos, and personal stories to advertise their programs and services. This includes postings on websites, social media platforms, and elsewhere. Concerns have arisen about the privacy and security implications of using children's personal information in this way. A photo posted to a public social media account, for example, can be downloaded, cropped, and misused by anyone. Predators have been known to use publicly available images of children to identify targets, map routines, create deepfakes and make inappropriate contact. Beyond physical safety, children deserve the right to grow up without a permanent digital footprint they never agreed to.

This bill ensures that children's privacy and safety are put first by prohibiting covered entities that provide these programs and services from using the photos, videos, and other personal information of children except in specified circumstances where parental consent is clearly provided after clear notice of the terms of such use is provided. The bill is author-sponsored. No timely support or opposition has been received by the Committee. The bill passed out of the Senate Judiciary Committee on a vote of 13 to 0.

¹ Amendments were agreed to in the Senate Judiciary Committee, but, due to timing, they will be taken in this Committee. This analysis is of the bill as agreed to be amended.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides, pursuant to the California Constitution, that all people have inalienable rights, including the right to pursue and obtain privacy. (Cal. Const., art. I, § 1.)
- 2) Establishes the California Consumer Privacy Act (CCPA), which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. It does not apply to government entities. (Civ. Code § 1798.100 et seq.)
- 3) Prohibits a business from selling or sharing the personal information of consumers if the business has actual knowledge that the consumer is less than 16 years of age, unless the consumer, in the case of consumers at least 13 years of age and less than 16 years of age, or the consumer's parent or guardian, in the case of consumers who are less than 13 years of age, has affirmatively authorized the sale or sharing of the consumer's personal information. A business that willfully disregards the consumer's age shall be deemed to have had actual knowledge of the consumer's age. (Civ. Code § 1798.120(c).)
- 4) Defines "personal information" for purposes of the CCPA as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. The CCPA provides a nonexclusive series of categories of information deemed to be personal information, including biometric information, geolocation data, and "sensitive personal information." (Civ. Code § 1798.140(v)(1).)
- 5) Defines "expanded learning" as before school, after school, summer, or intersession learning programs that focus on developing the academic, social, emotional, and physical needs and interests of pupils through hands-on, engaging learning experiences. It is the intent of the Legislature that expanded learning programs are pupil-centered, results driven, include community partners, and complement, but do not replicate, learning activities in the regular schoolday and school year. (Educ. Code § 8482.1(a).)
- 6) Establishes the Age Appropriate Design Code, which, in part, prohibits a business that provides an online service, product, or feature likely to be accessed by children from taking any of the following actions:

- a) Using the personal information of any child in a way that the business knows, or has reason to know, is materially detrimental to the physical health, mental health, or well-being of a child.
- b) Profiling a child by default except as specified.
- c) Collect, sell, share, or retain any personal information that is not necessary to provide an online service, product, or feature with which a child is actively and knowingly engaged, except as specified.
- d) Use personal information for any reason other than a reason for which that personal information was collected, unless the business can demonstrate it is in the best interests of children.
- e) Collect, sell, or share any precise geolocation information of children by default unless strictly necessary, as specified.
- f) Collect any precise geolocation information of a child without providing an obvious sign to the child for the duration of that collection.
- g) Use dark patterns to lead or encourage children to provide personal information beyond what is reasonably expected.
- h) Use any personal information collected to estimate age or age range for any other purpose or retain that personal information longer than necessary to estimate age. (Civ. Code § 1798.99.31(b).)

This bill:

- 1) Defines the relevant terms, including:
 - a) "Covered information" means a picture, video, audio recording, likeness, attributed statement, personal information, as defined in the CCPA, or any other identifying information.
 - b) "Covered entity" means an entity or organization that operates a covered program.
 - c) "Covered program" means a program or activity including a program related to expanded learning, visual or performing arts, athletics, recreation, or educational enrichment or a day or overnight camp, that meets the following criteria:
 - i. The program or activity requires a parent signature or consent form authorization, or the program or activity is an event in which a parent provides written authorization for an organization to act in loco parentis.
 - ii. The program or activity is offered primarily to youth outside of school hours, including periods when school is not in session, and is not operated by a public or private elementary or secondary school.
 - d) "Marketing purposes" means promotions, newsletters, brochures, social media, or other public-facing materials that describe a covered program or solicit participation. This does not include materials shared with a parent

or guardian of a youth participating in the program, provided that the materials cannot be accessed by the general public.

- 2) Prohibits a “covered entity” from using a youth’s “covered information” for a communications, marketing, education, or training purpose unless the covered entity obtains the parent or guardian’s express written consent on a notice that does the following:
 - a) Communicates the requested uses of the youth’s covered information clearly and meaningfully, including a description of any proposed use with a description of the types of materials or media in which it may be used and a list of websites on which it may be published.
 - b) Is contained in a single document or separate page within an online form that is separate from enrollment forms, waivers of liability, and any other document.
 - c) Includes, in clear and understandable language, that the parent or guardian is providing consent for use of the youth’s covered information for communications, marketing, educational, or training purposes.
 - d) Includes, in clear and understandable language, that the parent or guardian may revoke consent at any time and clearly and conspicuously states that the youth’s enrollment or participation is not contingent upon consent.
 - e) Provides an email address to revoke that consent.
- 3) Provides that a parent or guardian can revoke consent at any time during enrollment through one year after. This does not require removal of covered information in materials already published or printed before receiving a revocation notice.
- 4) Prohibits a covered entity from making a youth’s enrollment or participation in a covered program contingent upon consenting to the use of covered information for any communications, marketing, educational, or training purpose.
- 5) Prohibits a covered entity from selling a youth’s covered information for any reason, regardless of whether the parent or guardian consented to that use.
- 6) Authorizes a parent or guardian to bring a civil action against a covered entity for any violation and to seek the following relief:
 - a) Up to \$2,500 for the first offense and \$5,000 for subsequent offenses per youth who has had their covered information disclosed.
 - b) Injunctive or declaratory relief.
 - c) Reasonable attorney’s fees and costs.
 - d) Any other relief the court deems appropriate.

COMMENTS

1. The importance of protecting children's digital footprints

Parents and guardians are expressing growing concern regarding their children's digital footprints. Beyond these direct harms,

It is a sad reality that many parents must be vigilant about their children's digital footprint. Children lack the legal capacity and developmental maturity to meaningfully consent to the use of their personal information, placing the responsibility for protecting their digital interests squarely on parents, guardians, and the organizations that serve them. The widespread and often permanent nature of digital content means that information shared today may follow a child into adulthood. An innocently posted photo or video of a child, absent appropriate privacy protections, may be exploited for a range of harmful purposes, including the creation of deepfake materials, identity theft, and AI training datasets.

This has prompted all sorts of guides for protecting children. One explains:

Your child's latest birthday photo, that cute dance video. Share them on social media and they add to your family's digital footprint. And depending on the settings you've chosen, AI could use them.

Dr. Siwei Lyu, a digital forensics expert and father of two, is a Distinguished professor of computer science at SUNY who studies how AI learns from public data. The danger of sharing anything online is that it becomes fair game for AI deepfakes: fake photos, videos or voices built from real images or recordings. Deepfakes can impersonate anyone, including kids and teens.

"A child's data might be misused to recreate an image or video of them in situations that aren't real," Lyu explains. "That content can stay online and affect your child for years."²

2. Protecting children's privacy in after-school programs and other activities

Many parents and guardians wish to safeguard their children from these risks without forgoing their participation in youth-focused programming, such as sports leagues, camps, or other recreational activities. However, often the programs offering these

² Molly McGinn, *AI deepfakes and your kid's digital footprint: What parents should know* (December 16, 2025) Verizon, <https://www.verizon.com/about/parenting/ai-and-your-kids-digital-footprint-safety-guide> [as of June 24, 2026].

activities utilize photos or videos of children to market their programs, either posting on social media or using in promotional materials.

This bill seeks to better protect children in these situations by prohibiting “covered entities” that offer “covered programs” from using a child’s “covered information” for communications, marketing, educational, or training purposes unless they obtain express written consent from a parent or guardian.

A “covered entity” is one that offers a “covered program,” a program or activity including a program related to expanded learning, visual or performing arts, athletics, recreation, or educational enrichment or a day or overnight camp, that requires a parent signature or consent form authorization, or the program or activity is an event in which a parent provides written authorization for an organization to act in loco parentis. The program must also be offered primarily to youth outside of school hours, including periods when school is not in session, and is not operated by a public or private elementary or secondary school. “Covered information” means a picture, video, audio recording, likeness, attributed statement, or other personal information.

To ensure meaningful consent, a notice must be provided that includes specified information, including disclosure about the requested uses, the types of materials and websites the information will be used in, and clearly indicate the rights of parents or guardians to revoke consent, as well as the right to participate in the covered program without providing consent in the first place.

Covered entities are also prohibited from selling a youth’s personal information for any purpose, regardless of consent.

Parents or guardians are authorized to bring enforcement actions against entities in violation seeking statutory penalties and other relief.

According to the author:

Youth programs play an important role in supporting children and families, and parents should be able to trust that a minor’s participation does not come at the cost of their privacy. Families participate in programs expecting a safe and supportive environment, not anticipating that images of their children could later be used in public-facing content without their knowledge or consent. AB 2007 requires youth-serving organizations to obtain written or electronic consent from a parent or guardian before using photos, videos, and other identifying information of minors for marketing purposes. AB 2007 further prohibits youth programs from making enrollment or participation contingent upon consent. By ensuring parents and guardians have the opportunity to review and approve how their child’s information is used, AB 2007

establishes a simple and commonsense safeguard that protects a child's privacy while maintaining transparency and trust between youth organizations and the families they serve.

3. Concerns

Writing jointly, the California Park & Recreation Society and the League of California Cities highlight concerns with the bill:

Local park and recreation agencies provide a wide array of expanded learning, arts, athletics, recreation, and enrichment programs to children and families across California. These programs are delivered during after-school hours, on weekends, and during school vacation periods — squarely within the bill's definition of a "covered entity." Our agencies serve millions of youths annually, many of them from lower-income households who depend on affordable, publicly operated programming. **We are not commercial operators seeking to monetize personal data; we are public agencies accountable to the communities we serve.** Public Park and recreation agencies already routinely obtain parental acknowledgments, liability waivers, and media release permissions through existing registration systems and program enrollment processes. Our concern is not with obtaining appropriate consent, but with the bill's operationally rigid and duplicative consent structure.

Overly Broad Definition of "Covered Information" Creates Unworkable Standards

The bill defines "covered information" to include pictures, videos, audio recordings, likenesses, attributed statements, and any "other identifying information." This sweeping definition would capture routine, benign communications that parks and recreation agencies have long used to promote programs and celebrate participant achievements.³

In response to some concerns about the breadth of the bill, the author has agreed to amendments that narrow the bill to communications, marketing, and other purposes that expose the covered information to the public.

SUPPORT

None received

³ Emphasis in original.

OPPOSITION

None received

RELATED LEGISLATION

SB 1247 (Padilla, 2026) authorizes a child influencer, as defined, to demand the removal of family vlogging content featuring them when they were a minor. SB 1247 is currently on the Assembly floor.

PRIOR VOTES:

Senate Judiciary Committee (Ayes 13, Noes 0)

Assembly Floor (Ayes 72, Noes 0)

Assembly Appropriations Committee (Ayes 15, Noes 0)

Assembly Judiciary Committee (Ayes 12, Noes 0)

Assembly Privacy and Consumer Protection Committee (Ayes 15, Noes 0)
