

## CONCURRENCE IN SENATE AMENDMENTS

AB 2007 (Bauer-Kahan)

As Amended August 21, 2026

Majority vote

**SUMMARY**

This bill requires youth-focused programs, such as extracurricular and after-school programs, to obtain parental consent before using images of a child or other protected information in their communications, marketing, educational, or training materials, as specified.

**Senate Amendments**

Provides that a covered program must disclose only the types of websites, not the specific websites, on which covered information of an enrolled child may be published if the parent or guardian consents to the use of their child's information.

**COMMENTS**

Whether it is music lessons, drama classes, sports leagues, summer camps, or simply after-school programs, participating in enriching and fun group activities is an important part of children's educational, emotional, social, and physical development. Frequently, organizations providing these activities promote their programs through websites, social media, and advertising materials using images, videos, and stories featuring participating children and teens.

Enrollment applications and releases for these programs have shifted to electronic forms in recent years. Whereas printed forms typically allowed parents and guardians to cross out any releases that they did not agree to, electronic forms often do not allow the same flexibility – making it very difficult for parents and guardians to prevent organizations from using their children's images and other personally identifying information in marketing materials. Parents and guardians who, for a variety of reasons, avoid publicly posting images of their children and their whereabouts, have found that they cannot opt out through electronic forms that they have to fill out. This leaves parents with a choice of either waiving their child's right to privacy or not allowing their children to participate in the activity.

This bill proposes to address this problem by requiring organizations to offer a separate release for children's images and other personally identifying information that enables parents to affirmatively consent to waive their children's privacy. In addition, the bill prohibits organizations from limiting participation or refusing attendance to the children of parents who have opted out. Finally, the bill enables parents and guardians to bring a civil action against violators.

**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.

### **Arguments in Support**

The California Federation of Teachers (CFT) writes:

The CFT — A Union of Educators & Classified Professionals, AFT, AFL-CIO, writes in support of Assembly Bill 2007 (Bauer-Kahan) as it would mandate that nonschool youth programs must obtain explicit parental consent before using any identifying information of minors for marketing purposes.

### **Arguments in Opposition**

None on file.

## **FISCAL COMMENTS**

According to the Senate Appropriations Committee, the fiscal impact is as follows:

The bill creates a private right of action against a covered entity that violates the bill's requirements, which may be brought by the parent or guardian of the child whose image or information was used without consent. Unknown, potentially significant costs to the courts to adjudicate civil enforcement actions. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. 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 fiscal year (FY) 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

## **VOTES:**

### **ASM PRIVACY AND CONSUMER PROTECTION: 15-0-0**

**YES:** Bauer-Kahan, Macedo, Bryan, DeMaio, Hoover, Irwin, Lowenthal, McKinnor, Ortega, Patterson, Pellerin, Petrie-Norris, Ward, Wicks, Wilson

### **ASM JUDICIARY: 12-0-0**

**YES:** Kalra, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Johnson, Pacheco, Papan, Sanchez, Lee, Zbur

### **ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

### **ASSEMBLY FLOOR: 72-0-8**

**YES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal,

Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

**ABS, ABST OR NV:** Arambula, Chen, Garcia, Hoover, Irwin, Lackey, Ramos, Celeste Rodriguez

## **UPDATED**

VERSION: August 21, 2026

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FN: 0004334