

California Age-Appropriate Design Code Act

Law to impose responsibility on companies to design platforms with kids and teens in mind

[AB 2273](#), co-authored by Assemblymembers Buffy Wicks (D) and Jordan Cunningham (R), and signed into law on Sept. 15, 2022

What does the California Age-Appropriate Design Code do?

The Design Code, which goes into effect on July 1, 2024, imposes a duty on businesses to design platforms with children under age 18 in mind and prioritize kids' privacy and well-being over company profits and audience engagement. It is modeled after the United Kingdom's Age Appropriate Design Code, which was enacted in September 2021 and is now in effect. Common Sense Media cosponsored this bill, and it was a top priority for the organization in 2022.

What are businesses' obligations under the Design Code?

- Complete a Data Protection Impact Assessment before any new online service, product, or feature is offered to the public. This assessment must look at how the business uses children's data and the risks those data management practices pose to children.
- Configure all default privacy settings provided to children to be as strong as possible.
- Provide privacy policies, terms of service, and community standards prominently and in clear, concise language that children can understand.
- Enforce the published policies, terms, and community standards.
- Provide prominent and accessible tools to help children or their parents and guardians exercise their privacy rights and report concerns.

What changes will children see in their online experience?

With strong default privacy settings, children and their parents or guardians in California will no longer have to navigate long,

difficult-to-understand policies, terms of service, and settings to protect their child's privacy online. Businesses will be prohibited from engaging in certain data practices that put children's privacy and well-being at risk. For example, businesses cannot track kids' precise geolocation or profile them by default unless doing so is strictly necessary for the online service to function.

Who has to comply with the Design Code?

The Code applies to covered businesses under the California Consumer Privacy Rights Act that provide an online service, product, or feature likely to be accessed by children under 18.

"Likely to be accessed" means it is reasonable to expect children will use the online service, product, or feature based on indicators like whether design elements are known to be of interest to children (such as through the use of games or cartoons) or whether advertisements are marketed to children. The Code does not require businesses to implement age verification mechanisms to determine the age of users.

Why is this law necessary?

Many businesses have long made intentional design choices to help increase their profits and user engagement, often to the detriment of children's health and well-being. This has placed parents in the unfair position of trying to supervise their child's online experience to keep them safe. It is long overdue for businesses to make some of these basic and necessary changes to their privacy and design practices to ensure all their young users are safer online.