

REFERENCE TITLE: vloggers; minors; compensation; trust account

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2565**

Introduced by  
Representatives Gutierrez: Austin, Contreras L, Crews, De Los Santos,  
Hernandez C, Mathis, Ortiz, Seaman, Stahl Hamilton, Travers, Villegas;  
Senator Sundareshan

AN ACT

AMENDING TITLE 23, CHAPTER 2, ARTICLE 6, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 23-330; RELATING TO WAGES FOR MINORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 2, article 6, Arizona Revised  
3 Statutes, is amended by adding section 23-330, to read:

4 23-330. Vlogger; minor child; trust account; internet  
5 content; definitions

6 A. A VLOGGER SHALL COMPENSATE A MINOR CHILD IF AT LEAST THIRTY  
7 PERCENT OF THE VLOGGER'S COMPENSATED VIDEO CONTENT THAT WAS PRODUCED  
8 WITHIN A THIRTY-DAY PERIOD AND THAT INCLUDES THE NAME, LIKENESS OR  
9 PHOTOGRAPH OF THE VLOGGER'S MINOR CHILD MEETS EITHER OF THE FOLLOWING  
10 CONDITIONS:

11 1. THE NUMBER OF VIEWS RECEIVED PER VIDEO SEGMENT THROUGH AN  
12 INTERNET PLATFORM OR NETWORK MET THE PLATFORM'S OR NETWORK'S THRESHOLD FOR  
13 GENERATION OF COMPENSATION.

14 2. THE VLOGGER RECEIVED ACTUAL COMPENSATION FOR VIDEO CONTENT THAT  
15 WAS EQUAL TO OR GREATER THAN \$.10 PER VIEW.

16 B. A VLOGGER THAT MEETS THE CRITERIA IN SUBSECTION A OF THIS  
17 SECTION MUST SET ASIDE GROSS EARNINGS ON THE VIDEO CONTENT FOR THE USE OF  
18 THE MINOR CHILD'S NAME, LIKENESS OR PHOTOGRAPH IN A TRUST TO BE PRESERVED  
19 FOR THE BENEFIT OF THE MINOR CHILD ON REACHING THE AGE OF MAJORITY, AS  
20 FOLLOWS:

21 1. IF ONLY ONE MINOR CHILD MEETS THE CONTENT THRESHOLD DESCRIBED IN  
22 SUBSECTION A OF THIS SECTION, THE MINOR CHILD SHALL BE COMPENSATED IN THE  
23 AMOUNT OF TEN PERCENT OF THE CONTENT PERCENTAGE.

24 2. IF MORE THAN ONE MINOR CHILD MEETS THE CONTENT THRESHOLD  
25 DESCRIBED IN SUBSECTION A OF THIS SECTION, THE CONTENT PERCENTAGE OF ALL  
26 OF THE MINOR CHILDREN IS AGGREGATED AND TEN PERCENT OF THE CONTENT  
27 PERCENTAGE IS DISTRIBUTED EQUALLY AMONG EACH MINOR CHILD REGARDLESS OF ANY  
28 DIFFERENCE IN THE CONTENT PERCENTAGE FOR EACH MINOR CHILD.

29 C. WHEN THE MINOR CHILD REACHES THE AGE OF MAJORITY, THE INDIVIDUAL  
30 MAY REQUEST THE PERMANENT DELETION OF ANY VIDEO SEGMENT THAT INCLUDES THE  
31 NAME, LIKENESS OR PHOTOGRAPH OF THE INDIVIDUAL FROM ANY INTERNET PLATFORM  
32 OR NETWORK THAT PROVIDED COMPENSATION TO THE INDIVIDUAL'S PARENT IN  
33 EXCHANGE FOR THE VIDEO CONTENT.

34 D. AN INTERNET PLATFORM OR NETWORK MUST TAKE ALL REASONABLE STEPS  
35 TO PERMANENTLY DELETE THE VIDEO CONTENT FOR WHICH A REQUEST HAS BEEN MADE.

36 E. ON THE EFFECTIVE DATE OF THIS SECTION, ANY CONTRACT WITH A  
37 PARENT OR GUARDIAN OF A MINOR CHILD AND AN INTERNET PLATFORM OR NETWORK  
38 FOR THE EXCHANGE OR USE OF VIDEO CONTENT THAT WOULD REASONABLY BE  
39 ANTICIPATED TO INCLUDE GREATER THAN A DE MINIMIS USE OF A VLOGGER'S MINOR  
40 CHILD MUST INCLUDE NOTIFICATION TO THE INTERNET PLATFORM OR NETWORK OF THE  
41 MINOR CHILD'S FUTURE RIGHT TO REQUEST DELETION, AS PROVIDED IN THIS  
42 SECTION.

43 F. FOR THE PURPOSES OF THIS SECTION:

44 1. "CONTENT PERCENTAGE" MEANS THE PERCENTAGE OF TIME THE NAME,  
45 LIKENESS OR PHOTOGRAPH OF THE VLOGGER'S MINOR CHILD VISUALLY APPEARS OR IS

1 THE SUBJECT OF AN ORAL NARRATIVE IN A VIDEO SEGMENT, WHICH IS COMPARED TO  
2 THE TOTAL LENGTH OF THE SEGMENT.

3 2. "GUARDIAN":  
4 (a) MEANS A NATURAL PERSON WHO IS APPOINTED OR QUALIFIED BY A COURT  
5 AS A GUARDIAN OF THE MINOR.  
6 (b) INCLUDES A LIMITED GUARDIAN.  
7 (c) DOES NOT INCLUDE A GUARDIAN AD LITEM.

8 3. "INDIVIDUAL" MEANS A NATURAL PERSON, LIVING OR DEAD.

9 4. "LIKENESS" MEANS AN IMAGE, PAINTING, SKETCHING, MODEL, DIAGRAM  
10 OR OTHER CLEAR REPRESENTATION, OTHER THAN A PHOTOGRAPH, OF AN INDIVIDUAL'S  
11 FACE, BODY OR PARTS OF AN INDIVIDUAL'S FACE OR BODY OR THE DISTINCTIVE  
12 APPEARANCE, GESTURES OR MANNERISMS OF AN INDIVIDUAL.

13 5. "MINOR CHILD" MEANS A PERSON WHO IS UNDER EIGHTEEN YEARS OF AGE  
14 AND WHOSE PRINCIPAL PLACE OF RESIDENCE IS IN THIS STATE.

15 6. "NAME" MEANS THE ACTUAL OR ASSUMED NAME OR NICKNAME OF A LIVING  
16 OR DECEASED INDIVIDUAL THAT IS INTENDED TO IDENTIFY THAT INDIVIDUAL.

17 7. "VLOGGER":  
18 (a) MEANS AN INDIVIDUAL OR FAMILY THAT CREATES VIDEO CONTENT IN  
19 EXCHANGE FOR COMPENSATION.  
20 (b) INCLUDES ANY PROPRIETORSHIP, PARTNERSHIP, COMPANY OR OTHER  
21 CORPORATE ENTITY THAT ASSUMES THE NAME OR IDENTITY OF A PARTICULAR  
22 INDIVIDUAL OR FAMILY FOR THE PURPOSES OF THAT CONTENT CREATION.