

REFERENCE TITLE: vloggers; minors; compensation; trust accounts

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2815

Introduced by
Representative Gutierrez

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. A VLOGGER SHALL RETAIN DOCUMENTARY PROOF OF ALL OF THE
30 FOLLOWING:

31 1. THE NAME AND THE AGE OF EACH MINOR CHILD AND ANY OTHER VLOGGER
32 THAT WAS FEATURED IN THE VIDEO CONTENT.

33 2. THE TOTAL NUMBER OF VLOGS THAT FEATURED A MINOR CHILD THAT
34 GENERATED COMPENSATION DURING A CALENDAR YEAR.

35 3. THE TOTAL NUMBER OF MINUTES OF VIDEO FOR WHICH THE VLOGGER
36 RECEIVED COMPENSATION DURING A REPORTING PERIOD.

37 D. WHEN THE MINOR CHILD REACHES THE AGE OF MAJORITY, THE INDIVIDUAL
38 MAY REQUEST THE PERMANENT DELETION OF ANY VIDEO SEGMENT THAT INCLUDES THE
39 NAME, LIKENESS OR PHOTOGRAPH OF THE INDIVIDUAL FROM ANY INTERNET PLATFORM
40 OR NETWORK THAT PROVIDED COMPENSATION TO THE INDIVIDUAL'S PARENT IN
41 EXCHANGE FOR THE VIDEO CONTENT.

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

44 F. ON THE EFFECTIVE DATE OF THIS SECTION, ANY CONTRACT WITH A
45 PARENT OR GUARDIAN OF A MINOR CHILD AND AN INTERNET PLATFORM OR NETWORK

1 FOR THE EXCHANGE OR USE OF VIDEO CONTENT THAT WOULD REASONABLY BE
2 ANTICIPATED TO INCLUDE GREATER THAN A DE MINIMIS USE OF A VLOGGER'S MINOR
3 CHILD MUST INCLUDE NOTIFICATION TO THE INTERNET PLATFORM OR NETWORK OF THE
4 MINOR CHILD'S FUTURE RIGHT TO REQUEST DELETION, AS PROVIDED IN THIS
5 SECTION.

6 G. FOR THE PURPOSES OF THIS SECTION:

7 1. "CONTENT PERCENTAGE" MEANS THE PERCENTAGE OF TIME THE NAME,
8 LIKENESS OR PHOTOGRAPH OF THE VLOGGER'S MINOR CHILD VISUALLY APPEARS OR IS
9 THE SUBJECT OF AN ORAL NARRATIVE IN A VIDEO SEGMENT, WHICH IS COMPARED TO
10 THE TOTAL LENGTH OF THE SEGMENT.

11 2. "GUARDIAN":

12 (a) MEANS A NATURAL PERSON WHO IS APPOINTED OR QUALIFIED BY A COURT
13 AS A GUARDIAN OF THE MINOR.

14 (b) INCLUDES A LIMITED GUARDIAN.

15 (c) DOES NOT INCLUDE A GUARDIAN AD LITEM.

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

17 4. "LIKENESS" MEANS AN IMAGE, PAINTING, SKETCHING, MODEL, DIAGRAM
18 OR OTHER CLEAR REPRESENTATION, OTHER THAN A PHOTOGRAPH, OF AN INDIVIDUAL'S
19 FACE, BODY OR PARTS OF AN INDIVIDUAL'S FACE OR BODY OR THE DISTINCTIVE
20 APPEARANCE, GESTURES OR MANNERISMS OF AN INDIVIDUAL.

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

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

25 7. "VLOGGER":

26 (a) MEANS AN INDIVIDUAL OR FAMILY THAT CREATES VIDEO CONTENT IN
27 EXCHANGE FOR COMPENSATION.

28 (b) INCLUDES ANY PROPRIETORSHIP, PARTNERSHIP, COMPANY OR OTHER
29 CORPORATE ENTITY THAT ASSUMES THE NAME OR IDENTITY OF A PARTICULAR
30 INDIVIDUAL OR FAMILY FOR THE PURPOSES OF THAT CONTENT CREATION.