

Senate Engrossed House Bill

~~social media; online content; minors~~
(now: social media; age verificaton; minors)

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2991

AN ACT

AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-191.14; AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY
ADDING CHAPTER 42; RELATING TO MINORS ACCESS TO TECHNOLOGY CONTENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 1, article 5, Arizona Revised
3 Statutes, is amended by adding section 41-191.14, to read:

4 41-191.14. Technology protection for minors grant fund;
5 exemption; grants; quarterly reports

6 A. THE TECHNOLOGY PROTECTION FOR MINORS GRANT FUND IS ESTABLISHED
7 CONSISTING OF MONIES FROM CIVIL PENALTIES, ATTORNEY FEES AND LITIGATION
8 COSTS THAT ARE RECOVERED BY THE ATTORNEY GENERAL PURSUANT TO SECTION
9 44-8045. THE ATTORNEY GENERAL SHALL ADMINISTER THE FUND. MONIES IN THE
10 FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF
11 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

12 B. MONIES IN THE FUND MAY NOT BE TRANSFERRED TO OR OTHERWISE MADE
13 AVAILABLE TO ANY OTHER STATE FUND OR ACCOUNT AND MAY NOT BE USED FOR
14 OPERATING EXPENSES OF THE ATTORNEY GENERAL'S OFFICE OR STAFF SALARIES.

15 C. THE ATTORNEY GENERAL SHALL USE THE MONIES IN THE FUND SOLELY TO
16 AWARD GRANTS TO NONPROFIT ORGANIZATIONS FOR THE FOLLOWING:

17 1. OUTREACH PROGRAMS THAT PROVIDE EDUCATION TO PARENTS, GUARDIANS
18 AND MINORS ABOUT ONLINE SAFETY, DIGITAL LITERACY AND THE EFFECTS OF SOCIAL
19 MEDIA ON THE MENTAL HEALTH OF MINORS.

20 2. PROGRAMS THAT PROVIDE RESOURCES OR SERVICES TO MINORS WHO HAVE
21 EXPERIENCED HARM AS A RESULT OF VIOLATIONS OF TITLE 44, CHAPTER 42.

22 3. RESEARCH ON THE EFFECTS OF SOCIAL MEDIA ON THE MENTAL AND
23 PHYSICAL HEALTH OF MINORS.

24 4. LAW ENFORCEMENT PROGRAMS THAT INVESTIGATE VIOLATIONS OF TITLE
25 44, CHAPTER 42 AND TECHNOLOGY-FACILITATED HARM TO MINORS.

26 5. PROGRAMS THAT PROVIDE MENTAL HEALTH COUNSELING, TREATMENT OR
27 SUPPORT SERVICES TO MINORS WHO HAVE EXPERIENCED PSYCHOLOGICAL OR EMOTIONAL
28 HARM AS A RESULT OF USING SOCIAL MEDIA AND VIOLATIONS OF TITLE 44,
29 CHAPTER 42.

30 6. PROGRAMS THAT PROVIDE PREVENTION EDUCATION, VICTIM SERVICES OR
31 LAW ENFORCEMENT SUPPORT RELATED TO HUMAN TRAFFICKING OR SEXUAL
32 EXPLOITATION OF MINORS FACILITATED THROUGH SOCIAL MEDIA PLATFORMS.

33 D. THE ATTORNEY GENERAL SHALL ESTABLISH GRANT ELIGIBILITY CRITERIA,
34 APPLICATION PROCEDURES AND REPORTING REQUIREMENTS FOR RECIPIENTS OF GRANTS
35 AWARDED PURSUANT TO THIS SECTION SUBJECT TO JOINT LEGISLATIVE BUDGET
36 COMMITTEE APPROVAL.

37 E. ON OR BEFORE JANUARY 15, APRIL 15, JULY 15 AND OCTOBER 15 OF
38 EACH YEAR, THE ATTORNEY GENERAL SHALL COMPILE A REPORT THAT INCLUDES AN
39 ACCOUNTING OF ALL THE MONIES SPENT FROM THE FUND, INCLUDING:

40 1. RECEIPTS.

41 2. DISBURSEMENTS.

42 3. THE CURRENT BALANCE OF THE FUND.

43 4. THE NAME OF EACH GRANT RECIPIENT.

44 5. THE AMOUNT AWARDED TO EACH GRANT RECIPIENT.

45 6. THE PURPOSE FOR EACH GRANT AWARDED.

1 F. THE ATTORNEY GENERAL SHALL SUBMIT THE REPORTS COMPILED PURSUANT
2 TO SUBSECTION E OF THIS SECTION TO ALL OF THE FOLLOWING:

- 3 1. THE GOVERNOR.
- 4 2. THE PRESIDENT OF THE SENATE.
- 5 3. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
- 6 4. THE MINORITY LEADER OF THE SENATE.
- 7 5. THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES.
- 8 6. THE DIRECTOR OF THE JOINT LEGISLATIVE BUDGET COMMITTEE.
- 9 7. THE SECRETARY OF STATE.

10 Sec. 2. Title 44, Arizona Revised Statutes, is amended by adding
11 chapter 42, to read:

12 CHAPTER 42
13 TECHNOLOGY CONTENT
14 ARTICLE 1. SOCIAL MEDIA

15 44-8041. Definitions

16 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

17 1. "APPLICATION" MEANS A SOFTWARE APPLICATION OR ELECTRONIC SERVICE
18 THAT A USER MAY RUN OR DIRECT ON A COMPUTER, A MOBILE DEVICE OR ANY OTHER
19 GENERAL PURPOSE COMPUTING DEVICE.

20 2. "APPLICATION STORE" MEANS A PUBLICLY AVAILABLE WEBSITE, SOFTWARE
21 APPLICATION, ELECTRONIC SERVICE OR PLATFORM THAT DISTRIBUTES AND
22 FACILITATES THE DOWNLOAD OF APPLICATIONS FROM THIRD-PARTY DEVELOPERS TO
23 USERS OF A COMPUTER, A MOBILE DEVICE OR ANY OTHER GENERAL PURPOSE
24 COMPUTING DEVICE.

25 3. "CHILD" MEANS AN INDIVIDUAL WHO IS UNDER SIXTEEN YEARS OF AGE.

26 4. "COMMERCIAL ENTITY" INCLUDES A CORPORATION, A LIMITED LIABILITY
27 COMPANY, A PARTNERSHIP, A LIMITED PARTNERSHIP, A SOLE PROPRIETORSHIP AND
28 ANY OTHER LEGALLY RECOGNIZED ENTITY.

29 5. "COVERED COMPANY":

30 (a) MEANS A PERSON THAT OWNS, CONTROLS OR OPERATES AN APPLICATION
31 STORE OR OPERATING SYSTEM THAT SERVICES CUSTOMERS IN THIS STATE.

32 (b) DOES NOT INCLUDE A TELECOMMUNICATIONS CARRIER OR BROADBAND
33 PROVIDER THAT SOLELY PROVIDES INTERNET ACCESS OR TRANSMISSION SERVICES
34 WITHOUT CONTROL OVER APPLICATION DISTRIBUTION OR OPERATING SYSTEM
35 FUNCTIONALITY.

36 6. "DAILY ACTIVE USERS" MEANS THE NUMBER OF UNIQUE USERS IN THE
37 UNITED STATES WHO USED THE SOCIAL MEDIA PLATFORM AT LEAST EIGHTY PERCENT
38 OF THE DAYS DURING EITHER:

39 (a) THE PREVIOUS TWELVE-MONTH PERIOD.

40 (b) THE PREVIOUS ONE-MONTH PERIOD IF THE SOCIAL MEDIA PLATFORM DID
41 NOT EXIST DURING THE PREVIOUS TWELVE-MONTH PERIOD.

42 7. "DEVELOPER" MEANS A PERSON THAT CREATES, OWNS OR CONTROLS A
43 PUBLIC-FACING WEBSITE, ONLINE SERVICE, ONLINE APPLICATION OR MOBILE
44 APPLICATION.

1 8. "DISTRIBUTE" MEANS TO ISSUE, SELL, GIVE, PROVIDE, DELIVER,
2 TRANSFER, TRANSMIT, CIRCULATE OR DISSEMINATE BY ANY MEANS.

3 9. "INFINITE SCROLLING" MEANS CONTENT THAT IS CONTINUOUSLY LOADING
4 OR CONTENT THAT LOADS AS THE USER SCROLLS DOWN THE WEBPAGE WITHOUT THE
5 NEED TO OPEN A SEPARATE WEBPAGE.

6 10. "OPERATING SYSTEM" MEANS AN ENTITY THAT DEVELOPS, MAINTAINS OR
7 DISTRIBUTES AN OPERATING SYSTEM ON A COMPUTER, A MOBILE DEVICE OR ANY
8 OTHER GENERAL PURPOSE COMPUTING DEVICE.

9 11. "PERSONALIZED RECOMMENDATION SYSTEM":

10 (a) MEANS A FULLY OR PARTIALLY AUTOMATED SYSTEM USED TO SUGGEST,
11 PROMOTE OR RANK A FEED OF USER-GENERATED CONTENT BASED ON THE USER'S
12 ACTIVITY ON THE COVERED SOCIAL MEDIA PLATFORM.

13 (b) DOES NOT INCLUDE A RECOMMENDATION SYSTEM THAT SUGGESTS,
14 PROMOTES OR RANKS CONTENT BASED SOLELY ON THE USER'S LANGUAGE, CITY OR
15 TOWN OR AGE.

16 12. "SOCIAL MEDIA PLATFORM":

17 (a) MEANS AN ONLINE FORUM, WEBSITE OR APPLICATION THAT SATISFIES
18 ALL OF THE FOLLOWING CRITERIA:

19 (i) ALLOWS A USER TO UPLOAD CONTENT OR VIEW THE CONTENT OR ACTIVITY
20 OF OTHER USERS.

21 (ii) HAS AT LEAST TEN PERCENT OF DAILY ACTIVE USERS WHO ARE UNDER
22 SIXTEEN YEARS OF AGE AND WHO ON AVERAGE SPENT AT LEAST TWO HOURS PER DAY
23 ON THE ONLINE FORUM, WEBSITE OR APPLICATION DURING THE PREVIOUS TWELVE
24 MONTHS OR IF THE ONLINE FORUM, WEBSITE OR APPLICATION DID NOT EXIST DURING
25 THE PREVIOUS TWELVE MONTHS, DURING THE PREVIOUS ONE-MONTH PERIOD.

26 (iii) USES ALGORITHMS THAT ANALYZE USER DATA OR INFORMATION ON
27 USERS TO SELECT CONTENT FOR USERS.

28 (iv) HAS INFINITE SCROLLING OR SEAMLESS CONTENT OR THE USE OF
29 WEBPAGES WITH NO VISIBLE OR APPARENT END OR PAGE BREAKS, HAS PUSH
30 NOTIFICATIONS OR ALERTS SENT BY AN ONLINE FORUM, WEBSITE OR APPLICATION TO
31 INFORM A USER ABOUT SPECIFIC ACTIVITIES OR EVENTS RELATED TO THE USER'S
32 ACCOUNT, DISPLAYS PERSONAL INTERACTIVE METRICS THAT INDICATE THE NUMBER OF
33 TIMES OTHER USERS HAVE CLICKED A BUTTON TO INDICATE THE USERS' REACTIONS
34 TO CONTENT OR HAVE SHARED OR REPOSTED THE CONTENT, HAS AUTO-PLAY VIDEO OR
35 VIDEO THAT BEGINS TO PLAY WITHOUT THE USER FIRST CLICKING ON THE VIDEO OR
36 ON A PLAY BUTTON FOR THAT VIDEO OR HAS LIVESTREAMING OR A FUNCTION THAT
37 ALLOWS A USER OR ADVERTISER TO BROADCAST LIVE VIDEO CONTENT IN REAL TIME.

38 (b) DOES NOT INCLUDE AN ONLINE SERVICE, WEBSITE OR APPLICATION OF
39 WHICH THE EXCLUSIVE FUNCTION IS EMAIL OR DIRECT MESSAGING CONSISTING OF
40 TEXTS, PHOTOGRAPHS, PICTURES, IMAGES OR VIDEOS THAT ARE SHARED ONLY
41 BETWEEN THE SENDER AND THE RECIPIENTS AND THAT ARE NOT DISPLAYED OR POSTED
42 PUBLICLY OR TO OTHER USERS THAT ARE NOT SPECIFICALLY IDENTIFIED BY THE
43 SENDER AS THE RECIPIENTS.

1 44-8042. Covered companies; duties; prohibition

2 A. A COVERED COMPANY SHALL:

3 1. PROVIDE AN ACCESSIBLE INTERFACE FOR AN ACCOUNT HOLDER OR A USER
4 TO SET UP AN ACCOUNT THAT ALLOWS THE ACCOUNT HOLDER OR THE USER TO PROVIDE
5 A BIRTH DATE OR AGE IN ORDER TO PROVIDE THE ACCOUNT HOLDER'S OR THE USER'S
6 AGE SIGNAL TO DEVELOPERS AT THE TIME OF THE ACCOUNT SET UP OR AT ANY TIME
7 THEREAFTER AND TO PROVIDE THE ACCOUNT HOLDER OR THE USER WITH THE OPTION
8 TO OPT IN TO SHARE THE ACCOUNT HOLDER'S OR THE USER'S AGE BRACKET DATA
9 WITH THE DEVELOPER FOR THE PURPOSE OF PROVIDING AGE-APPROPRIATE CONTENT.

10 2. OBTAIN PARENTAL OR GUARDIAN CONSENT BEFORE ALLOWING A CHILD TO
11 DOWNLOAD AN APPLICATION DISTRIBUTED OR MADE ACCESSIBLE THROUGH THE COVERED
12 COMPANY'S APPLICATION STORE, IF THE COVERED COMPANY PROVIDES AN
13 APPLICATION STORE.

14 3. FACILITATE PARENTAL OR GUARDIAN CONSENT FOR ACCESS TO AN
15 APPLICATION THAT IS PRELOADED ONTO A DEVICE FOR THE FIRST TIME IN RESPONSE
16 TO A REQUEST FROM A DEVELOPER.

17 4. MAKE CONTROLS AVAILABLE THAT ENABLE ACCOUNT HOLDERS TO DO BOTH
18 OF THE FOLLOWING:

19 (a) RESTRICT WHICH APPLICATIONS CAN BE DOWNLOADED BY A USER BASED
20 ON THE APPLICATIONS' AGE RATINGS WITHIN THE COVERED COMPANY'S APPLICATION
21 STORE.

22 (b) LIMIT THE AMOUNT OF TIME A USER CAN SPEND ON DOWNLOADED
23 APPLICATIONS.

24 5. SEND ONLY THE MINIMUM AMOUNT OF INFORMATION THAT IS NECESSARY TO
25 COMPLY WITH THIS CHAPTER.

26 6. ON REQUEST, PROVIDE A DEVELOPER, INCLUDING A DEVELOPER OF THE
27 PRELOADED APPLICATION, WITH AN AGE SIGNAL THROUGH A REAL-TIME APPLICATION
28 PROGRAMMING INTERFACE ON AN ONGOING BASIS REGARDING WHETHER AN INDIVIDUAL
29 IS:

30 (a) UNDER THIRTEEN YEARS OF AGE.

31 (b) AT LEAST THIRTEEN YEARS OF AGE BUT UNDER SIXTEEN YEARS OF AGE.

32 (c) AT LEAST SIXTEEN YEARS OF AGE BUT UNDER EIGHTEEN YEARS OF AGE.

33 (d) AT LEAST EIGHTEEN YEARS OF AGE.

34 B. A COVERED COMPANY MAY NOT SHARE THE AGE SIGNAL OR PARENT OR
35 GUARDIAN CONSENT SIGNAL WITH A THIRD PARTY FOR ANY PURPOSE THAT IS NOT
36 REQUIRED UNDER THIS CHAPTER.

37 C. NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, A COVERED
38 COMPANY IS NOT REQUIRED TO SHARE AGE SIGNALS WITH A THIRD PARTY, OTHER
39 THAN WITH A DEVELOPER, THROUGH AN APPLICATION THAT IS DISTRIBUTED ON THE
40 COVERED COMPANY'S APPLICATION STORE.

1 44-8043. Developer duties: social media platform duties:
2 minor account default settings

3 A. A DEVELOPER SHALL:

4 1. ON AN INDIVIDUAL'S ACCOUNT CREATION OR FIRST ACCESS, REQUEST
5 FROM A COVERED COMPANY AN AGE SIGNAL AND MAY SUBSEQUENTLY REQUEST
6 ADDITIONAL AGE SIGNALS.

7 2. IF THE DATA IS AVAILABLE, USE THE AGE SIGNAL FROM A COVERED
8 COMPANY TO:

9 (a) ENFORCE LEGALLY REQUIRED MINIMUM AGE RESTRICTIONS.

10 (b) ENSURE COMPLIANCE WITH ALL LAWS.

11 (c) PROVIDE ANY AGE-APPROPRIATE DEFAULTS, SAFEGUARDS OR EXPERIENCES
12 AS REQUIRED BY THIS CHAPTER.

13 B. IN ADDITION TO THE REQUIREMENTS PRESCRIBED IN SUBSECTION A OF
14 THIS SECTION, IF A DEVELOPER OPERATES A SOCIAL MEDIA PLATFORM, THE
15 DEVELOPER SHALL COMPLY WITH THE ADDITIONAL REQUIREMENTS OF THIS SECTION.

16 C. IF APPLICABLE AND TECHNICALLY FEASIBLE, A SOCIAL MEDIA PLATFORM
17 SHALL PROVIDE READILY AVAILABLE FEATURES FOR A PARENT OR GUARDIAN TO
18 OVERSEE THE USE OF THE APPLICATION BY THE PARENT'S OR GUARDIAN'S CHILD AS
19 APPROPRIATE TO THE RISKS THAT ARISE FROM THE CHILD'S USE OF THE
20 DEVELOPER'S APPLICATION. THE FEATURES MUST INCLUDE:

21 1. THE ABILITY TO VIEW METRICS REFLECTING THE AMOUNT OF TIME THAT
22 THE CHILD IS USING THE APPLICATION AND SET DAILY TIME LIMITS ON THE
23 CHILD'S USE.

24 2. THE ABILITY TO SEE WHICH INDIVIDUALS OR ACCOUNTS ARE
25 AFFIRMATIVELY LINKED TO THE CHILD'S ACCOUNT, INCLUDING THE CHILD'S FRIENDS
26 AND FOLLOWERS AND ACCOUNTS THAT THE CHILD IS FOLLOWING.

27 3. THE ABILITY TO DETERMINE WHETHER THE CHILD HAS LIMITED THE
28 PUBLIC VISIBILITY OF THE CHILD'S ACCOUNT OR INFORMATION AND CONTENT THAT
29 IS UPLOADED TO THE APPLICATION.

30 4. THE ABILITY TO SEE WHICH INDIVIDUALS THE CHILD HAS BLOCKED.

31 5. THE ABILITY TO SUBMIT A REPORT TO THE APPLICATION CONCERNING A
32 POTENTIAL VIOLATION OF THE DEVELOPER'S TERMS AND POLICIES.

33 6. THE ABILITY TO DISPLAY A NOTIFICATION TO A USER WHO THE SOCIAL
34 MEDIA PLATFORM KNOWS IS A MINOR IF THE USER HAS SPENT ONE CUMULATIVE HOUR
35 ON THE APPLICATION DURING ONE CALENDAR DAY.

36 7. THE ABILITY TO LIMIT THE VISIBILITY OF A MINOR'S ACCOUNT OR
37 PROFILE TO CONNECTED USERS OTHER THAN THE MINOR'S NAME, USERNAME AND
38 PRIMARY DISPLAY PICTURE, IF APPLICABLE.

39 8. REASONABLE POLICIES THAT ADDRESS EXPOSURE TO SEXUALLY OR
40 VIOLENTLY EXPLICIT MATERIAL ON THE SOCIAL MEDIA PLATFORM.

41 9. THE ABILITY TO SILENCE NOTIFICATIONS BETWEEN 10:00 P.M. AND 6:00
42 A.M. LOCAL TIME.

43 10. THE ABILITY TO PROHIBIT AN UNCONNECTED USER FROM SENDING
44 PRIVATE OR DIRECT MESSAGES TO A MINOR USER, INCLUDING THROUGH VIDEO,
45 VOICE, TEXT OR OTHER MESSAGING, IF APPLICABLE.

1 11. THE ABILITY TO DISABLE THE AUTOMATIC PLAYING OF VIDEO CONTENT
2 WITHOUT USER ACTION IN A PERSONALIZED RECOMMENDATION SYSTEM.

3 44-8044. Age signal conflicts

4 NOTWITHSTANDING SECTION 44-8043, SUBSECTION A, IF A DEVELOPER HAS
5 CLEAR AND CONVINCING EVIDENCE THAT A USER'S AGE IS DIFFERENT FROM THE AGE
6 THAT IS INDICATED BY THE AGE SIGNAL THAT THE DEVELOPER RECEIVED FROM THE
7 COVERED COMPANY, THE DEVELOPER MAY USE THE DEVELOPER'S INTERNAL DATA.

8 44-8045. Attorney general; enforcement; penalties

9 A. IN ADDITION TO ANY OTHER REMEDY AVAILABLE UNDER STATE LAW, THE
10 ATTORNEY GENERAL MAY BRING AN ACTION AGAINST A COVERED COMPANY, DEVELOPER
11 OR COMMERCIAL ENTITY TO:

12 1. RECOVER A CIVIL PENALTY OF NOT MORE THAN \$75,000 FOR EACH
13 VIOLATION OF THIS CHAPTER.

14 2. RESTRAIN OR ENJOIN THE COVERED COMPANY, DEVELOPER OR COMMERCIAL
15 ENTITY FROM VIOLATING THIS CHAPTER.

16 3. SEEK INJUNCTIVE RELIEF.

17 4. RECOVER REASONABLE ATTORNEY FEES.

18 5. RECOVER LITIGATION COSTS AND REASONABLE COSTS FOR INVESTIGATING
19 THE VIOLATION.

20 B. THE ATTORNEY GENERAL SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146
21 AND 35-147, MONIES COLLECTED PURSUANT TO THIS SECTION IN THE TECHNOLOGY
22 PROTECTION FOR MINORS GRANT FUND ESTABLISHED BY SECTION 41-191.14.

23 44-8046. Immunity

24 A. A DEVELOPER OR COVERED COMPANY IS IMMUNE FROM LIABILITY FOR A
25 VIOLATION OF THIS CHAPTER IF THE DEVELOPER OR COVERED COMPANY DEMONSTRATES
26 THAT THE DEVELOPER OR COVERED COMPANY MEETS THE FOLLOWING:

27 1. RELIED IN GOOD FAITH ON THE APPLICABLE AGE SIGNAL AND THE AGE
28 SIGNAL INDICATES THAT THE USER IS A CHILD BASED ON THE INFORMATION
29 RECEIVED THROUGH THE COVERED COMPANY'S DATA SHARING METHODS.

30 2. IF A DEVELOPER, COMPLIED WITH THE REQUIREMENTS DESCRIBED IN
31 SECTION 44-8043.

32 B. IN DETERMINING AN APPLICATION'S AGE RATING AND CONTENT
33 DESCRIPTION, A DEVELOPER IS NOT LIABLE FOR A VIOLATION OF THIS CHAPTER IF
34 THE DEVELOPER USES WIDELY ADOPTED INDUSTRY STANDARDS TO DETERMINE THE
35 APPLICATION'S AGE CATEGORY AND CONTENT DESCRIPTION AND APPLIES THOSE
36 STANDARDS CONSISTENTLY AND IN GOOD FAITH.

37 C. THE IMMUNITY DESCRIBED IN THIS SECTION BOTH:

38 1. APPLIES ONLY TO ACTIONS BROUGHT UNDER THIS CHAPTER.

39 2. DOES NOT LIMIT A DEVELOPER'S OR COVERED COMPANY'S LIABILITY
40 UNDER ANY OTHER APPLICABLE LAW.

41 D. THIS SECTION DOES NOT REPLACE ANY OTHER AVAILABLE REMEDY OR
42 RIGHT IN STATE OR FEDERAL LAW.

1 44-8047. Covered companies: compliance: nondiscrimination:
2 use of data

3 A. THIS CHAPTER DOES NOT MODIFY, IMPAIR OR SUPERSEDE THE OPERATION
4 OF ANY ANTITRUST LAWS, UNLESS OTHERWISE SPECIFIED.

5 B. A COVERED COMPANY SHALL COMPLY WITH THIS CHAPTER IN A
6 NONDISCRIMINATORY MANNER BY DOING BOTH OF THE FOLLOWING:

7 1. IMPOSING THE SAME RESTRICTIONS AND OBLIGATIONS ON THE COVERED
8 COMPANY'S OWN APPLICATIONS AND APPLICATION DISTRIBUTION AS THE COVERED
9 COMPANY IMPOSES ON THIRD-PARTY APPLICATIONS AND APPLICATION DISTRIBUTORS.

10 2. NOT USING DATA THAT IS NOT PUBLICLY AVAILABLE AND THAT IS
11 COLLECTED FROM THIRD PARTIES, OR CONSENT MECHANISMS DEPLOYED FOR THIRD
12 PARTIES, IN THE COURSE OF COMPLIANCE WITH THIS CHAPTER TO COMPETE AGAINST
13 THOSE THIRD PARTIES, TO GIVE THE COVERED COMPANY'S SERVICES PREFERENCE
14 RELATIVE TO THOSE OF THIRD PARTIES OR TO OTHERWISE USE THIS DATA THAT IS
15 NOT PUBLICLY AVAILABLE IN A MANNER THAT IS UNAVAILABLE TO THOSE THIRD
16 PARTIES.

17 Sec. 3. Severability

18 If a provision of this act or its application to any person or
19 circumstance is held invalid, the invalidity does not affect other
20 provisions or applications of the act that can be given effect without the
21 invalid provision or application, and to this end the provisions of this
22 act are severable.

23 Sec. 4. Effective date

24 Section 41-191.14, Arizona Revised Statutes, as added by this act,
25 and title 44, chapter 42, Arizona Revised Statutes, as added by this act,
26 are effective one year after the effective date of this act.