



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 510 (Substitute S-3 as reported by the Committee of the Whole)
Sponsor: Senator Phil Pavlov
Committee: Education

CONTENT

The bill would create the "Student Online Personal Protection Act" to establish certain prohibitions and requirements that would apply to an "operator", which would mean, to the extent that it is operating in this capacity, the operator of an internet website, online service, online application, or mobile application with actual knowledge that the site, service, or application is used primarily for K-12 school purposes and was designed and marketed for K-12 school purposes.

Specifically, the proposed Act would do the following:

- Prohibit an operator from knowingly engaging in certain targeted advertising, using information gathered by the operator to amass a student profile, or selling or renting a student's information.
- Prohibit an operator from knowingly disclosing covered information, unless the disclosure were made for certain purposes.
- Require an operator to implement appropriate security procedures and practices appropriate for covered information; protect covered information from unauthorized access, destruction, or use; and delete a student's covered information if requested to do so by a school district.
- Allow an operator to disclose or use a student's covered information if required by law or for legitimate research purposes, or if the information were disclosed to a State or local educational agency for K-12 school purposes.
- Specify that the Act would not prohibit an operator from using covered information to improve or demonstrate the effectiveness of its educational products or services.
- Provide that the Act would not limit certain activities or abilities of various parties.

"Covered information" would mean personally identifiable information or material in any media or format that is created by, provided to, or gathered by an operator under specified circumstances.

The Act would take effect 90 days after its enactment.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 11-3-15

Fiscal Analyst: Cory Savino