

**First Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 25-0808.01 Richard Sweetman x4333

SENATE BILL 25-201

SENATE SPONSORSHIP

Lundeen and Daugherty, Michaelson Jenet

HOUSE SPONSORSHIP

Lukens and Lindsay,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 **CONCERNING REQUIRING CERTAIN INTERNET WEBSITES THAT PROVIDE**
102 **MATERIAL THAT IS HARMFUL TO CHILDREN TO VERIFY THE AGE**
103 **OF INDIVIDUALS WHO ATTEMPT TO ACCESS SUCH MATERIAL.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

On and after July 1, 2026, the bill requires certain internet websites that knowingly and intentionally publish or distribute material that is harmful to children (covered platforms) to:

- Perform one or more reasonable age verification measures to verify the age of each individual who attempts to access

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

- such material;
- Prevent children from accessing such material; and
- Arrange for annual independent audits of the results of the covered platform's reasonable age verification measures.

On and after July 1, 2026, a covered platform must offer each user at least one option by which the covered platform may verify the user's age without the user having to disclose the user's identity. For this purpose, a covered platform must employ commercially available technologies that are independently certified to be highly effective in establishing that an individual is not a child.

A covered platform may not rely solely upon the geographical registration of an internet protocol address to determine a user's location and must apply extensive due diligence based on available technology before concluding that an individual is not located in Colorado.

A covered platform must ensure that each reasonable age verification measure that the covered platform employs includes a means by which a potential user of the covered platform may appeal a determination concerning the potential user's age.

A covered platform that acquires personal data for the purposes of age verification must destroy the personal data as soon as reasonably possible after a potential user's age is checked for age verification. In acquiring and retaining personal data, a covered platform must otherwise comply with the requirements of the "Colorado Privacy Act".

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) Recognizing the
3 widespread availability of online pornographic content and its potential
4 harm to minors, the general assembly finds it necessary to require the
5 implementation of age verification measures to prevent youth from
6 accessing such material. This declaration affirms the state's commitment
7 to safeguarding children from exposure to explicit content that may
8 negatively impact their development, while protecting the rights of
9 individuals 18 years of age and older. By requiring robust and effective
10 age verification systems for access to online pornography, and requiring
11 a nonidentity-document-based option, this legislation seeks to uphold the
12 well-being of minors while respecting the rights of adults to lawful

1 access.

2 (2) The general assembly also finds that:

3 (a) Extensive research has demonstrated that exposure to
4 pornography at a young age can contribute to adverse public health
5 outcomes, including increased rates of anxiety, depression, and distorted
6 perceptions of healthy relationships and consent;

7 (b) Studies indicate that early and repeated exposure to sexually
8 explicit material is linked to compulsive behaviors, desensitization to
9 violence, and unrealistic expectations about intimacy, which can have
10 long-term consequences on minor viewers' mental and emotional
11 well-being;

12 (c) Leading public health organizations emphasize the need for
13 protective measures to prevent premature exposure to pornography, citing
14 its potential to negatively influence adolescent brain development and
15 social behavior; and

16 (d) The expanding sophisticated adoption of technology has made
17 traditional age verification measures, such as simple self-attestation or
18 parental controls, ineffective in preventing underage access to explicit
19 online material, necessitating stronger safeguards for public health
20 protection.

21 (3) Therefore, the general assembly declares that:

22 (a) This act is a critical public health measure and is intended to
23 require effective and enforceable age verification measures for accessing
24 online pornography websites that are accessible within the state; and

25 (b) The general assembly remains committed to ensuring that any
26 regulatory measures respect user privacy while achieving the paramount
27 goal of promoting public health and protecting minors from harmful

1 exposure to explicit content.

2 **SECTION 2.** In Colorado Revised Statutes, **add** article 29 to title
3 6 as follows:

4 **ARTICLE 29**

5 **Age Verification for Providers of Online**

6 **Material that Is Harmful to Children**

7 **6-29-101. Providers of online material that is harmful to**
8 **children - user age verification measures required - appeals of age**
9 **determinations - definitions.** (1) AS USED IN THIS SECTION, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11 (a) "CHILD" MEANS AN INDIVIDUAL UNDER EIGHTEEN YEARS OF
12 AGE WHO RESIDES IN COLORADO.

13 (b) (I) "COVERED PLATFORM" MEANS AN ENTITY:

14 (A) THAT IS A WEBSITE; AND

15 (B) THAT, IN THE REGULAR COURSE OF THE TRADE OR BUSINESS OF
16 THE ENTITY, CREATES, HOSTS, OR MAKES AVAILABLE MATERIAL THAT IS
17 HARMFUL TO CHILDREN, WHICH MATERIAL IS PROVIDED BY THE ENTITY, A
18 USER, OR OTHER INFORMATION CONTENT PROVIDER, WITH THE OBJECTIVE
19 OF EARNING A PROFIT.

20 (II) "COVERED PLATFORM" INCLUDES AN ENTITY DESCRIBED IN
21 SUBSECTION (1)(b)(I) OF THIS SECTION REGARDLESS OF WHETHER:

22 (A) THE ENTITY EARNS A PROFIT ON THE ACTIVITIES DESCRIBED IN
23 SUBSECTION (1)(b)(I)(B) OF THIS SECTION; OR

24 (B) CREATING, HOSTING, OR MAKING AVAILABLE CONTENT THAT
25 IS HARMFUL TO CHILDREN IS A SUBSTANTIAL SOURCE OF INCOME OR
26 PRINCIPAL BUSINESS OF THE ENTITY.

27 (III) "COVERED PLATFORM" DOES NOT INCLUDE:

1 (A) AN INTERNET WEBSITE THAT PROHIBITS MATERIAL HARMFUL
2 TO CHILDREN IN ITS TERMS AND CONDITIONS, MAKES REASONABLE
3 EFFORTS TO SCAN USER-GENERATED CONTENT TO REMOVE MATERIAL
4 HARMFUL TO CHILDREN, AND OPERATES A REPORTING PROCESS TO
5 AFFIRMATIVELY REMOVE MATERIAL HARMFUL TO CHILDREN THAT IS NOT
6 REMOVED SYSTEMATICALLY;

7 (B) AN INTERNET SERVICE PROVIDER OR ITS AFFILIATES OR
8 SUBSIDIARIES;

9 (C) A GENERAL PURPOSE SEARCH ENGINE;

10 (D) A CLOUD SERVICE PROVIDER;

11 (E) A BROADCAST TELEVISION SERVICE, CABLE SERVICE,
12 SATELLITE SERVICE, STREAMING MEDIA SERVICE, OR OTHER SERVICE
13 OFFERING VIDEO PROGRAMMING, AS DEFINED IN SECTION 613 (h)(2) OF
14 THE "COMMUNICATIONS ACT OF 1934", 47 U.S.C. SEC. 151 ET SEQ.; OR

15 (F) A COMMERCIAL ENTITY WHOSE INTERNET WEBSITE CONTAINS
16 MATERIAL HARMFUL TO CHILDREN BUT WHOSE REGULAR COURSE OF
17 TRADE OR BUSINESS IS NOT CREATING, HOSTING, OR MAKING AVAILABLE
18 MATERIAL HARMFUL TO CHILDREN ON THE INTERNET, AS EVIDENCED BY
19 THE AMOUNT OF DATA THAT CONSTITUTES MATERIAL HARMFUL TO
20 CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE, THE
21 AMOUNT OF DATA THAT CONSTITUTES MATERIAL HARMFUL TO CHILDREN
22 ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE IN PROPORTION TO THE
23 TOTAL AMOUNT OF DATA ON THE COMMERCIAL ENTITY'S INTERNET
24 WEBSITE, THE AMOUNT OF USER TRAFFIC TO MATERIAL HARMFUL TO
25 CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE, THE
26 AMOUNT OF USER TRAFFIC TO MATERIAL HARMFUL TO CHILDREN ON THE
27 COMMERCIAL ENTITY'S INTERNET WEBSITE IN PROPORTION TO ALL USER

1 TRAFFIC ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE, THE AMOUNT
2 OF REVENUE THE COMMERCIAL ENTITY OBTAINS FROM MATERIAL
3 HARMFUL TO CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE,
4 OR THE AMOUNT OF REVENUE THE COMMERCIAL ENTITY GENERATES FROM
5 MATERIAL HARMFUL TO CHILDREN ON THE COMMERCIAL ENTITY'S
6 INTERNET WEBSITE IN PROPORTION TO ALL REVENUES THE COMMERCIAL
7 ENTITY GENERATES.

8 (IV) FOR THE PURPOSES OF SUBSECTION (1)(b)(I)(B) OF THIS
9 SECTION, THE MERE PRESENCE OF MATERIAL HARMFUL TO CHILDREN ON A
10 COMMERCIAL ENTITY'S INTERNET WEBSITE SHALL NOT BE CONSTRUED TO
11 MEAN THAT THE COMMERCIAL ENTITY CREATES, HOSTS, OR MAKES
12 AVAILABLE MATERIAL THAT IS HARMFUL TO CHILDREN IN THE REGULAR
13 COURSE OF THE ENTITY'S TRADE OR BUSINESS. IN DETERMINING WHETHER
14 A COMMERCIAL ENTITY'S REGULAR COURSE OF TRADE OR BUSINESS IS
15 CREATING, HOSTING, OR MAKING AVAILABLE MATERIAL HARMFUL TO
16 CHILDREN ON THE INTERNET, THE FOLLOWING SHALL BE CONSIDERED:

17 (A) THE AMOUNT OF DATA THAT CONSTITUTES MATERIAL
18 HARMFUL TO CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET
19 WEBSITE;

20 (B) THE AMOUNT OF DATA THAT CONSTITUTES MATERIAL
21 HARMFUL TO CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE
22 IN PROPORTION TO THE TOTAL AMOUNT OF DATA ON THE COMMERCIAL
23 ENTITY'S INTERNET WEBSITE;

24 (C) THE AMOUNT OF USER TRAFFIC TO MATERIAL HARMFUL TO
25 CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE;

26 (D) THE AMOUNT OF USER TRAFFIC TO MATERIAL HARMFUL TO
27 CHILDREN ON THE COMMERCIAL ENTITY'S INTERNET WEBSITE IN

1 PROPORTION TO ALL USER TRAFFIC ON THE COMMERCIAL ENTITY'S
2 INTERNET WEBSITE;

3 (E) THE AMOUNT OF REVENUE THE COMMERCIAL ENTITY OBTAINS
4 FROM MATERIAL HARMFUL TO CHILDREN ON THE COMMERCIAL ENTITY'S
5 INTERNET WEBSITE; AND

6 (F) THE AMOUNT OF REVENUE THE COMMERCIAL ENTITY
7 GENERATES FROM MATERIAL HARMFUL TO CHILDREN ON THE COMMERCIAL
8 ENTITY'S INTERNET WEBSITE IN PROPORTION TO ALL REVENUES THE
9 COMMERCIAL ENTITY GENERATES.

10 (c) "HARMFUL TO CHILDREN" HAS THE MEANING SET FORTH IN
11 SECTION 18-7-501 (2).

12 (d) "INDEPENDENT AUDITOR" MEANS A PROFESSIONAL AUDITOR
13 THAT:

14 (I) IS OPERATIONALLY AND FINANCIALLY INDEPENDENT OF ANY
15 COVERED PLATFORM;

16 (II) MAINTAINS OPERATIONAL AND FINANCIAL INDEPENDENCE
17 FROM SUPPLIERS OF AGE-RESTRICTED GOODS, SERVICES, AND CONTENT;
18 AND

19 (III) HAS NO INCENTIVE TO PROVIDE RESULTS THAT DO NOT MEET
20 REGULATORY REQUIREMENTS AND APPLICABLE STANDARDS.

21 (e) "PUBLISH" MEANS TO COMMUNICATE OR MAKE INFORMATION
22 AVAILABLE TO ANOTHER PERSON ON A PUBLICLY AVAILABLE INTERNET
23 WEBSITE.

24 (f) (I) "REASONABLE AGE VERIFICATION MEASURE" MEANS A
25 COMMERCIALLY REASONABLE MEASURE THAT:

26 (A) CAN RELIABLY AND ACCURATELY DETERMINE WHETHER A
27 USER OF A COVERED PLATFORM IS A CHILD;

1 (B) PREVENTS ACCESS BY CHILDREN TO CONTENT ON A COVERED
2 PLATFORM; AND

3 (C) VERIFIES EACH USER AND POTENTIAL USER'S AGE BY
4 EMPLOYING COMMERCIALY AVAILABLE TECHNOLOGIES THAT ARE
5 INDEPENDENTLY CERTIFIED TO BE HIGHLY EFFECTIVE IN ESTABLISHING
6 THAT AN INDIVIDUAL IS NOT A CHILD.

7 (II) A "REASONABLE AGE VERIFICATION MEASURE" MAY, BUT IS
8 NOT REQUIRED TO, REQUIRE A POTENTIAL USER TO SUBMIT A
9 GOVERNMENT-ISSUED FORM OF IDENTIFICATION.

10 (2) (a) ON AND AFTER JULY 1, 2026, A COVERED PLATFORM THAT
11 KNOWINGLY AND INTENTIONALLY PUBLISHES OR DISTRIBUTES MATERIAL
12 THAT IS HARMFUL TO CHILDREN ON THE INTERNET SHALL:

13 (I) PERFORM ONE OR MORE REASONABLE AGE VERIFICATION
14 MEASURES TO VERIFY THE AGE OF EACH INDIVIDUAL WHO ATTEMPTS TO
15 ACCESS SUCH MATERIAL;

16 (II) PREVENT CHILDREN FROM ACCESSING SUCH MATERIAL; AND

17 (III) ARRANGE FOR AUDITS OF THE RESULTS OF THE COVERED
18 PLATFORM'S REASONABLE AGE VERIFICATION MEASURES, WHICH AUDITS
19 ARE PERFORMED:

20 (A) AT LEAST ANNUALLY;

21 (B) AT THE EXPENSE OF THE COVERED PLATFORM;

22 (C) BY AN INDEPENDENT AUDITOR; AND

23 (D) FOR THE PURPOSE OF CERTIFYING THAT THE REASONABLE AGE
24 VERIFICATION MEASURES SATISFY A RELEVANT, RECOGNIZED
25 INTERNATIONAL STANDARD, SUCH AS ISO/IEC 27566-1, IEEE 2089.1, OR
26 THE EQUIVALENT.

27 (b) ON AND AFTER JULY 1, 2026, A COVERED PLATFORM SHALL

1 OFFER EACH USER OR POTENTIAL USER OF THE COVERED PLATFORM AT
2 LEAST ONE OPTION BY WHICH THE COVERED PLATFORM MAY VERIFY THE
3 USER'S OR POTENTIAL USER'S AGE WITHOUT THE USER OR POTENTIAL USER
4 HAVING TO DISCLOSE THE USER'S OR POTENTIAL USER'S IDENTITY TO THE
5 COVERED PLATFORM. FOR THIS PURPOSE, A COVERED PLATFORM SHALL
6 EMPLOY COMMERCIALY AVAILABLE TECHNOLOGIES THAT ARE
7 INDEPENDENTLY CERTIFIED TO BE HIGHLY EFFECTIVE IN ESTABLISHING
8 THAT AN INDIVIDUAL IS NOT A CHILD.

9 (3) FOR THE PURPOSES OF THIS SECTION, A COVERED PLATFORM
10 SHALL NOT RELY SOLELY UPON THE GEOGRAPHICAL REGISTRATION OF AN
11 INTERNET PROTOCOL ADDRESS TO DETERMINE A USER'S LOCATION AND
12 SHALL APPLY EXTENSIVE DUE DILIGENCE BASED ON AVAILABLE
13 TECHNOLOGY BEFORE CONCLUDING THAT AN INDIVIDUAL IS NOT LOCATED
14 IN COLORADO.

15 (4) ON AND AFTER JULY 1, 2026, IN SATISFYING THE
16 REQUIREMENTS OF SUBSECTION (2) OF THIS SECTION, A COVERED
17 PLATFORM SHALL ENSURE THAT EACH REASONABLE AGE VERIFICATION
18 MEASURE THAT THE COVERED PLATFORM EMPLOYS FOR THE PURPOSES OF
19 THIS ARTICLE 29 INCLUDES A MEANS BY WHICH A POTENTIAL USER OF THE
20 COVERED PLATFORM MAY APPEAL A DETERMINATION CONCERNING THE
21 POTENTIAL USER'S AGE.

22 (5) A COVERED PLATFORM THAT ACQUIRES PERSONAL DATA FOR
23 THE PURPOSES OF AGE VERIFICATION PURSUANT TO THIS ARTICLE 29 SHALL
24 DESTROY THE PERSONAL DATA AS SOON AS REASONABLY POSSIBLE AFTER
25 A POTENTIAL USER'S AGE IS CHECKED FOR AGE VERIFICATION. IN
26 ACQUIRING AND RETAINING PERSONAL DATA AS DESCRIBED IN THIS
27 SECTION, A COVERED PLATFORM SHALL OTHERWISE COMPLY WITH THE

1 REQUIREMENTS OF THE "COLORADO PRIVACY ACT", PART 13 OF ARTICLE
2 1 OF THIS TITLE 6.

3 (6) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE
4 CONTRARY, THIS SECTION:

5 (a) DOES NOT APPLY TO ANY BONA FIDE NEWS OR PUBLIC INTEREST
6 BROADCAST, WEBSITE VIDEO, REPORT, OR EVENT; AND

7 (b) SHALL NOT BE CONSTRUED TO AFFECT THE RIGHTS OF ANY
8 NEWS-GATHERING ORGANIZATIONS.

9 **SECTION 3. Act subject to petition - effective date.** This act
10 takes effect at 12:01 a.m. on the day following the expiration of the
11 ninety-day period after final adjournment of the general assembly; except
12 that, if a referendum petition is filed pursuant to section 1 (3) of article V
13 of the state constitution against this act or an item, section, or part of this
14 act within such period, then the act, item, section, or part will not take
15 effect unless approved by the people at the general election to be held in
16 November 2026 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.