

LFC Requester:	Eric Chenier
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**AGENCY BILL ANALYSIS
2024 REGULAR SESSION**

WITHIN 24 HOURS OF BILL POSTING, UPLOAD ANALYSIS TO:

AgencyAnalysis.nmlegis.gov

{Analysis must be uploaded as a PDF}

SECTION I: GENERAL INFORMATION

{Indicate if analysis is on an original bill, amendment, substitute or a correction of a previous bill}

Check all that apply:

Original x **Amendment**
Correction **Substitute**

Date 1/18/2024

Bill No: SB 68

Sponsor: George Munoz Pamela Herndon
Short Title: Age Appropriate Design Code Act

Agency Name and Code 36100 - OBAE

Number: _____

Person Writing Aquiles Trujillo

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SECTION II: FISCAL IMPACT

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Nonrecurring	Fund Affected
FY24	FY25		
0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Nonrecurring	Fund Affected
FY24	FY25	FY26		
0	0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY24	FY25	FY26	3 Year Total Cost	Recurring or Nonrecurring	Fund Affected
Total	0	0	0	0	0	0

(Parenthesis () Indicate Expenditure Decreases)

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis: The bill is specifically designed to limit a company that markets directly to children online (0-17) from collecting any Personal Data including GEO Location. Additionally it seek to limits a company from using online marking techniques to persuade or influence a child from to disclose personal data, Geo Location, and accidentally paying for a service via online prompts pop ups or blacking out content. It requires any company that targets children directly or indirectly to have a DATA PROTECTION IMPACT ANALYSIS (DPIA). This is a common security and compliance tool in EUROPE and is required for any company participating in the EU markets. The bill imposes fines from \$25600-\$7000 per user effected.

FISCAL IMPLICATIONS

Note: major assumptions underlying fiscal impact should be documented.
None

Note: if additional operating budget impact is estimated, assumptions and calculations should be reported in this sections.
None

SIGNIFICANT ISSUES Difficult to determine age of users online which the bill seeks to Identify. Additionally DPIA vendors are not overly common in the US.

PERFORMANCE IMPLICATIONS

N/A

ADMINISTRATIVE IMPLICATIONS

N/A

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

N/A

TECHNICAL ISSUES

N/A

OTHER SUBSTANTIVE ISSUES

N/A

ALTERNATIVES

N/A

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Status quo

AMENDMENTS

N/A