

AMENDED IN SENATE APRIL 5, 2010

**SENATE BILL**

**No. 1361**

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**Introduced by Senator Corbett**

February 19, 2010

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An act to add Part 2.7 (commencing with Section 60) to Division 1 of the Civil Code, relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 1361, as amended, Corbett. Social networking Internet Web sites: privacy: minors.

Existing law requires an operator of a commercial Internet Web site or online service that collects personally identifiable information through the Internet about individual consumers residing in California who use or visit its commercial Internet Web site or online service to conspicuously post its privacy policy on its Internet Web site. Existing law also prescribes various prohibitions with regard to disclosures of personal information related to, among other things, driver's licenses, social security numbers, and direct marketing.

This bill would prohibit a social networking Internet Web site, as defined, from displaying, *to the public or other registered users*, the home address or telephone number of a registered user of that Internet Web site who is under 18 years of age, *as provided*. This bill would impose a civil penalty, not to exceed \$10,000, for each willful and knowing violation of this prohibition.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Part 2.7 (commencing with Section 60) is added  
2 to Division 1 of the Civil Code, to read:

3  
4     PART 2.7. SOCIAL NETWORKING PRIVACY ACT  
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6     60. (a) A social networking Internet Web site shall not display,  
7 *to the public or other registered users*, the home address or  
8 telephone number of a registered user who ~~is~~ *identifies himself or*  
9 *herself as being* under 18 years of age.

10    (b) *The provisions of subdivision (a) shall only apply to a web*  
11 *field specifically designated to display the registered user's home*  
12 *address or telephone number.*

13    64. For purposes of this part:

14    (a) "Social networking Internet Web site" means any business,  
15 organization, or other entity that provides or offers a service  
16 through the Internet that permits a registered user to access, meet,  
17 congregate, or communicate with other registered users for social  
18 networking purposes. "Social networking Internet Web site" does  
19 not include a business, organization, or other entity that only  
20 provides electronic mail service.

21    (b) "Registered user" means any person who has created an  
22 account for purposes of accessing a social networking Internet  
23 Web site.

24    65. A social networking Internet Web site that willfully and  
25 knowingly violates any provision of this part shall be liable for a  
26 civil penalty, not to exceed ten thousand dollars (\$10,000) for each  
27 violation of this part.