

CLIENT ALERT

New California Law Allows Minors to Remove Regrettable Digital Content

October 24, 2013

On September 23, 2013, California Governor Jerry Brown signed a [bill](#) adding provisions to the State's Business and Professions Code that requires website operators to allow children to delete their digital postings. Proponents of the bill contend that this new "online eraser law" gives individuals under the age of 18 a second chance to remove posted information they may later regret, and before it is seen by college administrators or potential employers.

The law requires all websites, online services and mobile apps to permit minors to remove, or request removal of, content posted by the minor user. Even websites hosted outside the state of California must comply with the new law if the user in question is a minor residing in California. The law does not require removal of content posted by third-parties, even if such content was initially published by the minor user.

The law also prohibits websites directed to minors, or websites that know they have users who are minors, from advertising products that are dangerous or illegal for children to buy or use. Examples of such harmful products include firearms, alcohol, tobacco, tattoos, as well as products banned from minors under state law such as ultraviolet tanning, lottery tickets, spray paint, and certain dietary supplement products.

The California state assembly passed the law 62-12, and the state senate unanimously approved the measure, which takes effect January 1, 2015. The full text of the law can be found [here](#).

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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