



Ohio Revised Code

Section 1349.10 Internet age verification - obscenity or matter harmful to juveniles.

Effective: September 30, 2025

Legislation: House Bill 96 - 136th General Assembly

(A)(1) "Cable service provider" has the same meaning as in section 1332.01 of the Revised Code.

(2) "Cloud service provider" means a third-party company offering a cloud-based platform, infrastructure, application, or storage services.

(3) "Direct-to-home satellite service" has the same meaning as in 47 U.S.C. 303, as amended.

(4) "Identifying information" means photo identification or public or private transactional data.

(5) "Interactive computer service" has the same meaning as in the "Telecommunications Act of 1996," 47 U.S.C. 230, as amended.

(6) "Internet provider" means a provider of internet service, including all of the following:

(a) Broadband service, however defined or classified by the federal communications commission;

(b) Information service or telecommunications service, both as defined in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended;

(c) Internet protocol-enabled services, as defined in section 4927.01 of the Revised Code.

(7) "Mobile service" and "telecommunications carrier" have the same meanings as in the "Telecommunications Act of 1996," 47 U.S.C. 153, as amended.

(8) "Organization" means both of the following:

(a) A commercial establishment that, for any form of consideration, has as a significant or substantial



portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its content or advertising to, or maintains a substantial section of its sales or online content display space for the sale, rental, or viewing of materials that are obscene or harmful to juveniles;

(b) A commercial establishment as defined in section 2907.38 of the Revised Code. An establishment may have other principal business purposes that do not involve selling, delivering, furnishing, disseminating, providing, exhibiting, or presenting any material or performance that is obscene or harmful to juveniles on the internet and still be categorized as an organization subject to this section. The existence of other principal business purposes does not exempt an establishment from being categorized as an organization subject to this section, so long as one of its principal business purposes involves selling, delivering, furnishing, disseminating, providing, exhibiting, or presenting any material or performance that is obscene or harmful to juveniles on the internet.

(9) "Photo identification" has the same meaning as in section 3501.01 of the Revised Code and includes any government-issued identification issued by another state, district, country, or sovereignty.

(10) "Reasonable age verification methods" means the following:

(a) Verifying that the person attempting to access the material or performance that is obscene or harmful to juveniles is eighteen years of age or older through the use of a commercial age verification system that uses photo identification or public or private transactional data to verify the person's age;

(b) Using third-party and governmental databases that use a commercial age verification system that uses photo identification or public or private transactional data to verify the person's age.

(11) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between a person, organization, or third party for the purpose of satisfying a request or event. "Transactional data" includes mortgage, educational, and employment records.

(12) "Video service provider" has the same meaning as in section 1332.21 of the Revised Code.



(B) An organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet shall do all of the following:

(1) Verify that any person attempting to access the material or performance that is obscene or harmful to juveniles is eighteen years of age or older through reasonable age verification methods;

(2) Verify that any person creating an account or subscription to access any material or performance that is obscene or harmful to juveniles is eighteen years of age or older through reasonable age verification methods. The organization shall reverify the age of the person every two years thereafter.

(3)(a) Utilize a geofence system maintained and monitored by a licensed location-based technology provider to dynamically monitor the geolocation of persons attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles;

(b) The location-based technology provider shall perform a geolocation check to dynamically monitor the person attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles and the person's location.

(c) If the location-based technology provider determines that a person is located in this state, the organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet shall block that person until the person's age has been verified using reasonable age verification methods.

(4) Implement a notification mechanism to alert persons attempting to access or creating an account or subscription to access the material or performance that is obscene or harmful to juveniles, of a geolocation check failure.

(C)(1)(a) Except as otherwise provided in division (C)(1)(b) of this section, an organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet and verifies the age of the person creating an



account or subscription to access the material or performance that is obscene or harmful to juveniles on the internet shall do the following:

- (i) Immediately delete all information gathered for the purpose of age verification after the age verification is completed, except the information maintained for account and subscription access and for billing purposes;
- (ii) Upon the request of the account holder or subscriber, immediately delete the data maintained for user access to the account or subscription and for billing purposes;
- (iii) Develop and maintain a data privacy policy compliant with federal and state law and maintain data in a manner that is reasonably secure.

(b) On the expiration of two years after the creation of the account or subscription, the organization shall immediately delete all information relative to the creation of the user's account or subscription and any information maintained for billing purposes, unless the account holder or subscriber renews the account or subscription.

(2) An organization that sells, delivers, furnishes, disseminates, provides, exhibits, or presents any material or performance that is obscene or harmful to juveniles on the internet and verifies the age of the person attempting to access the material or performance that is obscene or harmful to juveniles on the internet shall do both of the following:

- (a) Immediately delete all information gathered for the purpose of age verification after age verification is completed;
- (b) Develop and maintain a data privacy policy compliant with federal and state law and maintain data in a manner that is reasonably secure.

(3) An organization described in division (C)(1) or (2) of this section shall immediately delete any identifying information, except the information required for the purpose of granting a person access to the account or subscription and for billing the account or subscription, that is used for age verification of the person attempting to access or creating an account or subscription to access any



material or performance on the internet that is obscene or harmful to juveniles after age verification is completed.

(4) An organization as described in division (C)(1) or (2) of this section shall not transfer any information collected, except for the purpose of age verification. Any party who receives transferred information for age verification purposes shall immediately delete all information gathered for the purpose of age verification after age verification is completed.

(D) This section does not apply to any of the following:

(1) A person who, while employed or contracted by a newspaper, magazine, press association, news agency, news wire service, radio or television station, or similar media, is gathering, processing, transmitting, compiling, editing, or disseminating information for the general public;

(2) A provider of an interactive computer service;

(3) A mobile service;

(4) An internet provider;

(5) A cable service provider;

(6) A direct-to-home satellite service;

(7) A video service provider;

(8) A cloud service provider.