

**436.002 Liability for failure to perform age verification to access matter harmful to minors -- Civil actions -- Applicability.**

- (1) Any covered platform that knowingly and intentionally publishes or distributes material on the internet, more than one-third (1/3) of which is matter harmful to minors, and fails to perform age verification, either by itself or through a third party, of individuals attempting to access the matter shall be liable as provided in this section.
- (2) Any person injured by a violation of this section, or a parent or legal guardian on behalf of any minor injured by a violation of this section, may bring a civil action against the covered platform to recover:
  - (a) Damages of ten thousand dollars (\$10,000) per instance that the covered platform failed to perform age verification to restrict the minor's access to matter harmful to minors; and
  - (b) Actual damages, court costs, and reasonable attorney's fees.
- (3) This section shall only apply to a minor who:
  - (a) Is a permanent resident of this state;
  - (b) Has resided in this state for more than one (1) year; or
  - (c) Has been sojourning in this state for a period of at least thirty-one (31) consecutive days.

**Effective:** July 15, 2024

**History:** Created 2024 Ky. Acts ch. 106, sec. 14, effective July 15, 2024.