

**Comparison Chart of AB 2273 (Wicks)<sup>1</sup>\* and the UK Age-Appropriate Design Code**

The Age-Appropriate Design Code (AADC) was adopted in the UK in 2018 and came into full force in September of 2021. AB 2273 is modeled after the UK AADC and the bill author has worked to align the measure with the UK AADC. While AB 2273 has been developed in the context of California law, consistency between the Code's will streamline compliance for obligated parties who operate in both jurisdictions and help establish a global standard to protect kids. The following comparison chart is a simple way to compare the standards found in the UK and AB 2273, as proposed to be amended by the author in Senate Appropriations Committee.

|                                                                                                                                                                                                                                                           | UK AADC | AB 2273*         |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|------------------|
| <b>Scope:</b> Requires the online service, product or feature likely to be accessed by a child be designed with the best interests of child in mind.                                                                                                      | ✓       | ✓                |
| <b>Assessment:</b> Requires a covered business to develop a data protection impact assessment to identify and mitigate risks                                                                                                                              | ✓       | ✓                |
| <b>Age-appropriate application:</b> Defines a child as under 18 and facilitate innovation by permitting covered parties to design products with variation that reflects the appropriateness of a given design feature with the estimated age of the user. | ✓       | ✓                |
| <b>Transparency:</b> Have clear privacy policies and terms of service that are designed to be understood by the estimated age of the children likely to access the online service, product or feature.                                                    | ✓       | ✓                |
| <b>Detrimental data use/design:</b> Prohibits companies from using data in a manner that is detrimental to the physical health, mental health, or well-being of a child.                                                                                  | ✓       | ✓                |
| <b>Policies and community standards:</b> Require that businesses do not use data in any manner other than the reason or reasons that the personal information is collected.                                                                               | ✓       | ✓                |
| <b>Default settings:</b> Ensure that design elements that are in the best interest of children are provided by default.                                                                                                                                   | ✓       | ✓                |
| <b>Data minimization:</b> Limits data collection to the information necessary to provide an online service, product, or feature.                                                                                                                          | ✓       | ✓                |
| <b>Data sharing:</b> Limits the sale and sharing of data that is not necessary to provide the service.                                                                                                                                                    | ✓       | ✓                |
| <b>Geolocation:</b> Limits the collection of precise geolocation by default unless that precise geolocation is necessary for the deliver of the online service, product, or feature.                                                                      | ✓       | ✓                |
| <b>Parental controls:</b> Requires parties provide obvious indications when a child is being monitored or tracked via parental controls.                                                                                                                  | ✓       | ✓                |
| <b>Profiling:</b> Limits profiling by default unless one can demonstrate that profiling by default is in the best interest of a child.                                                                                                                    | ✓       | ✓                |
| <b>Nudge techniques:</b> Limits the use of nudge techniques or dark patters that may confuse a user when making choices about data use and privacy.                                                                                                       | ✓       | ✓                |
| <b>Online tools:</b> Provide prominent, accessible tools to exercise their privacy rights.                                                                                                                                                                | ✓       | ✓                |
| <b>Evaluation and support:</b> Mechanism for experts to evaluate and make recommendations on implementation of the Code.                                                                                                                                  | ✓       | ✓                |
| <b>Enforcement:</b> Enforcement by a legal body with civil penalty authority.                                                                                                                                                                             | ICO     | Attorney General |

<sup>1</sup> AB 2273 (Wicks)—As proposed to be amended in Senate Appropriations Committee by the author.