

**PROPOSED AMENDMENTS TO
A-ENGROSSED SENATE BILL 187**

1 On page 2 of the printed A-engrossed bill, line 1, after “12” insert
2 “school”.

3 In line 4, after “12” insert “school”.

4 In line 32, after the second “location” insert “, as long as the student’s
5 online activities are not collected or retained over time”.

6 In line 42, after “information” insert “about a student”.

7 In line 44, after the period insert “For purposes of this subparagraph, an
8 operator does not amass a profile if the operator collects and retains account
9 information that remains under the control of the student, parent, school or
10 school district.”.

11 On page 3, line 12, after “compliance” insert “or to protect against li-
12 ability”.

13 In line 21, delete “(6) or (7)” and insert “(7) or (8)”.

14 After line 33, insert:

15 “(5) Nothing in subsection (3)(a)(A), (B), (D) or (E) of this section shall
16 be construed to prohibit the use or disclosure of covered information with:

17 “(a) The affirmative consent of a student who is 12 years of age or older
18 for a purpose related to educational, learning or job opportunities.

19 “(b) The affirmative consent of a school, the parent or guardian of a
20 student, or a former student who is 12 years of age or older, if the consent:

21 “(A) Is given in response to clear and conspicuous notice of the use or
22 disclosure; and

1 “(B) Is not required for the use of the operator’s site, service or applica-
2 tion.”.

3 In line 34, delete “(5)” and insert “(6)” and delete “(6)” and insert “(7)”.

4 On page 4, line 3, delete “(6)” and insert “(7)”.

5 In line 9, after “aggregated” insert “or”.

6 In line 12, delete “or” and insert:

7 “(d) Using or retaining student information to ensure legal and regulatory
8 compliance or to protect against liability;

9 “(e) Using recommendation engines to recommend additional content or
10 services to students related to educational, learning or job opportunities if
11 the recommendation is within an operator’s site, service or application and
12 the recommendation is not determined in whole or in part by payment or
13 other consideration from a third party; or”.

14 In line 13, delete “(d)” and insert “(f)” and delete “student-initiated” and
15 insert “student’s”.

16 In line 16, delete “(7)” and insert “(8)”.

17 In line 27, delete “(8)” and insert “(9)”.

18 In line 37, delete “(9)” and insert “(10)”.

19 In line 41, delete “(10)” and insert “(11)”.

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