

SF3496 - 1E - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
 Committee: **Labor**
 Date Completed: **3/11/2024 4:13:04 PM**
 Lead Agency: **Labor and Industry Dept**
 Other Agencies:
 Attorney General Supreme Court

| State Fiscal Impact | Yes | No |
|---------------------------|-----|----|
| Expenditures | | X |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | | X |
| Local Fiscal Impact | | X |

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.
 Reductions shown in the parentheses.

| State Cost (Savings) | | Biennium | | | Biennium | |
|----------------------|--|----------|--------|--------|----------|--------|
| Dollars in Thousands | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| State Total | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

| Full Time Equivalent Positions (FTE) | | Biennium | | | Biennium | |
|--------------------------------------|--|----------|--------|--------|----------|--------|
| | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 3/11/2024 4:13:04 PM
Phone: 651-296-6055 **Email:** karl.palm@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

| State Cost (Savings) = 1-2 | | Biennium | | | Biennium | |
|--|--|-----------------|---------------|---------------|-----------------|---------------|
| Dollars in Thousands | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 2 - Revenues, Transfers In* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

SF3496 - 1E - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
 Committee: **Labor**
 Date Completed: **3/11/2024 4:13:04 PM**
 Agency: **Labor and Industry Dept**

| State Fiscal Impact | Yes | No |
|---------------------------|-----|----|
| Expenditures | | X |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | | X |
| Local Fiscal Impact | | X |

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| State Cost (Savings) | | Biennium | | | Biennium | |
|----------------------|--|----------|--------|--------|----------|--------|
| Dollars in Thousands | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

| Full Time Equivalent Positions (FTE) | | Biennium | | | Biennium | |
|--------------------------------------|--|----------|--------|--------|----------|--------|
| | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 3/8/2024 1:26:54 PM
Phone: 651-296-6055 **Email:** karl.palm@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

| State Cost (Savings) = 1-2 | | Biennium | | | Biennium | |
|--|--|-----------------|---------------|---------------|-----------------|---------------|
| Dollars in Thousands | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 2 - Revenues, Transfers In* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

Bill Description

This bill establishes compensation requirements for minors appearing in internet content creation as well as record requirements for content creators.

Assumptions

This bill allows a minor to commence a civil action to enforce Minn. Stat. 181A.13 and recover damages and other remedies. This bill does not provide DLI with enforcement authority; as such, this bill would not have a fiscal impact on DLI.

Expenditure and/or Revenue Formula**Long-Term Fiscal Considerations****Local Fiscal Impact****References/Sources**

Agency Contact: Jessica Grosz (651-284-5307)

Agency Fiscal Note Coordinator Signature: Jacob Gaub

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SF3496 - 1E - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
 Committee: **Labor**
 Date Completed: **3/11/2024 4:13:04 PM**
 Agency: **Attorney General**

| State Fiscal Impact | Yes | No |
|---------------------------|-----|----|
| Expenditures | | X |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | | X |
| Local Fiscal Impact | | X |

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|----------------------|--|----------|--------|--------|----------|--------|
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| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

| Full Time Equivalent Positions (FTE) | | Biennium | | | Biennium | |
|--------------------------------------|--|----------|--------|--------|----------|--------|
| | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 3/7/2024 11:26:11 AM
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State Cost (Savings) Calculation Details

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| State Cost (Savings) = 1-2 | | Biennium | | | Biennium | |
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| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |
| 2 - Revenues, Transfers In* | | | | | | |
| Total | | - | - | - | - | - |
| Biennial Total | | | | - | | - |

Bill Description

This bill regulates internet content creation by minors. The bill defines when a minor is considered engaged in the work of content creation. The bill also requires content creators whose content features a minor to retain certain record. The bill requires that a minor who is engaged in the work of content creation to be compensated by the content creator by setting aside gross earnings in a trust until the minor reaches the age of majority. The bill provides that minors may commence a civil action against the content creator for damages if a content creator violates this law. Finally, the bill provides that a person 13 years of age or older who was featured as a minor in content may request the permanent deletion of the content from an online platform.

Assumptions

The Attorney General's Office does not project any defined expenditures, absorbed costs, or revenues from this bill because the bill does not reference AGO enforcement authority directly and is being placed in Chapter 181A, which is the child labor chapter, for which the Attorney General's Office does not have explicit enforcement authority.

Expenditure and/or Revenue Formula

n/a

Long-Term Fiscal Considerations

n/a

Local Fiscal Impact

n/a

References/Sources

n/a

Agency Contact: Laura Sayles

Agency Fiscal Note Coordinator Signature: Laura Capuana

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SF3496 - 1E - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
 Committee: **Labor**
 Date Completed: **3/11/2024 4:13:04 PM**
 Agency: **Supreme Court**

| State Fiscal Impact | Yes | No |
|---------------------------|-----|----|
| Expenditures | | X |
| Fee/Departmental Earnings | | X |
| Tax Revenue | | X |
| Information Technology | | X |
| Local Fiscal Impact | | X |

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| Full Time Equivalent Positions (FTE) | | Biennium | | | Biennium | |
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| | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| Total | | - | - | - | - | - |

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karen McKey **Date:** 3/11/2024 3:16:51 PM
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State Cost (Savings) Calculation Details

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| State Cost (Savings) = 1-2 | | Biennium | | | Biennium | |
|---|----------------|----------|--------|--------|----------|--------|
| Dollars in Thousands | | FY2023 | FY2024 | FY2025 | FY2026 | FY2027 |
| | Total | - | - | - | - | - |
| | Biennial Total | | | - | | - |
| 1 - Expenditures, Absorbed Costs*, Transfers Out* | | | | | | |
| | Total | - | - | - | - | - |
| | Biennial Total | | | - | | - |
| 2 - Revenues, Transfers In* | | | | | | |
| | Total | - | - | - | - | - |
| | Biennial Total | | | - | | - |

Bill Description

SF3496-1E amends the definitions in section 181A.03 governing Child Labor to define “content creation” and “content creator” and adds a new section 181A.13 defining when a minor is considered engaged in the work of content creation. The bill also requires content creators whose content features a minor to retain certain records. The bill requires that a minor who is engaged in the work of content creation be compensated by the content creator by setting aside gross earnings in a trust until the minor reaches the age of majority.

Minn. Stat. §181A.13 provides for a new civil cause of action for actual damages, punitive damages, and costs against the content creator if a content creator violates this law.

Assumptions

It is assumed that claims under the provisions of this bill may be filed on their own, which could increase case filing rates, or may be filed as an additional claim along with other existing causes of action. It is assumed that the number of new case filings under this statute would be minimal.

It is assumed that because the bill does not address filing fees, the civil filing fee of \$285 will apply to cases filed under the provisions of this bill. See Minn. Stat. § 357.021, subd. 2. All filing fees collected are transmitted to the General Fund. It is assumed that some parties may file an application to proceed *in forma pauperis* and the court may order filing fees waived in some cases. Because it is not possible to estimate any increase in case filings, it is not possible to estimate the impact on filing fees that will be collected and transmitted to the General Fund.

Expenditure and/or Revenue Formula

Although the judicial branch cannot calculate or estimate any potential increase in case filings, it is anticipated that this bill will have minimal impact on the Judicial Branch. It is not possible to estimate any potential increase in filing fees collected and transmitted to the General Fund.

Long-Term Fiscal Considerations

None

Local Fiscal Impact

References/Sources

Agency Contact:

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