

Revised

Consolidated Fiscal Note

2023-2024 Legislative Session

SF3496 - 11A - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
Committee: **Labor**
Date Completed: **4/16/2024 12:01:15 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
Attorney General		-	-	-	-
General Fund		-	-	-	-
State Total					
General Fund		-	-	-	-
Total		-	-	-	-
Biennial Total				-	-

Full Time Equivalent Positions (FTE)		Biennium		Biennium	
		FY2023	FY2024	FY2025	FY2026
Attorney General		-	-	-	-
General Fund		-	-	-	-
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.

This fiscal note is being revised to amend fiscal note assumptions so they align with current Office of the Attorney General understanding of their duties under the bill.

LBO Signature: Karl Palm **Date:** 4/16/2024 12:01:15 PM
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Revised

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
Attorney General		-	-	-	-	-
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Attorney General		-	-	-	-	-
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
Attorney General		-	-	-	-	-
General Fund		-	-	-	-	-
Total		-	-	-	-	-
Biennial Total				-		-

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2023-2024 Legislative Session

SF3496 - 11A - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
Committee: **Labor**
Date Completed: **4/16/2024 12:01:15 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

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	
	FY2023	FY2024	FY2025	FY2026	FY2027
Dollars in Thousands					
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: Alyssa Holterman Rosas **Date:** 4/4/2024 8:04:51 PM
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Revised

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			-		-

Bill Description

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

The bill allows a minor to commence a civil action to enforce Minn. Stat. 181A.13 and recover damages and other remedies. This bill also allows the attorney general to enforce certain provisions of Minn. Stat. 181A.13.

Assumptions

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

NA

Long-Term Fiscal Considerations

NA

Local Fiscal Impact

NA

References/Sources

NA

Agency Contact: Jessica Grosz 651-284-5307

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Revised

Fiscal Note

2023-2024 Legislative Session

SF3496 - 11A - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
Committee: **Labor**
Date Completed: **4/16/2024 12:01:15 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

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	
	FY2023	FY2024	FY2025	FY2026	FY2027
Dollars in Thousands					
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-
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.

This fiscal note is being revised to amend fiscal note assumptions so they align with current Office of the Attorney General understanding of their duties under the bill.

LBO Signature: Susan Nelson **Date:** 4/16/2024 10:44:37 AM
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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
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total				-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total				-		-
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
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.

The bill allows for the OAG to enforce violations of the Compensation for Internet Content Creation section in accordance with section 8.31. In addition to other remedies provided by law (including remedies provided by section 8.31) the bill provides the OAG may recover its costs and fees.

Assumptions

The bill's effective date is in FY 2026, beginning on July 1, 2025.

The Attorney General's Office does not project any defined expenditures, absorbed costs, or revenues from the Act. Investigations of this Act or litigation to enforce the law would be pursued by the Office's existing attorneys and investigators dedicated to consumer protection issues.

Expenditure and/or Revenue Formula

Long-Term Fiscal Considerations

If, after the July 1, 2025 effective date, there is more work than anticipated, the AGO may need to ask for resources to enforce this Act in future biennia.

Local Fiscal Impact

n/a

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References/Sources

n/a

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Fiscal Note

2023-2024 Legislative Session

SF3496 - 11A - Content Creator Compensation for Minors

Chief Author: **Erin Maye Quade**
Committee: **Labor**
Date Completed: **4/16/2024 12:01:15 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

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	
	FY2023	FY2024	FY2025	FY2026	FY2027
Dollars in Thousands					
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: Karen McKey **Date:** 4/4/2024 2:51:40 PM
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Revised

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			-		-

Bill Description

SF3496-11A amends the definitions in section 181A.03 governing Child Labor to define “online platform,” “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; prohibiting a minor under the age of 14 from engaging in the work of content creation; entitling a minor under 14 to 100% of the proceeds if featured by a content creator; and authorizing a minor over the age of 13 to produce and publish their own content. 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.

The bill provides for a new civil cause of action for damages, injunctive relief, and any other just and equitable relief if a content creator violates this law; the attorney general may enforce the provision under section 8.31 and recover costs and fees. The bill also provides a process for a person 13 or older to request permanent deletion of content from an online platform, which then requires the online platform to remove and permanently delete the content within 7 days of the request.

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

Revised

None.

Local Fiscal Impact

References/Sources

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