

February 5, 2026

Fact Sheet: CCIA v. Brown (D. Utah)

What:

CCIA has filed a lawsuit against the State of Utah seeking an injunction and a declaratory judgment that [SB142](#), the App Store Accountability Act, violates the U.S. Constitution. The Attorney General of Utah is Derek Brown. Also named as a co-defendant is Katherine Hass, Director of the Division of Consumer Protection of the Utah Department of Commerce.

This lawsuit parallels a challenge brought by CCIA against Texas SB2420, a similar App Store Accountability Act. [CCIA was successful in obtaining a preliminary injunction](#) of the Texas statute on First Amendment grounds on December 23, 2025.

Where:

[U.S. District Court for Utah](#)

Why:

SB142, the App Store Accountability Act, violates the First Amendment rights of app stores and app developers in several ways.

App Stores:

1. **Age verification and parental consent and “affiliation” requirements.** SB142 requires app stores to request, upon account creation, information about the user’s age and then “verify” the user’s age using either “commercially available methods that are reasonably designed to ensure accuracy” or a method or process that complies with rules Utah has yet to adopt. §13-76-201(1)(a). App stores must sort users into one of four categories: Under 13, 13-16, 16-18, Over 18. §§13-76-201(1)(a)(ii), 13-76-101(1). Users who are classified as minors must “be affiliated with a parent account.” §13-76-201(1)(b). App stores must then require parental consent for every app download, purchase, and in-app purchase that the minor wishes to make, §13-76-201(1)(b)(ii), with the exception of apps that provide direct access to emergency services. §13-76-404(4).

These requirements violate the First Amendment because they are content-based, impose a prior restraint on apps providing information to users, and affect vast amounts of lawful, expressive content available to all users of mobile devices.

2. **Age-rating display requirements.** SB142 effectively compels speech by app stores through its vague age rating and disclosure requirements. Specifically, “if the app store provider has” an age rating or content description for an app or in-app purchase, the Act requires the app store to disclose that age rating or content description in order to obtain “verifiable parental consent.” §§13-76-201(1)(b)(ii); 13-76-101(17), (19).

These requirements violate the First Amendment because they essentially compel app stores to speak – they must provide age-ratings according to the four-tier system mandated by Utah. These requirements are also unnecessary given app stores’ existing methods for displaying age ratings on apps.

App Developers:

1. **Age verification and parental consent requirements.** SB142 requires app developers to verify the age category assigned to each user and, for minors, whether parental consent has been obtained, based on information provided by the app store. §13-76-202(1)(a). Developers must then “use age category data received from an app store provider” to “enforce any developer-created age-related restrictions,” “ensure compliance with applicable laws and regulations,” and “implement any developer-created safety-related features or defaults.” §13-76-202(1)(c).

As noted above regarding app stores, these requirements violate the First Amendment because they are content-based, impose a prior restraint on apps providing information to users, and affect vast amounts of lawful expressive content available on mobile devices.

2. **Age-rating requirements.** As with app stores, SB142 effectively compels app developers to speak due to its vague age rating and disclosure requirements. Specifically, SB142 holds developers liable for “knowingly misrepresent[ing]” any information in their parental consent disclosures. §13-76-202(4)(b). The Act offers a safe harbor from this risk of liability for “knowingly misrepresent[ing]” an age rating, but only if the developer “uses widely adopted industry standards to determine” the “age category” according to the age categories stated in the Act. §§13-76-402(2)(a), 13-76-101(1). Similarly, developers are required to request the age-verification data collected by app stores in line with the State’s age categories, §13-76-201(1)(d), and use that data to enforce any developer-created age-related restrictions and implement any safety-related features or defaults. §13-76-202(1)(c)(i), (iii). The practical result of these provisions is that, in order to avoid liability under the Act, developers must implement an elaborate, vaguely-defined age rating system according to the Act’s age categories.

This requirement violates the First Amendment because it is a content-based distinction that compels speech from developers and forces them to provide information as directed and demanded by Utah instead of according to their own editorial and curatorial discretion.

3. **Requirement to supply advance notice of any “significant change.”** SB142 imposes another form of compelled speech on app developers: the Act requires app developers to notify app store providers of “significant changes” to their apps, defined to include “a material modification to an app’s terms of service or privacy policy that” alters the app’s age rating or content descriptions, adds new monetization features (including in-app purchases or advertisements), changes the categories of data collected, stored, or

shared,, or “materially changes” the app’s functionality or user experience.
§§13-76-101(18), 13-76-202(1)(b).

This requirement violates the First Amendment because it is vague and provides little guidance to developers on what exactly constitutes a “material modification” or “new monetization feature” or how, for instance, these requirements should be applied to apps containing libraries or catalogs of constantly changing content, including Apple Music, Audible, YouTube, and Prime Video.

Pleadings

- Complaint
- Motion for Preliminary Injunction