

AMPLIFY Act: Digital Consent Standards

Legislating Drafter Working Package — 33-bill modular AMPLIFY build

Legislating drafter file. This chapter draft is designed to stand on its own and to support modular insertion into broader AMPLIFY stacks.

Bill 2. AMPLIFY Act: Digital Consent Standards

Single subject. Standards for valid, affirmative, verifiable, and revocable digital soul consent.

Purpose. Create the consent rules that transform resident rights into operational permissions and restrictions.

Draft structure

Section	Core draft direction
1. Short title	This act shall be known and may be cited as the “AMPLIFY Act: Digital Consent Standards”.
2. Legislative declaration	The general assembly finds and declares that create the consent rules that transform resident rights into operational permissions and restrictions.
3. Definitions	Definitions should be alphabetized, lowercase, and drafted in singular form unless a term of art requires otherwise.
4. Operative sections	Substantive rights, duties, approvals, or restrictions listed below.
5. Administration	Rulemaking, designation of administering authority, records, notices, and implementation mechanics.
6. Construction	Independent operation, severability, no implied repeal, and other necessary construction clauses.
7. Effective date	Effective date and any conditional clause required by filing strategy.

Draft definitions

affirmative consent. a clear, specific, informed, and unambiguous authorization communicated through an intentional act.

consent log. a human-readable and machine-auditable record showing who granted consent, to what, when, for how long, and subject to what conditions.

dark pattern. a manipulative interface, design choice, or workflow that subverts, obscures, coerces, delays, or misdirects a resident's decision.

Draft operative provisions

Section 4. Consent requirements

- A covered operator shall not rely on implied consent, passive use, prechecked boxes, hidden bundling, or generalized terms of service as sufficient authorization for covered digital soul uses identified by rule as high-risk or identity-linked.
- Valid consent must be affirmative, specific to a defined use, revocable, and recorded in a consent log that may be explained to the resident in plain language.

Section 5. Revocation and expiration

- A resident may revoke consent by a method that is at least as easy to use as the method by which consent was granted.
- Consent expires at the end of the disclosed authorization period or when the covered use materially changes, whichever occurs first.

Section 6. Dark pattern prohibition

- A covered operator shall not obtain or retain digital soul consent through a dark pattern.
- Consent obtained by a dark pattern is voidable at the resident's election.

Section 7. Auditability

- A covered operator shall maintain sufficient records to demonstrate the existence, timing, scope, and current status of each relied-upon consent.

Required construction clauses

- Independent operation. This act operates independently and remains effective whether or not any related measure or companion act is adopted.
- Severability. If any provision of this act or its application is held invalid, the invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application.
- Single-subject construction. This act shall be construed to embrace only the single subject described in its title and no separate subject shall be inferred from a remedy, definition, recordkeeping duty, funding mechanism, or construction clause that is necessarily and properly connected to that subject.