



**TECHNET**  
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INNOVATION ECONOMY

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February 5, 2024

The Honorable John Wills  
Chair, Subcommittee  
House Judiciary Committee  
Iowa House of Representatives  
1007 East Grand Avenue  
Des Moines, IA 50319

**Re: HF 2114, TechNet Opposition and Concerns**

Dear Chair Wills and the Honorable Members of the House Judiciary Subcommittee on HF 2114:

I write on behalf of TechNet and its members to respectfully share our opposition with HF 2114 (Wills), which would create new regulations on internet platforms and electronic devices for all Iowans.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, ecommerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

While we understand the intent of this bill, HF 2114 borrows heavily from provisions of other unconstitutional laws passed in other states and would impose age verification mandates on all Iowans.

*Device Filters*

As currently written, HF 2114 would require a manufacturer of a mobile smart device to incorporate an adult content filter and to configure the filter upon activation of the device. Absent this legislation, there are many content filtering and blocking solutions available, including free ones, that enable consumers to protect their families from inappropriate content. These solutions are widely available as both integrated and independent solutions for a wide range of technologies. Completely reliable identification, blocking, and filtering capabilities like the bill calls for are not technologically feasible and therefore compliance would not be possible. Further, the

legislation would place device manufacturers in the role of deciding what content is obscene and whether it should be restricted.

### *Parental Consent*

This proposal, if enacted, would create the standard that any user is a child unless they can verify that they are not. With this bill's requirements, every Iowan would need to submit more personal information to manufacturers of devices. Stringent age-verification as in this proposal requires the collection of more personal information such as birthdates, addresses, and government IDs. In order for a minor to gain access, a parent or guardian must provide their own identification and personal information, and personal information about the minor. Furthermore, the standards and requirements in this bill conflict with both data minimization requirements in the Iowa Consumer Data Protection Act (2023 SF 262) and industry best practices.

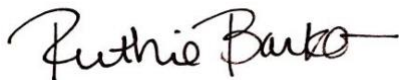
### *Constitutionality*

There are numerous Constitutional problems with the proposal. It is in many ways similar to regulations state and local governments have attempted to enact to protect minors from effects of playing violent video games. Such laws have repeatedly been found unconstitutional. *American Amusement Machine Ass'n v. Kendrick*, 244 F.3d 572 (7th Cir. 2001); see also *Entertainment Merchants Association v. Henry*, No. CIV-06-675-C, \*3 (W.D. Okla. Sep. 17, 2007). The requirements to age verify all users of digital devices interferes with Constitutionally protected rights of adults and minors alike.

Furthermore, a law requiring age verification on social media platforms passed in Arkansas last year (2023 SB 396) was recently enjoined by a federal judge who declared it violated First Amendment rights. We believe HF 2114 will raise similar issues. While protecting children from harm is an important interest, the Constitution requires the law to be "narrowly tailor[ed]" to that goal. *Entertainment Software Ass'n v. Blagojevich*, 469 F.3d 641, 646-47 (7th Cir. 2006).

For the reasons stated in this letter, we respectfully ask you not to advance this bill in committee. Thank you for your consideration. If you have any questions regarding our opposition, please contact me at [rbarko@technet.org](mailto:rbarko@technet.org).

Best regards,



Ruthie Barko  
Executive Director, Colorado & the Central U.S.  
TechNet

Cc: Members of the House Judiciary Committee