



**TECHNET**  
THE VOICE OF THE  
INNOVATION ECONOMY

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February 6, 2024

The Honorable Charley Thomson  
Subcommittee Chair  
House Judiciary Committee  
Iowa State House of Representatives  
1007 E. Grand Avenue  
Des Moines, IA 50319

**RE: HF 2255, "Social Media Parental Authorization Act," TechNet  
Opposition and Concerns**

Dear Chair Thomson and Honorable Members of the House Judiciary Subcommittee  
on HF 2255:

I write on behalf of TechNet respectfully in opposition to HF 2255, which presents onerous burdens for social media companies and online platforms and for the Iowans who use them. We have outlined these concerns with similar bills in the past that have been heard in Iowa, and must continue to highlight these issues for the Committee, asking you not to advance the bill because of the negative repercussions outlined below.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a 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 more than 4.2 million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

Our members are committed to online safety and work very hard to give users the tools to create the online experience that fits their needs and their family's needs. An educated consumer armed with technology is always the best protection against unwanted online interactions. TechNet members have empowered consumers with a number of tools to customize their online experience. Whether by activating parental controls on streaming television services or smartphone apps that help families manage their digital life across all connected devices, families have options when it comes to filtering content online.

Additionally, there are many commercial, as well as free, content filtering and blocking solutions available that enable consumers to protect their families and

themselves from illegal or inappropriate content. These solutions are widely available as both integrated and independent solutions for a wide range of technologies.

While it seems like a simple requirement to enact, the age verification requirements in this bill are extremely problematic. Age verification results in capturing massive amounts of sensitive personally identifiable information. Because of the civil penalties included in the bill, social media platforms would likely have no choice but to treat all users as if they are under the age of 18, resulting in age verification to be required before an Iowa citizen accesses any content online.

This is a monumental undertaking, not just social media companies and online platforms, but a wide variety of companies with users in Iowa would be forced to take drastic measures in order to comply with this age verification requirement on the sites they offer. It is important to keep in mind that using a driver's license or government issued ID, as well as most other forms of age verification, result in a new collection of sensitive personal information that is not currently being collected by social media companies and other online platforms. This is claiming to solve one problem, by mandating the collection of more data that potentially creates other issues. Furthermore, collecting vast troves of personal data in order to conduct age verification as this bill would require, conflicts with both the 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, as well as many other burdensome requirements in HF 2255, interfere 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 2255 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).

While we appreciate the goal of this bill to protect minors online, it will effectively force all users to hand over tranches of sensitive and personally identifiable data – just to use the internet.

For these reasons, TechNet must respectfully oppose HF 2255. TechNet will continue to work with the Judiciary Committee on this issue and seeks common solutions that

are in the best interest of Iowans. We thank you in advance for your consideration of our comments, if you have any questions regarding our opposition, please contact me at [rbarko@technet.org](mailto:rbarko@technet.org).

Best,

A handwritten signature in black ink that reads "Ruthie Barko". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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

Cc: Members of the House Judiciary Committee