



February 3, 2023

The Honorable Jon Hawkins, Chair
House Committee on Judiciary
Utah State Capitol
120 E Capitol Street
Salt Lake City, UT 84103

RE: OPPOSE: HB 311 (Teuscher): Social Media Usage Amendments

Dear Chair Hawkins & members of the House Committee on Judiciary:

Thank you for the opportunity to submit testimony for the record regarding HB 311. On behalf of the Chamber of Progress, a tech industry coalition promoting technology's progressive future, I write to urge you to **oppose HB 311**.

This bill would entirely ban users under the age of 16 from having social media accounts and require parental consent for 16 and 17-year-olds. While we support the bill's attempt to protect children from potential harm online, the bill would effectively ban a tool used by many teens to learn about their world, strengthen their social connections, and forge deeper ties to their communities.

Our organization works to ensure that all Americans benefit from technological leaps. Our corporate partners include companies like Google, Amazon, and Apple, but our partners do not have a vote on or veto over our positions. One of our top priorities is creating safe, healthy, and accessible online communities.

1. Many online platforms are working to make their services safer and healthier for children online.

We agree that protecting young people online is an important goal. In recent years, many platforms have heard the concerns from parents and researchers and have implemented new features to protect younger users. These new features include limiting notifications at night, restricting messaging from advertisers, and increasing protections for content uploaded by children.¹

¹ <https://www.nytimes.com/2021/12/09/technology/apps-child-protection.html>

For example, YouTube Kids, a parentally-supervised, curated experience for younger kids, uses a combination of algorithms and manual curation to show only kid-friendly videos.² In 2021, Instagram announced that it would be stricter about what types of content it recommends to 13 to 18 year olds – and rolled out new settings that give teens and parents more control over potentially upsetting content.³

2. Studies have shown that social media can be a positive factor in children’s lives.

A recent Pew study found that majorities of teens say social media provides them with a space for connection, creativity and support.⁴ The study surveyed teens between the ages of 13 to 17. According to this study, when asked about the overall impact of social media on them personally, more teens said its effect has been mostly positive (32%) than say it has been mostly negative (9%). In fact, many of these respondents cited developing deeper friendships and connections as reasons why.

Social media, as a tool, is also how younger users collaborate on school projects or capture field trip memories.⁵ In a world where media is mainly shared online and learning how to responsibly interact with others in a digital space is a requisite for engagement in society, more teachers have begun to incorporate social media tools in their classrooms to create relevant lessons.

3. This bill would sacrifice all users’ privacy in the name of increased security for children.

HB 311 would require covered social media companies to verify all users’ ages beginning in 2024.⁶ The bill would require anyone with a social media account created before 2024 to submit proof of their identity, including adult users who created their accounts after turning 18. This requirement would result in increased data collection for everyone on the internet, not just children. One of the only ways to estimate users’ ages with enough certainty to avoid liability under the bill would be to affirmatively verify it.

The de facto age verification requirement would likely result in social media companies extracting even more data about their users. There is disagreement about the best methods for verifying users’ ages, but even requiring Utah residents to provide an “electronic copy of an acceptable form of identification to enter a site” would still require widespread data collection. These techniques would have to be used for every user, resulting in increased data collection for every Utah resident on the internet.

² https://www.youtube.com/intl/ALL_us/kids/safer-experience

³ <https://about.instagram.com/community/parents#guide>

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https://www.pewresearch.org/internet/2022/11/16/connection-creativity-and-drama-teen-life-on-social-media-in-2022/pi_2022-11-16_teens-and-social-media_0-01

⁵ <https://www.edutopia.org/blog/guidebook-social-media-in-classroom-vicki-davis>

⁶ <https://le.utah.gov/~2023/bills/static/HB0311.html> (“ Beginning January 1, 2024, a social media company shall verify the age of a Utah resident...”)

Age verification would be particularly harmful for anyone looking to browse anonymously. Journalists, whistleblowers, and anyone looking to participate in online discussions would be forced to disclose personal details to continue to access existing profiles. This would limit free expression for groups who need it most.

This bill's age verification requirements would result in more surveillance of users and more data collection in the pursuit of increased security for children.

4. Children can easily bypass age restrictions on social media platforms.

Despite the bill's good intentions, it has been shown that children can easily bypass age verification tools, similar to the ones this bill mandates.

A study in 2021 found that it is easy for children to bypass any age verifications by simply lying. The apps included in the study were Facebook, Instagram, WhatsApp, Snapchat, TikTok, Messenger, Skype, and Discord.⁷

This study found that children could circumvent even the most advanced methods of age verification, including the ones mandated by HB 311. For example, if speech recognition were a requirement to verify one's age before opening a social media account, kids could just play a recording of someone else's voice.

In summary, this legislation would block teens from positive social connections and sacrifice the privacy of all social media users.

For these reasons we urge you to oppose HB 311.

Respectfully,

Kouri Marshall

Director, State and Local Government Relations for Central US
Chamber of Progress

⁷ <https://studyfinds.org/kids-bypass-restrictions-social-media/>