



April 1, 2024

The Honorable Katie Hobbs
Executive Office of the Governor
1700 W. Washington St.
Phoenix, AZ 85007

RE: HB 2586

Dear Governor Hobbs:

On behalf of Chamber of Progress – a tech industry association supporting public policies to build a more inclusive country in which all people benefit from technological leaps – I write today to **urge you to veto HB 2586**, which would compromise online privacy and disproportionately harm historically marginalized youth.

HB 2586 would undermine the privacy and online experiences for all users

As written, HB 2586 would effectively require covered companies to verify the identity and age of ALL users. Inviting an independent third party doesn't diminish privacy concerns regarding age verification; it merely relocates it. In fact, estimating the age of a user will require *more* data, acting contrary to data minimization efforts. Moreover, many adult users reasonably would prefer not to share their identifying information with online services - creating an unpleasant dilemma for adult users: turn over sensitive personal data to access protected speech online, or forego enjoyment of that online service entirely.

Disparate impact on historically marginalized young people

Marginalized and at-risk youth have the most to gain from social media engagement, particularly if they face adversity or isolation offline. Researchers have identified that social media can be beneficial by offering meaningful social interactions, confirmed by a recent Pew survey indicating 81% of American teens say social media makes them feel more connected, while 68% say social media makes them feel that they have a support network in face of hardship¹. The network benefit is most critical for marginalized

¹ See Zain Jafar, et. al., at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10439458/#R18>

children, such as youth with disabilities, low-income youth, or those who identify as LGBTQ+.

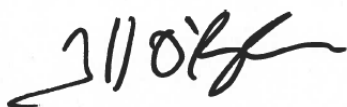
HB 2586 would enable civil action against covered companies, who are considered “liable to an individual for the damages that result from a minor accessing material harmful to minors.” The bill prohibits “harmful content,” defined as material that “lacks serious literary, artistic, political, or scientific value for minors.” Such a broad interpretation cannot be consistently or fairly implemented and could have detrimental consequences for youth who are often marginalized, including racial, ethnic, and sexual and gender minorities. In 2022, 65% of LGBTQ+ youth in Arizona who wanted mental health care in the past year were not able to get it.² This bill could instantly strip away Arizonan youth’s lifeline to find friends, seek emotional support, and search for information about their identities and health.

Compelling companies to gather personal information from so many users threatens cybersecurity. Specifically, services that cater to LGBTQ+ communities would be at particular risk for targeting since their data could be used for cyberbullying or blackmail. Privacy violations online often lead to offline violence. In 2022, 54% of LGBTQ+ survey respondents reported experiencing severe harassment, including stalking, physical threats, and doxing.³ And more broadly, malevolent actors will see any covered company as a ripe target for ransomware attacks.

HB 2586 would prevent teens younger than 18 from accessing internet content without verifying their age and would jeopardize the privacy of all internet users and unfairly impact LGBTQ+ youth. Young LGBTQ+ communities, especially students, have been consistently targeted by the legislative majority in recent years, and this legislation would perpetuate that harmful trend.⁴

For these reasons, we urge you to **veto HB 2586**.

Sincerely,



Todd O'Boyle
Senior Director, Technology Policy
Chamber of Progress

² See <https://www.thetrevorproject.org/wp-content/uploads/2022/12/The-Trevor-Project-2022-National-Survey-on-LGBTQ-Youth-Mental-Health-by-State-Arizona.pdf>

³ See <https://www.adl.org/sites/default/files/pdfs/2022-09/Online-Hate-and-Harassment-Survey-2022.pdf>

⁴ See <https://www.hrc.org/press-releases/arizona-legislature-advances-slate-of-anti-lgbtq-bills>