



Georgia

Prepared Remarks

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Georgia House Education Committee

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Good afternoon, Chairman and members of the committee. My name is Sarah Hunt-Blackwell, and I am the First Amendment Policy Advocate with the American Civil Liberties Union of Georgia.

The ACLU of Georgia opposes SB 351 because young people have the right to access social media, and we believe that this bill makes Georgians susceptible to dangerous data privacy infringements.

We agree that all internet content is not suitable for minors, but this bill is not about pornography, it's about social media. We understand concerns about the impacts of social media on children. But we must situate these concerns within the context of our United States Constitution. The right to express oneself online and the right to access information are each protected by the First Amendment. And the U.S. Supreme Court has already established that these protections apply even to minors.¹

That said, it does make sense to try to protect young people from harms of the internet, but that protection should come from parents themselves, not the state government's regulatory impositions on social media companies. Impositions that are ineffective and impractical, might I add.

Under SB 351, parents may consent to their children having social media accounts using a number of age verification methods. Most of the methods can be easily circumvented by minors themselves or other adults in young people's lives who could falsify the age verification information. The most problematic of the listed methods include parents uploading their own government-issued IDs or financial information. The bill says this information must be deleted but does not indicate when this deletion should

¹ *Brown v. Entertainment Merchants Assn.*, 564 U.S. __ (2011).



occur. The vagueness of this provision could allow social media companies to hold onto parents' sensitive information long enough to sell or redistribute it to third parties then arbitrarily delete the information afterward. The companies would technically be in compliance while still subjecting people to data privacy dangers.

SB 451 doesn't only impact young people, though. For adults, the language of the bill is wholly silent on acceptable age verification methods and what social media companies can do with their age verification information. So, as the intent of this bill is aimed at protecting children, it actually leaves children *and* adults largely unprotected.

Much like forging parent signatures on report cards or permission slips, young people will find ways to access social media without legitimate parental consent. Age verification methods invade personal privacy of *all* social media users and can likely be bypassed with little effort.

SB 351 is not the solution to protecting young people online, and we ask this committee to please vote no on this bill.