

## **Rhode Island HB 7953, the Rhode Island Social Media Regulation Act**

## **TESTIMONY IN OPPOSITION**

April 8, 2026

### **Rhode Island Legislature Members of the House Committee on Innovation, Internet & Technology Committee**

**Dear Chair Baginski, Vice-Chair Handy, and Member of the Committee,**

NetChoice respectfully submits this testimony in strong opposition to H 7953, the Rhode Island Social Media Regulation Act. We share the sponsors for their commitment to child safety — it is a goal we share wholeheartedly. But good intentions do not make good law. H 7953 is constitutionally vulnerable, practically unworkable, and would cause serious unintended harm to the very children it seeks to protect. We urge this Committee to reject this bill and pursue more effective alternatives.

NetChoice is a trade association of leading internet businesses whose mission is to make the internet safe for free enterprise and free expression. Our members have invested significantly in parental controls, privacy-protective defaults, and minor-specific safety features. And while we share the sponsors' sincere concern for children's safety online — a law that cannot survive constitutional scrutiny does not protect children. It burdens Rhode Island taxpayers with expensive litigation, creates years of legal uncertainty, and ultimately delivers nothing to the families it claims to help.

### **H 7953 Is Unconstitutional and Will Not Survive Legal Challenge**

The most fundamental problem with H 7953 is that it cannot survive scrutiny under the First Amendment to the United States Constitution. The bill effectively conditions access to constitutionally protected speech and expression on the submission of government-issued identification — not just for minors, but for every Rhode Island resident who uses a covered platform.

The Supreme Court has been unambiguous that minors are not without constitutional rights. In *Brown v. Entertainment Merchants Association* (2011), the Court struck down a California law restricting minors' access to violent video games, holding that the government cannot restrict the speech that minors may receive simply because it deems such content inappropriate. Social media platforms are forums for speech — users share opinions, engage in civic discourse, access news, organize around shared interests, and participate in the broader public conversation. Cutting minors off from these platforms entirely is not a regulation of speech; it is a prohibition of it.

Beyond the direct restriction on minors, H 7953 also implicates the First Amendment rights of adults. Because platforms cannot know in advance which users are Rhode Island residents, compliance would require age and identity verification for all users — effectively making government-issued ID a prerequisite for participating in online public discourse. The Supreme Court has long held that anonymous speech is protected under the First Amendment, and mandating identification as a condition of accessing lawful speech conflicts directly with that principle. Rhode Island should not enact a law that treats every adult resident as a suspect who must prove their age before they are permitted to speak.

The private right of action created by the bill compounds these concerns. By allowing any aggrieved person to sue a platform for \$2,500 per violation, the bill creates a massive financial incentive for litigation that will chill platforms' willingness to serve Rhode Island users at all — a result that harms everyone, not just minors.

### **H 7953 Creates Serious Cybersecurity and Privacy Risks**

Setting aside the constitutional questions, the practical consequences of this bill's age verification mandate are deeply troubling. To comply with H 7953, social media platforms would be required to collect and store sensitive personal information — government-issued IDs, dates of birth, and proof of residency — for every Rhode Island account holder. This would transform major social media platforms into massive repositories of sensitive identity data, making them high-value targets for cybercriminals and foreign adversaries.

This is not a hypothetical risk. We have seen repeatedly what happens when large databases of sensitive personal information are aggregated in one place. Last summer, a leading ID verification service used by major American companies was breached, exposing private user information — including identity documents — to hackers for over a year before the vulnerability was discovered. The more platforms are required to collect and store this kind of data, the more breach events like this will occur.

Children are already disproportionately targeted by identity thieves. A child's clean credit history and Social Security number are valuable commodities on the dark web, and identity theft affecting minors often goes undetected for years. By requiring platforms to build and maintain databases of identity documents linked to minors' accounts, H 7953 would create exactly the kind of concentrated, high-value target that puts Rhode Island children at greater risk. It is deeply counterproductive for a child safety bill to make children more vulnerable to one of the most pervasive and damaging crimes they face.

The bill attempts to address these risks by requiring that verification data be used only for compliance purposes and disposed of securely. These provisions are insufficient. Rules about data use and retention cannot prevent a breach from occurring in the first place — they only govern what platforms are supposed to do with the data they are required to collect. The only way to eliminate the risk created by mandatory data collection is not to mandate the collection in the first place.

### **H 7953 Usurps Parental Authority**

Even if H 7953 were constitutional and its cybersecurity risks manageable, it would still represent the wrong policy choice. This bill takes a blunt, one-size-fits-all approach to a nuanced problem, and in doing so overrides the judgment of Rhode Island parents, ignores the legitimate benefits that online platforms provide to young people, and forecloses more targeted and effective solutions.

Every family is different. A 16-year-old using social media to connect with a support community for a chronic illness, to organize a school club, to pursue a creative passion, or to stay in touch with relatives is not the child this bill's sponsors are trying to protect. Yet H 7953 treats every minor in Rhode Island identically, prohibiting all of them from holding social media accounts regardless of their circumstances, maturity, or the wishes of their parents. This is not child protection — it is the government substituting its judgment for that of families across the state.

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Rather than an outright ban, Rhode Island should pursue targeted solutions that actually address the harms at issue. Platforms already offer robust parental control tools — including screen time limits, content restrictions, and contact monitoring — and empowering parents to use them effectively, through education and accessible resources, is far more respectful of family autonomy than a government mandate. Complementing that with investment in digital literacy education for young people, and ensuring law enforcement has the resources to prosecute online predators, would do far more to protect Rhode Island children than a broad platform ban that raises serious constitutional questions and leaves the underlying dangers unaddressed.

Again, we respectfully **ask you to oppose H 7953**. As always, we offer ourselves as a resource to discuss any of these issues with you in further detail, and we appreciate the opportunity to provide the committee with our thoughts on this important matter.<sup>1</sup>

Sincerely,

Amy Bos  
Vice President of Government Affairs, NetChoice

*NetChoice is a trade association that works to protect free expression and promote free enterprise online.*

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<sup>1</sup> The views of NetChoice expressed here do not necessarily represent the views of NetChoice members.