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ACLU OF RI POSITION: OPPOSE

TESTIMONY ON 26-H 7953, RELATING TO COMMERCIAL LAW – RHODE ISLAND SOCIAL MEDIA REGULATION ACT April 8, 2026

While we appreciate the concerns expressed by some about the effect of social media on minors, the ACLU of Rhode Island strongly opposes this bill which would prohibit minors in Rhode Island from having social media accounts. While the bill attempts to shield minors from online explicit content, in reality it imposes unnecessary burdens on all users' ability to access internet spaces and express themselves freely online. This is especially harmful for young people by limiting their ability to learn about the world, partake in government and political discussions, and build community.

The internet has become an essential space for young people to connect with peers, gather information, and find social support they may not have access to elsewhere. Social media acts as an extension of an individual's social life, meaning they can deepen social bonds with peers or even find a community of shared interests or experiences. Finding those connections is essential for individuals to feel accepted, supported, and understood, regardless of where that community is formed. Restricting access to online communities will have a direct impact on LGBTQ+ youth, and other kids facing familial issues based on their sexuality or gender identity.

This bill will have a direct impact on protected speech. Today, political activism and protest organizing are often coordinated online on social media platforms. Limiting youth access to these types of forums by requiring parental consent will effectively stifle political interest and engagement and infringe upon First Amendment rights. This impact is not limited solely to minors but will have broader consequences for all social media users. Adults will also be subject to the burdensome age-verification system employed to prove that they are not a minor. These systems are not perfect and will inevitably block some adults from accessing lawful speech.

This legislation further raises a number of practical issues. It directs the Department of Business Regulation to create the process by which age is verified for all users. Besides this requirement, this bill does not outline procedures for how this would work in practice. Oftentimes, age-verification relies on either the user to input their date of birth or upload government-issued identification like a driver's license. Both of these methods can be onerous for the user and ignore the very real privacy rights implicated in providing this information. If the age-verification mechanism chosen is either inputting the user's birthdate or merely attesting that they are older

than eighteen, we foresee users easily circumventing these methods which would then require more intrusive methods of age-verification.

If it becomes the case that age-verification will rely on government-issued identification, then that assumes that every adult confirming their identity has current identification reflecting their correct name and address. This assumption is flawed, given that approximately 30 million adults in the United States do not have a valid driver's license and that individuals with disabilities are less likely to possess a current driver's license.¹ An estimated 21% of Black adults, 23% of Hispanic adults, and 68% of transgender people do not have a valid, accurate driver's license.² Because of this, transgender individuals will be faced with the choice of using documents that do not reflect their current name and gender markers or lose access to platforms entirely.

In addition to all of these issues, the age-verification process that would be required to implement this law sets a dangerous precedent, leading to potentially serious privacy violations, including mandatory ID collections and facial scans. There is an inherent tension in ensuring a minor's privacy and requiring platforms to know information about every single platform user. If age-verification requires submitting sensitive information contained on IDs, financial statements, or other attestations, it is unclear who receives, controls, and retains that information and for how long. The same risks exist for location data, because the social media platforms would likely need access to location data to verify that users are in fact located in Rhode Island. Possessing all of this information opens the door for potential data breaches and the real possibility that the information could be mishandled or otherwise exposed.

The ACLU of RI therefore urges rejection of this legislation. Thank you for considering our views.

¹ <https://www.mapresearch.org/id-documents-report>

² *Id.*