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## **ACLU OF RI POSITION: AMEND**

### **TESTIMONY ON 26-S 2774, RELATING TO CRIMINAL OFFENSES -- CHILDREN April 14, 2026**

This legislation would prohibit the sale of over-the-counter diet pills and muscle-building supplements to minors in Rhode Island and require age verification for sale of these items to determine if a purchaser is at least 18 years old.

We wish to raise concerns about one aspect of the bill, and that deals with the process for verifying that the person is of age to purchase these items. Prior to delivering a sale of over-the-counter pills and supplements, the delivery seller must verify the identity and age of the purchaser. We are concerned that “the use of a commercially available database or aggregate of databases, consisting primarily of data from government sources, that are regularly used by government and businesses for the purpose of age and identity verification and authentication,” will be used in order to confirm that the purchaser is at least 18 years old. [Page 3, lines 5-9.]

The sources feeding into this database are unclear. The vague reference to data from “government sources” is troubling. By this wording, any commercial vendor of these items would appear to gain access to government-sourced databases that contain personal and potentially sensitive information about their customers. As an example of this inappropriate exchange of information, would this legislation permit retailers like CVS and Walgreens to gain access to data like Rhode Islanders’ DMV records just to verify a purchaser’s age?

The purchaser must provide their full name, birth date, and residential address in order to for this verification to occur. While the database being used for verification of the information cannot be under the control of the delivery seller, the legislation does not include guidelines regarding the storage, safety, and retention of this data. In the absence of such safeguards, the delivery seller seemingly has no obligation to protect this information once it is collected and used for verification, which we find concerning.

We therefore urge revisions to the bill to address these privacy concerns. Thank you for considering our views.