



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 1426		DATE: 2/6/2024	
COMMITTEE: General Laws			
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES			
WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: BARTLETT CLELAND		PHONE NUMBER: 703-626-8478	
BUSINESS/ORGANIZATION NAME: NETCHOICE		TITLE:	
ADDRESS: 2744 STREAM VISTA COURT			
CITY: OAKTON		STATE: VA	ZIP: 22124
EMAIL: bcleland@netchoice.org	ATTENDANCE: In-Person		SUBMIT DATE: 2/5/2024 7:48 AM
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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: CURT WICHMER		PHONE NUMBER: 573-635-7239	
REPRESENTING: MISSOURI CATHOLIC CONFERENCE		TITLE:	
ADDRESS: 600 CLARK AVE.			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL: wichmerc@mocatholic.org	ATTENDANCE: In-Person		SUBMIT DATE: 2/6/2024 10:14 AM

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Modern technology provides unprecedented access to adult content for both adults and minors.
Restricting access to adult content will help keep this offensive and damaging material from reaching children.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: TIMOTHY FABER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: timothy@ephesians412.com	ATTENDANCE: Written		SUBMIT DATE: 2/5/2024 8:19 PM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: DAVA-LEIGH BRUSH		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: dems22blue@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/6/2024 9:41 PM

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This bill has not been thought out. It will have too many unintended consequences many of which were brought up in the Q&A of the sponsor(s).



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: KATY ERKER-LYNCH		PHONE NUMBER: 314-862-4900	
BUSINESS/ORGANIZATION NAME: PROMO		TITLE: ED	
ADDRESS: 2200 GRAVOIS AVE. 201			
CITY: ST. LOUIS		STATE: MO	ZIP: 63104
EMAIL:	ATTENDANCE:	SUBMIT DATE: 2/6/2024 12:00 AM	
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: KORTNIE HUDDLESTON		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: kortniehuddleston@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/5/2024 4:02 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I urge you to oppose the following bills that, if enacted, pose severe threats to intellectual freedom, inclusivity, and the unrestricted access to essential LGBTQ+ materials. These bills, namely HB1426 (McGill), HB1855 (Banderman), HB1993 (Gallick), and HB2157 (Hurlbert), contain provisions that could lead to censorship, potential discrimination, and the hindrance of educational resources about sexual orientation and gender identity. HB1426, HB1855, HB2157, and HB1993, raise concerns about the potential suppression of LGBTQ+ materials in schools. While the bills purport to address the issue of explicit and harmful materials, their language is overly broad, especially in the definition of "harmful to minors," which could be subjectively construed to limit access to educational resources exploring LGBTQ+ topics. The risk of stifling inclusive and diverse educational resources is significant. In conclusion, these bills, if passed, could have severe consequences on the accessibility of LGBTQ+ materials, potentially leading to censorship and discrimination. I urge lawmakers to prioritize intellectual freedom, inclusivity, and the right to information for all individuals by reconsidering and revising these bills. It is essential to ensure that our educational institutions, libraries, and online platforms remain spaces that foster understanding, tolerance, and access to diverse perspectives.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: MAGGIE EDMONDSON		PHONE NUMBER:	
REPRESENTING: ABORTION ACTION MISSOURI (FORMERLY PRO CHOICE MISSOURI)		TITLE:	
ADDRESS: 1210 S VANDEVENTER AVE			
CITY: ST. LOUIS		STATE: MO	ZIP: 63110
EMAIL: maggie@abortionactionmissouri.org	ATTENDANCE: Written		SUBMIT DATE: 2/6/2024 2:44 PM
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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: MichaelWesten.3up@protonmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/5/2024 9:27 PM

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I OPPOSE HB 1426 as originally drafted.HB 1426 does not provide any privacy safeguards pertaining to the personally identifiable information collected for age verification purposes. Such PII will likely be sold to the highest bidder.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: MICHAEL DREYER		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: mdreyer93@gmail.com	ATTENDANCE: Written		SUBMIT DATE: 2/5/2024 4:02 PM
THE INFORMATION ON THIS FORM IS PUBLIC RECORD UNDER CHAPTER 610, RSMo.			

I urge you to oppose the following bills that, if enacted, pose severe threats to intellectual freedom, inclusivity, and the unrestricted access to essential LGBTQ+ materials. These bills, namely HB1426 (McGill), HB1855 (Banderman), HB1993 (Gallick), and HB2157 (Hurlbert), contain provisions that could lead to censorship, potential discrimination, and the hindrance of educational resources about sexual orientation and gender identity. HB1426, HB1855, HB2157, and HB1993, raise concerns about the potential suppression of LGBTQ+ materials in schools. While the bills purport to address the issue of explicit and harmful materials, their language is overly broad, especially in the definition of "harmful to minors," which could be subjectively construed to limit access to educational resources exploring LGBTQ+ topics. The risk of stifling inclusive and diverse educational resources is significant. In conclusion, these bills, if passed, could have severe consequences on the accessibility of LGBTQ+ materials, potentially leading to censorship and discrimination. I urge lawmakers to prioritize intellectual freedom, inclusivity, and the right to information for all individuals by reconsidering and revising these bills. It is essential to ensure that our educational institutions, libraries, and online platforms remain spaces that foster understanding, tolerance, and access to diverse perspectives.



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WITNESS NAME			
REGISTERED LOBBYIST:			
WITNESS NAME: SAGE CORAM		PHONE NUMBER: 314-669-3425	
REPRESENTING: AMERICAN CIVIL LIBERTIES UNION OF MISSOURI		TITLE:	
ADDRESS: 906 OLIVE ST., #1130			
CITY: ST. LOUIS		STATE: MO	ZIP: 63101
EMAIL: scoram@aclu-mo.org	ATTENDANCE: Written		SUBMIT DATE: 2/6/2024 2:14 PM

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General Laws Committee Chairman Alex Riley Re: HB 1426, HB 1855, HB 1993 Dear Honorable Committee Members: Thank you for the opportunity to submit testimony today. On behalf of the American Civil Liberties Union of Missouri and our approximately 15,000 members statewide, I would like to express our strong opposition to HB 1426, HB 1855, and HB 1993. While the ACLU of Missouri is understanding of the overarching intention to increase safety online, these proposed measures raise serious concerns regarding privacy, surveillance, and First Amendment rights of Missourians. By introducing "age verification" requirements to access online materials, barriers are created for both minors and adults that result in a surrender of anonymity and a chilling effect on free speech online. "Reasonable age verification" in the proposed legislation encompass a wide-range of methods—including digitized identification cards, verifying government-issued IDs, and referencing transactional data related to housing, education, and employment—that each carry privacy risks, like data storage and retention. Simply put, determining the age of the user requires collecting sensitive information from all users. Under these measures, adult users would lose access to materials if they do not wish to upload sensitive identification information, or if they do not have access to necessary forms of identification. Required verification would unintentionally impact adult populations that have difficulty obtaining or renewing identification, such as those that do not drive, immigrants, people that are unhoused, elderly individuals, and people with disabilities. If passed, HB 1426, HB 1855, and HB 1993 would impose an unconstitutional burden on adult access to protected speech. Furthermore, similar legislation has been challenged in both Texas and Arkansas with the courts following long-established protections for speech online. The intention to regulate online speech based on "material harmful to minors" or its effects has not saved the regulation itself. Instead, courts have found that these barriers raise constitutional concerns that are compounded by the privacy impacts of age verification. Creating guardrails for safety online is a complex and evolving topic of public policy; however, we have a duty to ensure that solutions do not create unintended consequences or impede the First Amendment rights of minors and adults. For these reasons, the ACLU of Missouri is opposed to these measures, and we urge you to vote no on HB 1426, HB 1855, and HB 1993.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SCOTT MCKELLAR		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL: mck9@swbell.net	ATTENDANCE: Written		SUBMIT DATE: 2/1/2024 4:52 PM

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f you're going to apply brute force censorship, you really need to establish clear guidelines as to what is forbidden and what is permitted. This bill doesn't do that. How does one determine whether one third of a website is objectionable? Do you measure across the entire site, or each page separately? Do you count bytes? By that measure a single image file can easily overwhelm a substantial amount of text, and a video even more so. Or do you measure the screen real estate? Or do you count pages, comparing those with naughty bits to those without? What do you do when the site links to an image stored on another site? This bill provides zero guidance on these sorts of issues. Consequently a content provider has no reasonable way of determining what is allowed and what isn't. There is also no guidance about what constitutes "harm" to a minor who views such material, nor who would have standing to file suit. At best, this is a full employment bill for lawyers.



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: ARNIE C. AC "HONEST-ABE" DIENOFF		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE:		SUBMIT DATE: 2/6/2024 12:00 AM
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: RUTHIE BARKO		PHONE NUMBER: 720-308-0842	
BUSINESS/ORGANIZATION NAME: TECHNET		TITLE: EXECUTIVE DIRECTOR, CENTRAL U.S.	
ADDRESS: P.O. BOX 113			
CITY: LITTLETON		STATE: CO	ZIP: 80160
EMAIL: rbarko@technet.org	ATTENDANCE: Written		SUBMIT DATE: 2/6/2024 1:46 PM
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The Honorable Alex Riley Chair House General Laws Committee Missouri House of Representatives 201 W. Capitol Avenue Jefferson City, MO 65101 Re: HB 1426, Establishes provisions relating to civil liability for publishing or distributing material harmful to minors on the internet, TechNet Amend Dear Chair Riley and Honorable Members of the General Laws Committee: I write on behalf of TechNet to suggest amendments and respectfully express our concerns with HB 1426 as currently drafted, to avoid significantly detrimental impact across a variety of services offered within Missouri. TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.2 million employees and countless customers in the fields of information technology, artificial intelligence, ecommerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance. TechNet supports the intent of this bill and we ask that this bill is amended to further align with 2022 Louisiana bill HB 142. Our members are committed to online safety and work very hard to give users the tools to create the online experience that fits their needs. Along with software solutions, many content platforms employ entire teams of specialists who work to identify, remove, and report illegal content. This is a complex process that involves filtering out child pornography images identified by the National Center for Missing and Exploited Children and reporting new unlawful content to the proper authorities at all levels of government. Member companies partner with law enforcement, educational institutions, nonprofits, government agencies, and a wide range of organizations to provide consumer education to help protect children and adults from illegal and distasteful content on the internet. An educated consumer armed with technology is always the best protection against unwanted online interactions. Parent-Enabled Options TechNet members have empowered consumers with a number of tools to customize their online experience. Whether its parental controls on streaming television services or smartphone apps that help families manage their digital life across all connected devices, families have options when it comes to filtering content online. Additionally, there are many commercial, as well as free, content filtering and blocking solutions available that enable consumers to protect their families and themselves from illegal or inappropriate content. These solutions are widely available as both integrated and independent solutions for a wide range of technologies. Alignment with other State laws In 2022, Louisiana passed HB 142 and TechNet worked throughout the process to ensure that the law would protect minors while still creating a framework does not create an overly broad application that would affect private companies that do not publish and distribute harmful content. States have since considered similar laws and have looked to align them with this law, as substantial work was

done to refine the language in HB 142 to avoid unintended consequences. Without amendments, bills on this issue area can have the unintended consequences of platforms having to decide to ban entire categories of users and content for fear of being found liable under the application of overly broad language. TechNet therefore asks that HB 1426 is further aligned with the engrossed language of 2022 Louisiana HB 142, to create an interoperable environment for businesses aiming to comply with multiple state laws aimed at keeping children safe online. For these reasons, we urge the Committee to hold the other bills on this issue, HB 1855 (Banderman) and HB 1993 (Gallick) currently before the Committee and to amend HB 1426 to move forward. Thank you for your engagement on this issue and for your commitment to public safety. TechNet looks forward to working with the Committee to determine appropriate means to address any potential policy questions and can provide specific amendment markups as requested. Thank you for your consideration of our perspective. If you have any questions regarding our position, please contact me at rbarko@technet.org. Best regards, Ruthie Barko
Executive Director, Colorado & the Central U.S. TechNet