

HCS HB 236 -- LIABILITY FOR MATERIALS HARMFUL TO MINORS ON THE INTERNET

SPONSOR: Gallick

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Children and Families by a vote of 16 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 1.

The following is a summary of the House Committee Substitute for HB 236.

This bill requires any commercial entity for which it is the regular course of business to publish or distribute in the State a website in which at least 33% of the material published is harmful to minors, as defined in the bill, to verify that any person attempting to access the material is at least 18 years old. Any commercial entity that violates these provisions will be subject to civil liability for damages resulting from a minor's access to the material. The bill prohibits the age-verification provider from retaining any identifying information of the individual after access has been granted or denied to the material, and does not impose an obligation or liability on a provider or user of an interactive computer service on the Internet.

This bill has an emergency clause.

This bill is similar to HB 1993 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that modern technology has provided unprecedented access to adult content on the internet without appropriate corresponding safeguards to protect persons who should not be viewing the content. Age verifications and similar restrictions exist for alcohol, tobacco and vaping products, marijuana, gambling, and tattoos.

Testifying in person for the bill were Representative Gallick; Missouri Catholic Conference; Timothy Faber; Children's Trust Fund; Heidi Olson, Paradigm Shift Training and Consulting; Missouri Network Against Child Abuse; Lori Arons, Jefferson County Councilwoman District three; Neil Getzlow; Missouri Coalition For Children; Stephanie (Sj) Evans, Exodus Cry; Arnie Dienoff.

OPPONENTS: Those who oppose the bill say that while efforts to protect minors from viewing this type of material is important, the bill contains several flaws that may do more harm than good, and that similar laws introduced in other states have either failed or, upon their passage, have been tied up in the courts.

Testifying in person against the bill was American Civil Liberties Union Of Missouri.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.