

FAVORABLE POSITION

Maryland House Bill 0394

Civil Actions – Distribution of Obscene Material to Minors and Age Verification Information

February 3, 2025

Dear Members of the House Judiciary Committee,

I am writing today to encourage your support of House Bill 0394, which seeks to protect minors from the harmful effects of obscene materials distributed online. This legislation is a necessary and responsible step toward ensuring that commercial entities take proper measures to prevent access to explicit content by those who are most vulnerable—our children.

In today's digital age, minors have unprecedented access to online materials, some of which are highly inappropriate and potentially damaging. Studies have shown that early exposure to explicit content can have detrimental effects on a child's mental health, social development, and overall well-being. By holding commercial entities accountable for the distribution of obscene material to minors, HB0394 creates an essential safeguard for Maryland's children.

Parents and guardians should not be solely responsible for controlling access to explicit materials. While parental monitoring is important, commercial entities that profit from these materials must also take appropriate steps to verify the age of users accessing their content. HB0394 ensures that businesses that distribute obscene material implement effective age verification measures and are held liable for failing to do so.

I am also in favor of a critical component of this bill: the protection of user privacy during age verification processes. HB0394 prevents commercial entities and third-party age verification providers from retaining personally identifiable information. This provision balances the need for stricter access controls with the necessity of safeguarding individual privacy, reinforcing that security measures should not come at the cost of personal data protection.

The proposed legislation aligns with broader public health initiatives aimed at protecting young minds from harmful content. Similar laws in other states have demonstrated positive outcomes in reducing minors' exposure to explicit materials, promoting healthier developmental environments, and ensuring that online platforms operate responsibly.

Thank you for your time and consideration.

Sincerely,
Laura Wade
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