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February 3, 2025

The Honorable Luke Clippinger
Chair
House Judiciary Committee
Maryland House of Delegates
Taylor House Office Building, Room 101
6 Bladen Street, Annapolis, MD 21401

RE: HB 394 (Grammer) - Civil Actions - Distribution of Obscene Material to Minors and Age Verification Information – Information Only

Dear Chair Clippinger and Members of the Committee,

On behalf of TechNet, I'm writing to provide remarks on HB 394, related to the distribution of obscene material to minors and age verification information.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a 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 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, Tallahassee, and Washington, D.C.

Online services enable freedom of expression for consumers, and companies have a vested interest and a First Amendment right to moderate their platforms to create a safe, welcoming online community for users. To ensure that online services are inclusive, useful, and safe for consumers, online platforms often moderate the content posted by users. In order to ensure users understand the rules they are expected to follow, the industry has been at the leading edge of providing greater access and information regarding their moderation policies and practices.

TechNet worked with the sponsor last session on HB 672 and we appreciated the changes he implemented in the 2025 version of the bill. TechNet is not opposed to preventing minors from accessing obscene materials; however, interoperability with other states is key in the absence of a federal standard. We had suggested Louisiana's HB 142 from the 2022 session, which provided the right balance between protecting minors and allowing business to continue operations smoothly.

We believe that HB 394 achieves this balance. Thank you to the sponsor for taking our suggestions and the work on this important issue.

Sincerely,

Margaret Durkin

Margaret Durkin
TechNet Executive Director, Pennsylvania & the Mid-Atlantic