



MARYLAND TECH COUNCIL

ADVANCING LIFE SCIENCES AND TECHNOLOGY

House Economic Matters Committee

March 10, 2026

House Bill 1179 – *Consumer Protection – Application Store Accountability Act*

POSITION: OPPOSE

The Maryland Tech Council (MTC), with over 800 members, is the State's largest association of technology companies. Our vision is to propel Maryland to be the country's number one innovation economy for life sciences and technology. MTC brings the State's life sciences and technology communities into a single, united organization that empowers members to achieve their goals through advocacy, networking, and education. On behalf of MTC, we submit this letter of **opposition** to House Bill 1179.

This bill proposes to regulate mobile app stores by imposing age verification requirements and imposing substantial new requirements for age verification, parental consent, consumer protection rules, and penalties. While MTC agrees that protecting minors online is of the utmost importance, we believe that the approach proposed here is overly broad and raises several questions regarding privacy, implementation difficulty, and constitutional and federal preemption concerns. A number of our concerns are laid out below.

First, the bill appears to require age verification for all users of application stores, not just minors. In practice, verifying age at scale would likely require collecting sensitive personal information, such as government identification or biometric data, from every Maryland resident who wishes to download an application. This creates significant privacy and security risks by forcing app stores to collect and store data that many companies do not currently possess. Large, centralized databases of identity information are attractive targets for data breaches and misuse.

Second, the bill runs counter to widely recognized data minimization principles that are embedded in the Maryland Online Data Privacy Act (MODPA). MODPA requires companies to collect only the data necessary to provide a service. Mandating identity or age verification for every user would compel companies to gather far more personal information than is otherwise required simply to download an app. Rather than reducing the amount of personal data in circulation, the bill would substantially increase it.

Third, the bill raises serious First Amendment and constitutional concerns. Courts have repeatedly held that access to lawful online speech is protected by the First Amendment. Requiring age verification as a condition of accessing apps that host speech or information could impose an unconstitutional burden on anonymous access to lawful content. Similar laws attempting to mandate age verification for online services have faced significant legal challenges in federal courts for precisely these reasons.

Fourth, the bill risks creating "consent fatigue." If parents and users are constantly required to approve app downloads, accounts, or disclosures, the volume of requests may lead people to approve them reflexively without meaningful review. Excessive consent prompts can ultimately undermine the very goal of informed parental oversight.

Finally, the bill may conflict with the federal Children's Online Privacy Protection Act, which already establishes a national framework governing parental consent for the collection of data from children under 13. By imposing different or additional requirements at the app store level, the bill could create confusion and compliance conflicts for companies that operate nationwide.

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