

Testimony of Digital Childhood Alliance  
Before the Economic Matters Committee  
Proponent Testimony on HB 1179

My name is John Read, and I am the Senior Policy Counsel for the Digital Childhood Alliance. The alliance consists of over 170 grassroots and larger organizations committed to protecting children and holding Big Tech accountable. Before joining the Digital Childhood Alliance, I was an attorney at the Department of Justice for 30 years, with my last years concentrated on legal issues surrounding Big Tech’s businesses.

Today, 95% of all teens have access to a smartphone.<sup>1</sup> Teens spend an average of 7.5 hours per day on screens.<sup>2</sup> While on the phone, those teenagers are spending 88% of their time on apps, with the average teen receiving approximately 240 app notifications each day.<sup>3</sup>

Because teens vastly prefer an iPhone over an Android (88% versus 12%) and for brevity, I will focus on Apple’s App Store, more than Google’s.<sup>4</sup> Today you can download more than 1.9 million apps from almost 800,000 developers from the App Store.<sup>5</sup> Apple collects for itself and developers over \$90 billion per year from those app downloads.<sup>6</sup> That has helped make Apple (and Google) two of the three wealthiest companies in the world, with market capitalizations above \$3.7 trillion.<sup>7</sup>

With the growth of the iPhone and apps that run on it, there has been a spike in kids who are depressed, anxious, socially isolated, and contemplating suicide. Research shows that increased smartphone and app use is a major cause of that spike.<sup>8</sup> Even opponents recognize the problem and state that “children deserve a heightened level of

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<sup>1</sup> <https://www.pewresearch.org/internet/fact-sheet/teens-and-internet-device-access-fact-sheet/>

<sup>2</sup> [https://www.aacap.org/AACAP/Families\\_and\\_Youth/Facts\\_for\\_Families/FFF-Guide/Children-And-Watching-TV-054.aspx](https://www.aacap.org/AACAP/Families_and_Youth/Facts_for_Families/FFF-Guide/Children-And-Watching-TV-054.aspx)

<sup>3</sup> <https://www.mobiloud.com/blog/what-percentage-of-internet-traffic-is-mobile;>  
<https://www.michiganmedicine.org/health-lab/study-average-teen-received-more-200-app-notifications-day>

<sup>4</sup> <https://mashable.com/article/teens-really-love-their-iphones> (April 10, 2025)

<sup>5</sup> <https://42matters.com/ios-apple-app-store-statistics-and-trends>

<sup>6</sup> <https://www.businessofapps.com/data/apple-app-store-statistics/> (January 22, 2025)

<sup>7</sup> <https://companiesmarketcap.com/> (February 27, 2026)

<sup>8</sup> <https://pmc.ncbi.nlm.nih.gov/articles/PMC7012622/> Canadian Medical Association Journal, “Smartphones, social media use and youth mental health” (2020);  
[https://www.adventisthealth.org/blog/2023/august/how-screen-time-affects-teens-mental-health-and-;](https://www.adventisthealth.org/blog/2023/august/how-screen-time-affects-teens-mental-health-and-/)  
<https://www.psychiatrist.com/news/chronic-smartphone-use-linked-to-teen-anxiety-depression-and-insomnia/>; Jonathan Haidt, *The Anxious Generation: How the Great Rewiring of Childhood Is Causing an Epidemic of Mental Illness* (2024).

security” online.<sup>9</sup> To address that issue, this bill gives parents more control over what apps their children download and use.

SB 372 focuses on the contracts that minors enter when they download apps onto their smartphone. SB 372 protects kids by ensuring parents are involved in that app contracting process.

When a consumer downloads an app, they agree to extensive terms of service which form a contract. While in the physical world minors cannot make contracts such as bank loans without permission of a parent or other responsible adult, Apple and Google operate differently in the digital world. Apple and Google facilitate a process where hundreds of millions of times a year unsophisticated minors contract away their rights to developers without any adult knowledge or approval.

These contracts often grant developers sweeping access to a minor’s personal data, including location, contacts, and browsing history, all without a parent’s consent. For example, Google’s YouTube terms of service require minors to waive compensation for all their creative works they upload, while Google retains the rights to monetize the same content. Further, Google limits its liability for any damages its products cause the child. Google reduces the child’s statute of limitation to one-year and unilaterally caps any damages at \$500, regardless of how deeply it harmed a child.<sup>10</sup> To get around the fact that it is contracting with a minor, Google’s terms of service says the minor “represent[s] that you have your parent or guardian’s permission to use the Service.”<sup>11</sup> SB 372 would make sure Google actually gets the parental permission it wants to claim the minor had.

Meta’s terms of service grant it extensive rights over the minor’s data.<sup>12</sup> Big Tech routinely tracks the engagement of minors with an app’s content. They track the minor’s precise location, voice recordings, browsing history, videos watched, and app activity across third-party sites. Developers then profit from their “free” apps by selling the minor’s data. SB 372 gives parents who object to that the tools to prevent it.

A U.S. Senate Judiciary subcommittee hearing on September 16, 2025, highlighted the problem with these terms of service. A minor was hospitalized because an AI chatbot app encouraged him to mutilate himself and hide it from his parents.<sup>13</sup> The boy currently requires constant medical care.

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<sup>9</sup> TechNet March 6, 2026, opposition letter at 1.

<sup>10</sup> <https://www.youtube.com/static?template=terms> at “Limitation of Liability” section

<sup>11</sup> <https://www.youtube.com/static?template=terms> at “Permission by Parents or Guardian” section

<sup>12</sup> <https://help.instagram.com/515230437301944> at “What Information do we collect?” section

<sup>13</sup> <https://www.judiciary.senate.gov/imo/media/doc/e2e8fc50-a9ac-05ec-edd7-277cb0afcdf2/2025-09-16%20PM%20-%20Testimony%20-%20Doe.pdf>

The family sued for help with the hospital bills and damages. That suit was held up because the minor, without parental consent, had accepted the app's terms of service which forced arbitration, and capped damages at \$100. The tech company argued the minor's family could not sue but had to go to arbitration even to determine if its terms of service were valid.<sup>14</sup> SB 372 would solve this type of problem by statutorily voiding the unfair provisions in the terms of service, unless a parent consented to them.

Parents want to be involved. Surveys show that more than 80% of voters say parents should be empowered to consent to the contracts their children make and the apps they download.<sup>15</sup> Google's and Apple's app stores have unfortunately undermined those efforts for years. For example, up until a month ago, Google's policy, was to allow a 13-year-old to terminate any parental supervision of the child's apps without parental consent – even if the parent had earlier set up tools to approve what their child was downloading.<sup>16</sup> Only after pressure from child advocates and now that several states are consider bills like SB 372 has Google changed its policy to send both the parent and the 13-year-old an email letting them both know that the child can discontinue parental supervision.<sup>17</sup>

SB 372 empowers parents to protect minors from contracts and apps that are harmful. To make parental control meaningful, this bill requires developers to provide information on the contract terms and accurate age ratings so parents can have the information they need before consenting to an app for their child. Today, many developers falsely claim their apps are safe for children when they are not.<sup>18</sup>

Apple built its iPhone so that consumers can download apps only through its App Store.<sup>19</sup> That means Apple acts as a gatekeeper for the billions of apps downloaded from its app store each year. It also means the legislature can solve almost all the problem of minors entering app contracts without adult supervision by regulating just two entities – Apple's App Store and Google's Play Store – as opposed to asking the 800,000 developers to verify ages and obtain parental consent, most of whom do not have access to the data to do so.

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<sup>14</sup> *Id.* at pp. 249-69

<sup>15</sup> <https://alabamapolicy.org/2025/04/07/new-poll-finds-83-of-parents-favor-app-store-accountability/>

<sup>16</sup> <https://support.google.com/families/answer/7106787?hl=en> (Copied in 2025)

<sup>17</sup> <https://lifehacker.com/tech/google-is-changing-its-account-policy-about-minors-who-turn-13>

<sup>18</sup> <https://www.movieguide.org/news-articles/deceptive-age-ratings-appear-on-apple-app-store-report-finds.html>

<sup>19</sup> The definition of App Store is appropriately limited to sites consumers use to *download* apps onto phones or tablets (see page 3, lines 8-11 & page 4 lines 3-9), something Apple allows only through the App Store. The definition does not cover gaming platforms or streaming services as some opponents fear.

This bill protects privacy – especially children’s. Apple already knows and can verify its customer’s age. The bill would require developers to protect any age-related data they obtain. Privacy is also improved for minors because now parents can reject any apps that through the terms of service permit the developer to obtain and sell a teenager’s data.<sup>20</sup>

The Act does not burden adults with age verification. A consumer’s age is already in their phone, and most adults already have a credit card in their digital wallet (which provides all the information needed to verify that someone is an adult). Consumers entered their age when they registered their device and got access to the app store. Apple has already created the APIs to send anonymous age category signals to developers for foreign markets and those states that have passed App Store legislation.<sup>21</sup> With the App Store Accountability Act, age verification is seamless for adults – no app developer will need to individually bother an adult for age verification because the app store will have already handled it in a way that protects privacy.

The bill does not unduly expose small developers to litigation risks. In fact, it has a safe harbor for developers that rely in good faith on the app store’s age verification process and the signal indicating the store obtained parental consent for the minor.<sup>22</sup>

The Act is specifically designed to comply with the First Amendment by applying to all apps, not some subset (which could arguably raise First Amendment concerns about preferential treatment). In this way, SB 372 is different from what recently happened in Texas. In Texas, a trial judge found that app store law discriminated among apps because it excepted pre-downloaded apps, apps used for standardized testing for colleges, and emergency service apps like 911. As a result, that judge failed the Texas law under the strict scrutiny standard.<sup>23</sup> That decision has been appealed, but regardless of its outcome, SB 372 is different from the Texas law because it does not except those three types of apps and therefore would not warrant the same result.

In contrast, SB 372 applies to all apps, demonstrating that the legislation is “directed at unlawful conduct having nothing to do with . . . the expressive activity.”<sup>24</sup> By applying to all apps, SB 372 is akin to the regulation the Supreme Court held did not violate

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<sup>20</sup> The federal Children’s Online Privacy Protection Act does not prohibit developers from selling the data of teenagers.

<sup>21</sup> <https://techcrunch.com/2026/02/24/apple-rolls-out-age-verification-tools-worldwide-to-comply-with-growing-web-of-child-safety-laws/>

<sup>22</sup> See section 14-5106(A) & (B)

<sup>23</sup> See Order of December 23, 2025, *Computer & Communications Industry Assoc. v. Paxton*, 1:25-CV-1660-RP (W.D. Texas)

<sup>24</sup> *Arcara v. Cloud Books, Inc.*, 478 U.S. 697, 707 (1986).

the First Amendment because it did not “single out any topic or subject matter for different treatment.”<sup>25</sup>

I wholeheartedly support SB 372.

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<sup>25</sup> *City of Austin, Texas v. Reagan National Advertising of Austin, LLC*, 596 U.S. 61, 71 (2022).