

February 20, 2026

The Honorable Kris Valderrama
Chair
House Economic Matters Committee
Maryland House of Delegates
231 Taylor House Office Building
6 Bladen Street
Annapolis, MD 21401

RE: HB 985 (Amprey) - Consumer Protection - Video Streaming Services - Loudness of Commercial Advertisements – Unfavorable

Dear Chair Valderrama and Members of the Committee,

On behalf of TechNet, I'm writing to share comments on HB 985, loudness of commercial advertisements.

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 103 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five 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.

New technologies bring new products and services to the market. Occasionally, these new products and services generate significant policymaker interest because of transformative features with little precedent and high consumer interface. While some lawmaking may be needed or helpful, TechNet is vigilant against vague and unnecessary laws and regulations that stifle innovation.

Applying broadcast-style regulations to video streaming platforms will lead to compliance issues for these entities. Moreover, unlike traditional television broadcasts, video streaming platform ads are sometimes inserted in real time from varying third party sources.

This legislation would also create a private right of action (PRA). We believe that PRAs lead to frivolous lawsuits and only benefit a subset of industry operating in the litigation space. With the ads being inserted from varying third party sources, it creates ambiguity in liability for PRAs, and consumers could sue streamers when it was actually a third party in control of ad volume. Furthermore, any enforcement

should rest solely with the Attorney General, and should the bill move forward, TechNet suggests removing the current enforcement language and inserting the following:

- Nothing in this chapter shall be construed as providing the basis for, or be subject to, a private right of action for violations of this chapter or under any other law.

TechNet is also requesting a cure period to fix any alleged complaints, should the bill advance.

For the reasons stated above, TechNet is opposed to HB 985. Please don't hesitate to reach out with any questions.

Sincerely,

Margaret Durkin

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