Kansas House Committee on Judiciary

**TechNet Amend: SB 394, Establishes provisions relating to civil liability for publishing or distributing material harmful to minors on the internet**

My name is Ruthie Barko, I represent TechNet and testify today to respectfully ask that SB 394 is amended, in order to avoid significantly detrimental impact across a variety of services offered within Kansas.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy. TechNet's diverse membership represents over 4.2 million employees and countless customers in the fields of information technology, artificial intelligence, ecommerce, the sharing and gig economies, advanced energy, transportation, and cybersecurity, to name a few.

TechNet supports the intent of this bill and we ask that this bill is amended to further align with 2022 Louisiana bill HB 142. We previously asked for these amendments in the Senate as well. Our members are committed to online safety and work very hard to give users the tools to create the online experience that fits their needs. Along with software solutions, many content platforms employ entire teams of specialists who work to identify, remove, and report illegal content. Member companies partner with law enforcement, educational institutions, nonprofits, government agencies, and a wide range of organizations to provide consumer education to help protect children and adults from illegal and distasteful content on the internet. An educated consumer armed with technology is always the best protection against unwanted online interactions.

TechNet members have also empowered consumers with a number of tools to customize their online experience. Whether its parental controls on streaming television services or smartphone apps that help families manage their digital life across all connected devices, families have options when it comes to filtering content online. There are many commercial, as well as free, content filtering and blocking solutions available that enable consumers to protect their families and themselves from illegal or inappropriate content. These solutions are widely available as both integrated and independent solutions for a wide range or technologies.

*Alignment with other State laws is of paramount importance for this bill.* In 2022, Louisiana passed HB 142 and TechNet worked throughout the process to ensure that the law would protect minors while still creating a framework does not create an overly broad application that would affect private companies that do not publish and distribute harmful content. States have since considered similar laws and have looked to align them with this law, as substantial work was done to refine the language in HB 142 to avoid unintended consequences. Without amendments, bills on this issue

area can have the unintended consequences of platforms having to decide to ban entire categories of users and content for fear of being found liable under the application of overly broad language. TechNet therefore asks that SB 394 is further aligned with the engrossed language of 2022 Louisiana HB 142, to create an interoperable environment for businesses aiming to comply with multiple state laws aimed at keeping children safe online. Specifically, we request that the threshold in Section 1 (a), Page 1, Line 9, is aligned with other states at a rate of 33.3%, rather than the 25% currently drafted in the bill.

TechNet looks forward to working with the Committee to correct this issue before the bill is advanced. We appreciate your consideration of our perspective and thank you for the opportunity to share this feedback.