



House Bill 18

Testimony Before the Texas Senate State Affairs Committee

Dear Chairman Hughes and Committee Members:

My name is Zach Whiting, policy director and senior fellow for Better Tech for Tomorrow, an initiative of the Texas Public Policy Foundation. I am testifying in support of HB 18 as engrossed.

HB 18 is one of the strongest measures states have taken to protect kids and empower parents online. The Foundation is grateful for your committee's leadership and bipartisan efforts on keeping kids safe online.

Alexis. Lalani. Arriani. CJ. Ian. Sadie. Olly. Uvalde. Lives lost. Families devastated. Sadly, there is no shortage of tragic stories of kids being harmed online.

[Alexis](#) was addicted to social media for years, bombarded with body image and self-harm videos, and suffered from anorexia, self-harm, and contemplated suicide.

[Eight-year-old Lalani and nine-year-old Arriani](#) died as the result of the TikTok "Blackout Challenge," which encourages its users to choke themselves with items like belts, ropes and purse strings until they pass out."

Teenager [CJ](#) committed suicide with his phone in his hand. His mom lamented, "He was so addicted to it that even his last moments of his life were about posting on social media."

Teenager [Ian](#) recorded a Snapchat video of him playing Russian roulette and his phone was found near his dead body.

Fifteen-year-old [Sadie](#) was bullied online "where classmates would tell her to kill herself." She ultimately succumbed to the incessant, cruel cyberbullying and committed suicide after her freshman year of high school.

Thirteen-year-old [Olly's](#) murder was "planned on social media and triggered by a dispute in a social media chat group."

The murderer in [Uvalde](#) used online platforms to post about his plans.

Academic research, polling, cultural trends, common sense, and tragic examples demonstrate that the harms to kids online far outweigh any purported benefits. Because, after all, no amount of likes or retweets can bring these children back from the grave.

And while it is true that kids have been exposed to various harms since the beginning of humanity—including the technological advancements of the digital age—never before has the exposure been so bad, so constant, so incessant, and so relentless.

Among the [harmful content kids are exposed online](#) are addiction, depression, anxiety, stress, poor sleep, social and relational problems, body dysmorphia, cyberbullying, crime, violence, human trafficking, Child Sexual Abusive Material (CSAM), pornography, self-harm, and suicide. The impacts have been particularly [disparate for young girls](#).

The statistics are shocking.

- [Parents say they need more help](#) keeping their kids safe online.
 - 66% think parenting is harder in the digital age.
 - 71% are anxious about the effects of their kids' screen time.
 - 71% think their kids' smartphone use is causing more harm than good.
 - 79% of all Texans and 84% of parents said tech companies do not do enough online to protect children.
 - 91% of all Texans and 96% of parents said social media accounts created by children must be approved by their parents and can be closed if the parent desires.
 - 93% of all Texans and 96% of parents said parents should be able to monitor the amount of time children spend on a social media site.
 - 93% of all Texans and 97% of parents said parents should be able to control privacy settings, including location data.
 - 92% of all Texans and 97% of parents said parents should be able to approve data collection, can see what data is collected about their children, and can delete the data.
 - 91% of all Texans and 94% of parents said parents should have full transparency about how the data collected on their children is used in marketing.
- Children aged 8–12 spend an average of 4–6 hours per day on screens while teenagers spend up to [9 hours per day](#).
- [95% of teens have access to smartphones](#), 90% to computers, and 80% to gaming consoles.
- [Teen internet use has increased](#) from 92% to 97% since 2014.
- 46% of teenagers say they are [“online almost constantly.”](#)
- 86% of parents think [sexually explicit content is easy for kids to find](#).
- [73% of kids 17 and under](#), 54% of kids 13 and under, and 15% of kids 10 and under have seen pornographic content.
 - The average age of initial exposure to pornography is 12 years old.
 - Fifty-eight percent were exposed accidentally, while 44% sought it out.
- More than [125 million CSAM-related posts were removed](#) by major online platforms in 2021.
- 54% of teenage girls and 40% of teenage boys will have a [harmful online experience related to CSAM](#).
- 95,000 patients aged 14–18 visited the emergency room for [self-harm related injuries](#) in 2018.
- The [suicide rate](#) for kids 12 to 16 years old increased 146% from 2007 to 2018.

These are sobering facts. With the consideration of HB 18 and other bills like it, they cannot be ignored any longer.

Parental empowerment, educating kids and adults on online harms and ways to stay safe, age-appropriate technological design, and sound policymaking—together—will go a long way to keep kids safe online. HB 18 accomplishes each of these goals.

It goes well beyond the weak, outdated, and poorly enforced provisions in the federal Children's Online Privacy Protection Act. It places tight limitations on the collection of data on kids and very strict requirements on receiving verifiable parental consent. It is a parent empowerment bill that gives parents more tools to keep their kids safe online. Critically, it prohibits digital service providers from entering into an agreement with a known minor unless they have verifiable parental consent. Therefore, parents get the ultimate say on whether to agree to terms of service agreements, user agreements, and digital service account creation for their children.

Furthermore, it contains digital rights to give parents access to data collected, how it is used, to whom it is shared, how long it will be kept, and the rights to dispute, correct, and delete data. It requires efforts by online providers to limit exposure to content that could cause physical, emotional, and developmental harms. And it includes transparency and limits on advertising, marketing, and algorithms.

The Foundation is grateful for your consideration of HB 18 today and numerous other bills you have considered this session to keep kids safe online.

Sincerely,

The Honorable Zach Whiting, policy director and senior fellow
zwhiting@texaspolicy.com

David Dunmoyer, campaign director
ddunmoyer@texaspolicy.com

About Texas Public Policy Foundation

The Texas Public Policy Foundation is a 501(c)3 non-profit, non-partisan research institute. The Foundation promotes and defends liberty, personal responsibility, and free enterprise in Texas and the nation by educating and affecting policymakers and the Texas public policy debate with academically sound research and outreach.

Funded by thousands of individuals, foundations, and corporations, the Foundation does not accept government funds or contributions to influence the outcomes of its research.

The public is demanding a different direction for their government, and the Texas Public Policy Foundation is providing the ideas that enable policymakers to chart that new course.

