

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Trade, Workforce & Economic Development
For HB 186

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Hearing Date: March 19, 2025 8:00 AM

Kevin Pitts

Self

Georgetown, TX

This is much needed legislation. Statistics from The Anxious Generation by Jonathan Haidt show the harm of social media on children. He also shows that child predators are preying on children on these platforms but parents seem to be unaware. Haidt claimed, "We are overprotecting our kids in the real world while underprotecting them in the virtual world." It's time we enact laws to protect our kids from one of the greatest risks they face: social media.

Melany Troller

Self

Georgetown, TX

As a parent in Texas this proposed bill is an affront to the first amendment and undermines my role as a parent. The government has no place in prohibiting my children from social media platforms. That is my job.

Kathy Ponce

Self

Maypearl, TX

I support this bill

Ayaan Moledina

Students Engaged in Advancing Texas

Austin, TX

Good morning. My name is Ayaan Moledina and I am a 15-year-old high school student here in Austin serving as the Vice-Chair of the Board for Students Engaged in Advancing Texas, a movement of young people demonstrating youth visibility in policymaking. SEAT filed a lawsuit last year following the implementation of House Bill 18 from the 88th session which requires social media platforms to make their users register their age, and to restrict what users under 18 see on the sites, including content regarding suicide, self-harm, eating disorders, substance abuse, stalking, bullying, harassment, grooming, trafficking, or other sexual abuse.

I will read part of our initial complaint in the lawsuit:

“The Act subjects all Texans—not just minors—to age registration as a condition of access to digital services. It requires online services to monitor their content, and depending on a service’s mix, requires even more intrusive and imperfect age-verification screenings as a condition to engage in protected speech, violating established law. See *Reno v. ACLU*, 521 U.S. 844, 855-57, 881-82 (1997). And the Act goes even further, seeking to compel online intermediaries to block minors from accessing, sharing, or discussing a broad and vaguely defined range of protected subject matter based on the government’s conclusion that certain ideas are too dangerous, ignoring the fact that the state lacks any ‘free-floating power to restrict the ideas to which children may be exposed.’ *Brown v. Entertainment Merchants Ass’n*, 564 U.S. 786, 794 (2011).”

Last month, the United States District Court for the Western District of Texas granted a preliminary injunction to SEAT in our lawsuit against the implementation of HB 18. The Court agreed that “First Amendment standing doctrine allows for third parties not directly regulated by a law, but whose speech is prevented or chilled by it, to assert claims for relief. Moreover, due to the penalties and enforcement provisions of HB 18, the Court finds that HB 18 produces a ‘determinative or coercive effect’ on providers, which results in preventing speech and produces Plaintiffs’ injuries.” The ruling goes on to say that “as to the filter-and-monitoring requirements, Plaintiff SEAT’s previous and planned educational Instagram posts concern bullying, sexual assault, and suicide. Plaintiffs reasonably understand HB 18 to require social media to prohibit those posts. Similarly, Plaintiff Closson fears that HB 18 will lead social media companies to prevent him from posting about bipolar disorder, eating disorders, substance abuse, and his identity as a member of the LGBTQ+ community, as he has in the past.”

Judge Robert Pitman said in his ruling that HB 18 was “as content based as it gets,” and thus deserving of strict scrutiny. Under that standard, the state must show a compelling interest in censoring the content. Continued in another comment submission...

Ayaan Moledina

Students Engaged in Advancing Texas

Austin, TX

...Continued from previous comment submission: Judge Pitman wrote, “It is far from clear that Texas has a compelling interest in preventing minors’ access to every single category of information listed above. Many interests are not compelling, such as regulating content that might advocate for the deregulation of drugs (potentially ‘promoting’ ‘substance abuse’) or defending the morality of physician-assisted suicide (likely ‘promoting’ ‘suicide’).” He also cited the Supreme Court’s opinion in the 1975 case *Erznoznik v. Jacksonville*, where it found that “speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them.” Judge Pitman wrote, “In its attempt to block children from accessing harmful content, Texas also prohibits minors from participating in the democratic exchange of views online. Even accepting that Texas only wishes to prohibit the most harmful pieces of content, a state cannot pick and choose which categories of protected speech it wishes to block teenagers from discussing online.”

We are concerned that HB 186’s age verification requirements violate this ruling which struck down the same provision in HB 18. Should HB 186 pass, it will face immense legal challenges as it violates many rulings from federal courts including the US Supreme Court. This means costs to everyday Texans and taxpayers.

I am not immune to the point that social media contains harmful content for young people and that it can undoubtedly cause lasting mental harm. However, the answer is not to ban it completely. SEAT is pushing forward federal legislation that works to put more safety features in place on social media such as mental health warnings, parental involvement, time limits and warnings, limiting people who can contact minors, and many more mechanisms.

We believe social media and the Internet is a tool that has become a present-day reality for our everyday lives. We co-exist with the Internet, and it’s up to us to use it justly. We must empower media literacy and responsible digital citizenship. To do this successfully, we as young people deserve agency and rights of our own – not government restrictions. Under this bill, people who turn 18 will not know how to use the Internet responsibly. Childhood and adolescence is the time for making mistakes and learning from them – it’s too late for an individual and too dangerous for society to only allow access to social media at 18 years old, when mistakes will inevitably be made and cause greater harm.

I myself have suffered from Clinical Depression and social media has absolutely caused more harm but I know these safety measures could’ve helped. Continued in another comment submission...

Ayaan Moledina

Students Engaged in Advancing Texas

Austin, TX

...Continued from previous comment submission: I, along with most other young people, rely on social media to educate us about the news of the world, mental health resources that are available to us, education on important topics, and to connect with friends all over the world. HB 186 is too vague and while I may agree with some of the intentions to make social media safer and healthier, this bill is not the answer. We’re happy to work with your offices on developing more productive legislation in the months and years to come, including HB 499 from this session which adds a mental health warning label on social media platforms. Please oppose HB 186. Thank you and I’m happy to answer any questions.

Michelle Evans

Williamson County Republican Party

Round Rock, TX

Support

Cody Satterfield, Mrs.
Self, Public School Educator
College Station, TX

I am in agreement with this bill. Social Media Platforms should not be used by children under the age of 15. They are not capable of understanding the seriousness of the content that they might be exposed to. Social Media platforms have now made it into schools and are the single most significant source of bullying, fighting, assaults, unsafe schools, etc. Social media should not be used by any children under the age of 15.

Marquesa Mccracken
Self
Gilmer, TX

Please limit children exposure to social media. Especially schools forcing students and parents towards social media just to know what's going on at school.

Carol Lewis
Self
Lumberton, TX

Children shouldn't be exposed to videos or anything online that they're too young to see.

William Bailey, Mr
COA
Sweeny, TX

Limiting federal term limits. This will guarantee new ideas and less fraud