

March 26, 2026

The Honorable Tim O'Driscoll
Co-Chair, Minnesota House Committee on Commerce Finance and Policy
658 Cedar Street
St. Paul, MN 55155

The Honorable Erin Koegel
Co-Chair, Minnesota House Committee on Commerce Finance and Policy
658 Cedar Street
St. Paul, MN 55155

RE: TechNet opposition to HF 4138

Dear Chairs O'Driscoll and Koegel:

I am writing in respectful opposition to HF 4138. TechNet appreciates the bill's focus on the important goal of protecting children online. Our member companies invest heavily in safety tools, parental controls, and age-appropriate experiences for younger users. However, HF 4138 raises substantial concerns because it would expand data-processing obligations and impose an unusually punitive enforcement framework that is likely to generate litigation without producing better safety outcomes for children. The bill also contains additional concerns related to definitions and other substantive provisions that we understand are more appropriately the subject of discussion in the Commerce Committee.

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 100 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.

HF 4138 raises significant privacy concerns by compelling sensitive age-related inference and parental-account data handling

Although the bill states that a covered platform has no duty to collect additional information beyond what it already retains, it still requires platforms to estimate age after specified usage thresholds and to treat users as children unless the platform can conclude with 80 percent confidence and later 90 percent confidence that the user is older than 15. In practice, this creates pressure to engage in

sensitive age-related inference and to repeatedly reassess users over time. The bill also requires verifiable parental consent before creating or maintaining a child account or changing that account's terms, and it adds a documentation-retention requirement tied to proving that consent was obtained. Even where intended to protect minors, these requirements create privacy and data-governance concerns by pushing platforms toward more intensive age and family-status determinations than many services otherwise would make.

The bill also prescribes a parental-access architecture that is likely to increase data handling and account-management complexity. As part of obtaining parental consent, a platform must prominently offer the parent a separate-password option that enables monitoring of time spent, daily and weekly limits, and time-of-day restrictions. While parental tools can be valuable, the state should be cautious about requiring a particular model that may necessitate additional credentialing, documentation, and account-linkage practices, all of which carry privacy and security implications.

The bill's enforcement and penalty structure is extraordinarily aggressive and invites private litigation

The bill establishes enforcement mechanisms for child-account regulations and, as drafted, creates a framework designed to support extensive private litigation. Private right of action models with statutory damages, punitive damages, and fee shifting risk benefiting lawyers more than families and diverting resources away from investment in safety tools and compliance efforts.

That concern is particularly acute here because HF 4138 pairs complex operational duties such as age estimation, parental consent workflows, privacy-default requirements, and content/ad-delivery restrictions with civil law consequences. When a bill imposes liability in an area involving evolving technologies, probabilistic assessments, and judgment-laden implementation questions, broad private enforcement is especially likely to produce costly and inconsistent litigation. Enforcement of complex technology rules is better handled by appropriate regulators exercising discretion and focusing on genuine bad actors, rather than by a sweeping litigation model layered on top of ambiguous and untested compliance standards.

TechNet also has concerns with the bill's definitions and other substantive provisions

In addition to the privacy and penalty issues discussed above, TechNet has concerns with several defined terms and other operative provisions in the bill, including the breadth of the definitions governing covered platforms, covered users, "addictive interface features," and advertising-related restrictions. Those issues raise separate questions about scope, clarity, and operational feasibility. We understand those aspects of the bill are best addressed in the Commerce Committee, and we appreciate the opportunity to continue that conversation.

TechNet shares the Legislature's commitment to protecting children online, but HF 4138 adopts a prescriptive and punitive framework. A more effective approach would build on existing federal law, preserve parental choice without extensive data collection requirements, and allow platforms to continue improving safety outcomes without imposing unworkable age-estimation mandates, rigid product-design restrictions, and sweeping litigation risk.

For these reasons, TechNet respectfully opposes HF 4138. Thank you for considering our concerns, and please feel free to reach out if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ninia Linero". The signature is fluid and cursive, with a large initial "N" and a long, sweeping tail.

Ninia Linero
Executive Director, Illinois and the Midwest
TechNet