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## Testimony of the Department of Commerce and Consumer Affairs

Before the  
Senate Committee on Labor and Technology  
Friday, February 6, 2026  
3:00 p.m.  
Via Videoconference  
Conference Room 225

On the following measure:  
**S.B. 2761, RELATING TO SOCIAL MEDIA**

Chair Elefante and Members of the Committee:

My name is Radji Tolentino, and I am an Enforcement Attorney at the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department offers comments.

The purpose of this measure is to prohibit social media platforms from allowing individuals under sixteen years of age to create or maintain an account when the platform knows the user is under sixteen, and to require platforms to take reasonable steps to prevent underage access.

We share the Legislature's concern about the harms caused by social media companies that use curation algorithms. Many social media platforms employ curation algorithms to maximize user engagement and offer addictive, slot-machine-like features designed to keep children online longer because increased screen time drives profit.

These coercive design practices place children at risk even more so than adults, and voluntary industry action has been insufficient to address these harms.

At the same time, we recognize that regulating social media access for minors presents significant legal and practical challenges. Several states, including Utah and Arkansas, enacted similar laws in 2023 that were subsequently blocked or challenged in court. Those efforts raised constitutional questions related to free speech and highlighted enforcement difficulties, particularly around age verification and the risk of infringing on user privacy.

Should the Committee wish to pass this bill, we respectfully request that Page 4, lines 13-14 be amended to read as follows:

“(c) Any violation of this section shall be deemed an unfair or deceptive act or practice in trade or commerce in violation of chapter 480.”

Thank you for the opportunity to testify on this bill.

## Hawaii SB 2761

## TESTIMONY IN OPPOSITION

Feb. 4, 2026

### Hawaii State Legislature

Dear Chair Elefante, Vice-Chair Lamosao, and Members of the Committee of the Labor and Technology Committee:

NetChoice respectfully submits this testimony in **strong opposition to Hawaii SB 2761**, which would ban social media use for individuals under sixteen years of age. NetChoice is a trade association of leading internet businesses that promotes the value, convenience, and choice that internet business models provide to American consumers. Our mission is to make the internet safe for free enterprise and free expression. As introduced, SB 2761 suffers from significant constitutional flaws:

1. SB 2761 is unconstitutional under the First Amendment and
2. SB 2761 would put Hawaii residents' privacy and data at risk, leaving them vulnerable to breaches and crime.

We share the sponsor's goal to better protect minors from harmful content online, but an unconstitutional law helps no one. NetChoice members have taken issues of teen safety seriously and in recent years have rolled out numerous new features, settings, parental tools, and protections to better empower parents and assist in monitoring their children's use of social media. We ask that you oppose SB 2761 and instead use this bill to jumpstart a larger conversation about how best to protect minors online by constitutionally sound legislation.

### SB 2761 Violates the First Amendment

This legislation is facially unconstitutional. Social media platforms are forums for protected speech, and minors—including those under sixteen—have First Amendment rights that are well-established in Supreme Court precedent. In *Brown v. Entertainment Merchants Association*, the Court affirmed that "minors are entitled to a significant measure of First Amendment protection," and government efforts to restrict their access to constitutionally protected speech face strict scrutiny.<sup>1</sup>

A blanket ban on minors' access to social media, with no consideration of content, context, or parental involvement, cannot survive constitutional review. The government cannot categorically prohibit an

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<sup>1</sup> *Brown v. Entertainment Merchants' Ass'n*, 564 U.S. 786, 799 (2011) (invalidating California's attempt to ban minors from accessing "violent" video games because violent video games are protected speech)

entire class of citizens from accessing platforms that facilitate speech, association, and access to information simply because of their age. This is true even when the stated purpose is protecting children—indeed, *Brown* involved exactly such a justification for restricting minors' access to violent video games, and the Court rejected it.

The bill's reliance on Australia's 2024 law as precedent is fundamentally flawed. Australia does not have a First Amendment or equivalent constitutional protection for freedom of speech. What may be legally permissible under Australia's constitutional framework bears no relevance to what is constitutionally permissible in the United States. American courts have consistently struck down content-based restrictions and access limitations that would be unthinkable in countries without our robust speech protections. The legislature cannot simply import a foreign model without regard to our nation's foundational commitment to free expression.

### **The Bill Violates Parental Rights**

This legislation represents an unprecedented intrusion into parental authority. Parents—not the government—have the fundamental right to direct the upbringing and education of their children.

By implementing an absolute ban with no exception for parental consent, this bill removes all parental discretion. Parents who believe their children would benefit from supervised social media use—whether for educational purposes, maintaining family connections, participating in support communities, or developing digital literacy skills—are prohibited from making that choice. A parent cannot authorize their fifteen-year-old to maintain contact with distant relatives, participate in educational groups, or engage with age-appropriate content even under close supervision.

The legislature's judgment cannot substitute for that of individual parents who understand their own children's maturity, needs, and circumstances. Many families thoughtfully incorporate social media into their children's lives with appropriate supervision and boundaries. This bill treats all families as incapable of making these decisions and all minors as uniformly unable to benefit from these platforms—a one-size-fits-all approach that disrespects parental rights and family autonomy.

### **Age Verification Requirements Create Serious Privacy and Security Risks**

While the bill requires platforms to take "reasonable steps" to prevent minors from accessing services, effective enforcement would necessarily require invasive age verification systems that threaten the privacy of all users—not just minors. To verify that users are over sixteen, platforms would need to collect sensitive personal information such as government-issued IDs, biometric data, or credit card information from every user, including adults.

This creates a massive honeypot of sensitive personal data vulnerable to breaches, hacking, and misuse. It also enables unprecedented surveillance and tracking of individuals' online activities. Users who value their privacy—including victims of domestic violence, political dissidents, or simply privacy-conscious individuals—would be forced to choose between anonymity and access to speech platforms.

Moreover, the reference to Australia's law is misleading. Australia's implementation has been widely criticized for its technical difficulties, privacy invasions, and potential to push young people toward less regulated and potentially more dangerous online spaces. Nearly five million accounts deleted represents not a success story but evidence of the law's broad sweep affecting countless legitimate users.

## **An Approach that Actually Works**

Rather than enact clearly unconstitutional laws banning the free speech of Hawaii residents, the state would be better served enacting laws that help the citizens and are legal. NetChoice is working with lawmakers from across the country to achieve such ends.

### Requiring Digital Education in Schools

Empowering students with digital literacy skills and knowledge about online safety through curriculum developed by education experts represents a constitutional and effective approach. Such requirements effectively address crucial issues facing young people online. This approach will not only reach children where they are, but will help arm them to become better digital citizens.

### Updating Child Abuse Laws for AI

Today, child abusers are able to use artificial intelligence to create images and escape justice under existing Child Sexual Abuse Material (CSAM) laws. This is because existing CSAM laws require real images of the abuse, rather than AI generated ones. NetChoice is working with lawmakers to create laws that fill the gaps in existing CSAM laws to protect children from such abuses.

### Empowering law enforcement to arrest child abusers

Today less than 1% of all reports of child abuse are even investigated. That means that 99% of reports of child abuse go unheard. This is because law enforcement doesn't have the resources it needs to investigate and prosecute child abusers. NetChoice supports giving law enforcement the resources it needs to put child abusers behind bars.

Again, we respectfully **ask you to oppose SB 2761**. As always, we offer ourselves as a resource to discuss any of these issues with you in further detail, and we appreciate the opportunity to provide the committee with our thoughts on this important matter.<sup>2</sup>

Sincerely,

Amy Bos  
Vice President of Government Affairs, NetChoice

*NetChoice is a trade association that works to protect free expression and promote free enterprise online.*

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<sup>2</sup> The views of NetChoice expressed here do not necessarily represent the views of NetChoice members.

February 5, 2026

Senator Brandon J.C. Elefante  
Chair, Committee on Labor and Technology  
Hawaii State Capitol  
415 South Beretania Street, Room 225  
Honolulu, HI 96813

Senator Rachele Lamosao  
Vice Chair, Committee on Labor and Technology  
Hawaii State Capitol  
415 South Beretania Street, Room 225  
Honolulu, HI 96813

**RE: SB 2761 (Keohokalole) – Relating to Social Media - Oppose**

Dear Chair Elefante and Vice Chair Lamosao, and members of the committee.

On behalf of TechNet, we respectfully oppose SB 2761, which would prohibit social media platforms from providing accounts to individuals under the age of sixteen and impose affirmative obligations on platforms to prevent access by minors.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of American innovation 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.

We share the Legislature's concern for youth mental health and support thoughtful, evidence-based approaches to protecting young people online. However, as drafted, SB 2761 would impose unworkable obligations, undermine privacy, and expose platforms to expansive liability without delivering clear or measurable benefits for minors.

Overbroad Assumptions About Algorithmic Harm

SB 2761 is premised on the assumption that algorithmic content curation is inherently harmful or "addictive" for minors. While concerns about youth mental health are important, the scientific research in this area remains mixed and evolving. Algorithms are used across digital services to organize information, filter

spam, improve accessibility, and surface relevant content. Critically, they are also one of the most important tools for filtering inappropriate content.

Treating algorithmic features as categorically harmful risks oversimplifying complex issues and regulating based on assumptions rather than demonstrated causation. It also undermines the safety goals of the bill.

#### Infeasible Age Determination and Access Restrictions

The bill would require platforms to prevent individuals under sixteen from maintaining accounts whenever the platform “knows” a user’s age. In practice, platforms generally do not possess verified age information, and determining age with certainty would require intrusive data collection, identity verification, or biometric analysis.

As with similar proposals in other states, SB 2761 places platforms in an untenable position: either collect significantly more personal information from all users, thereby raising privacy and security risks, or face enforcement exposure for failing to prevent access. This approach undermines longstanding privacy principles by incentivizing over-collection of sensitive data in the name of child protection.

#### Restricted Access to Lawful Speech and UDAP-Style Enforcement

Because the bill conditions liability on a platform’s “knowledge” of a user’s age, it creates strong incentives for platforms to err on the side of denial—restricting access to lawful speech and information for both minors and adults. This is particularly concerning given that social media platforms are increasingly used for education, civic engagement, creative expression, and access to support resources. Broadly preventing minors under 16 from accessing social media platforms risks cutting minors off from beneficial content and online communities without tailoring protections to specific harms or high-risk behaviors. And, importantly, the bill’s prohibition on access for minors under 16 takes away the rights of parents to decide what is best for their teens online.

Furthermore, SB 2761 heightens these concerns by deeming violations to constitute unfair or deceptive acts or practices. This UDAP-style enforcement mechanism significantly lowers the threshold for liability and introduces substantial uncertainty around compliance.

When combined with ambiguous standards—such as what it means for a platform to “know” a user’s age or to take “reasonable steps” to prevent access—UDAP enforcement risks turning routine operational judgments into enforcement actions. This structure invites inconsistent application, retroactive second-guessing, and litigation-driven policy rather than clear, prospective rules.

#### Unintended Consequences for Privacy and Safety

By incentivizing aggressive age verification and account restriction, SB 2761 could paradoxically make online environments less safe. Young people may migrate to less-regulated platforms, use shared or fake credentials, or seek out unmoderated spaces without safeguards. At the same time, platforms may have fewer tools to provide age-appropriate content, safety features, or reporting mechanisms if minors are pushed off mainstream services.

Protecting young people online is a critical and shared priority. However, SB 2761 adopts a blunt and impractical approach that relies on broad assumptions about algorithmic harm, imposes infeasible access controls, and exposes platforms to expansive UDAP liability without clear standards.

We respectfully urge the Legislature to consider more targeted, evidence-based alternatives that focus on specific high-risk behaviors, strengthen parental and user controls, and preserve privacy while supporting youth well-being.

For these reasons, we respectfully oppose SB 2761.

If you have any questions regarding our position, please contact Robert Boykin at [rboykin@technet.org](mailto:rboykin@technet.org) or 408.898.7145.

Sincerely,



Robert Boykin  
Executive Director for California and the Southwest  
TechNet



February 6, 2026

House Economic Development & Technology Committee  
Hawaii State Capitol  
415 South Beretania St.  
Honolulu, HI 96813



## Re: SB 2761 – "Regarding Social Media Platforms; Use By Individuals Under Sixteen Years of Age Prohibited" (Oppose)

Dear Chair Ilagan and Members of the House Economic Development & Technology Committee:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose SB 2761. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.<sup>1</sup> Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members.

CCIA firmly believes that children are entitled to greater security and privacy online. Our members have designed and developed settings and parental tools to individually tailor younger users' online use to their developmental needs. For example, various services allow parents to set time limits, provide enhanced privacy protections by default for known child users, and other tools allow parents to block specific sites entirely.<sup>2</sup> This is also why CCIA supports implementing digital citizenship curricula in schools, to not only educate children on proper social media use but also help teach parents how they can use existing mechanisms and tools to protect their children as they see fit.<sup>3</sup>

However, protecting children from harm online does not include a generalized power to restrict ideas to which one may be exposed. Lawful speech cannot be suppressed solely to protect young online users from ideas or images that a legislative body disfavors.<sup>4</sup> While CCIA shares the goal of increasing online safety, this bill presents the following concerns.

### The U.S. Supreme Court has repeatedly struck down laws containing speech restrictions intended to prevent harm to minors.

The Supreme Court has repeatedly ruled that the First Amendment applies to teens as well as adults, holding that "[M]inors are entitled to a significant measure of First Amendment

<sup>1</sup> For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.

<sup>2</sup> Competitive Enterprise Institute, *Children Online Safety Tools*, <https://cei.org/children-online-safety-tools/> (last updated June 10, 2025).

<sup>3</sup> Jordan Rodell, *Why Implementing Education is a Logical Starting Point for Children's Safety Online*, Disruptive Competition Project (Feb. 7, 2023), <https://project-disco.org/privacy/020723-why-implementing-education-is-a-logical-starting-point-for-childrens-safety-online/>.

<sup>4</sup> *Erznoznik v. City of Jacksonville*, 422 U.S. 205, 212–14 (1975). See also *FCC v. Pacifica Found.* 438 U.S. 726, 749–50 (1978); *Pinkus v. United States*, 436 U.S. 293, 296–98 (1978).

protection, and only in relatively narrow and well-defined circumstances may government bar public dissemination of protected materials to them.”<sup>5</sup> The Court has further held that “to foreclose access to social media altogether is to prevent the user from engaging in the legitimate exercise of First Amendment rights.”<sup>6</sup> Yet SB 2761 effectively does just this, foreclosing access to a wide range of protected speech for a population clearly entitled to access it.

Because the proposed bill singles out online content and broadly forecloses access to protected speech, it effectively serves as a prior restraint and is subject to strict scrutiny. The Supreme Court has held that strict scrutiny applies to “governmental regulation of content that has an expressive element” or that “impose[s] a disproportionate burden upon those engaged in First Amendment activities.”<sup>7</sup> Laws triggering strict scrutiny “are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests.”<sup>8</sup> “If a less restrictive alternative would serve the Government’s purpose, the legislature must use that alternative.”<sup>9</sup> Yet rather than rely on the narrowly targeted tools described above, the proposed bill “with one broad stroke bars access to what for many are the principal sources for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge,”<sup>10</sup> in clear violation of the First Amendment.

## Restricting access to the internet for younger users limits their access to information and supportive communities.

Requiring businesses to deny access to social networking sites or other online resources may also unintentionally restrict children’s ability to access and connect with like-minded individuals and communities. For example, since children of certain minority groups may not live in areas where they can easily connect with others who relate to their unique experiences, an online meeting place to share such experiences and find support can have positive impacts.<sup>11</sup>

Empirical findings regarding social media’s impact on young users are much more nuanced than SB 2761’s introductory legislative findings suggest. When the U.S. Surgeon General released the advisory entitled *Social Media and Youth Mental Health* referenced in these findings, many were quick to highlight only the harms and risks it detailed. However, the advisory is much more complex and also discusses many potential benefits of social media use among children and adolescents. It concludes, for instance, that social media provides young people with communities and connections with others who share identities, abilities, and interests.<sup>12</sup> It can also provide access to important information and create spaces for

<sup>5</sup> See, e.g., *Erznoznik*, 422 U.S. at 212-13; *Brown v. Ent. Merchs. Ass’n*, 564 U.S. 786, 794 (2011).

<sup>6</sup> *Packingham v. North Carolina*, 582 U.S. 98, 108 (2017).

<sup>7</sup> *TikTok Inc. v. Garland*, 604 U.S. 56, 67-68 (2025).

<sup>8</sup> *Nat’l Inst. of Family & Life Advocates v. Becerra*, 585 U.S. 755, 766 (2018) (citation omitted).

<sup>9</sup> *United States v. Playboy Ent. Grp.*, 529 U.S. 803, 813 (2000).

<sup>10</sup> *Packingham*, 582 U.S. at 107.

<sup>11</sup> *The Importance of Belonging: Developmental Context of Adolescence*, Boston Children’s Hospital Digital Wellness Lab (Oct. 2024), <https://digitalwellnesslab.org/research-briefs/young-peoples-sense-of-belonging-online/>.

<sup>12</sup> Off. of the Surgeon Gen., U.S. Department of Health & Human Services, *Social Media and Youth Mental Health: The U.S. Surgeon General’s Advisory, Social Media Has Both Positive and Negative Impacts on Children and Adolescents* (2023), <https://www.ncbi.nlm.nih.gov/books/NBK594763/>.



self-expression. Research further details that social media can especially benefit marginalized youth, including racial, ethnic, sexual, and gender minorities, as online peer support can mitigate the stresses they face.<sup>13</sup> Indeed, as an Ohio court noted when striking down a law age-gating social media services last year, “nearly all of the research showing any harmful effects” for minors on social media “is based on correlation, not evidence of causation.”<sup>14</sup>

As explained above, CCIA believes that an alternative to solving these complex issues is to work with businesses to continue their ongoing private efforts to implement mechanisms such as daily time limits or child-safe searching so that parents can have control over their own child’s social media use.

**To avoid restricting teens’ access to information, SB 2761 should regulate users under 13 rather than 16 in accordance with established practices.**

Due to the nuanced ways in which children under the age of 18 use the internet, it is imperative to appropriately tailor such treatments to respective age groups. For example, if a 15-year-old is conducting research for a school project, it is expected that they would come across, learn from, and discern from a wider array of materials than a 7-year-old on the internet playing video games. We would suggest changing the scope of covered users to be minors under the age of 13 to align with the federal Children’s Online Privacy Protection Act (COPPA) standard.<sup>15</sup> This would also allow for those over 13, who use the internet much differently than their younger peers, to continue to benefit from its resources.

\* \* \* \* \*

We appreciate the Committee’s consideration of these comments and stand ready to provide additional information as the Legislature considers proposals related to technology policy.

Sincerely,

Aodhan Downey  
State Policy Manager, West Region  
Computer & Communications Industry Association

<sup>13</sup> *Id.*; see also Jennifer Marino et al., *Social Media Use and Health and Well-being of Lesbian, Gay, Bisexual, Transgender, and Queer Youth: Systematic Review*, J. Med. Internet Rsch. (Sept. 22, 2021), <https://www.jmir.org/2022/9/e38449>.

<sup>14</sup> *NetChoice v. Yost*, 778 F. Supp. 3d 923, 955 (S.D. Ohio 2025).

<sup>15</sup> See 15 U.S.C. § 6501(1).



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February 6, 2026

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair

Senator Rachele Lamosao, Vice Chair

HEARING DATE: February 6, 2026  
TIME: 3:00 p.m.  
PLACE: Conference Room 225

Re: TESTIMONY ON BEHALF OF META OPPOSING  
SENATE BILL NO. 2761

Dear Chair Elefante, Vice Chair Lamosao, and Committee Members:

Thank you for the opportunity to testify today. My name is David Louie and I am here on behalf of Meta. At Meta, we want the same thing as lawmakers: safe, positive online experiences for young people but I am here in strong opposition to SB 2761, the proposed legislation to ban social media access for teens under 16. Among the many problematic requirements of this bill, the current proposal has numerous carveouts that cover only a narrow subset of apps, creating a regulatory gap that fails to reflect where teens actually spend time online. This may allow companies providing major services that are ubiquitous among teens to avoid compliance.

Early evidence from Australia shows that a blanket ban does not reduce harm or keep teens safe, it simply pushes them to more unregulated spaces online. We strongly believe in the importance of responsibly empowering young people to enjoy the many benefits our platforms provide while equipping parents with the tools and insights they need to support them on their journey. That's why we launched Teen Accounts for Instagram, Facebook, and Messenger. A fundamentally reimagined experience that gives parents peace of mind.

With Teen Accounts, teens are automatically defaulted into protective settings limiting who can contact them, the content they see, and making sure their time is well spent. Any teen under 16 will need a parent to make these settings less strict. And we continue to build on these protections. Most recently, we revamped our content policies so that content teens see is inspired by movie ratings for ages 13+ by default. This means teens under 18 are automatically placed into

## COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair

Senator Rachele Lamosao, Vice Chair

February 6, 2026

Page 2

a 13+ content setting and will see content similar to what they'd see in an age-appropriate movie. We've also introduced a stricter "Limited Content" setting for parents who prefer more restrictive content experiences for their teens. These settings apply across all Instagram experiences - Feed, Reels, Stories, Search, and Explore. Instead of cutting off access entirely, we think there is a better way to accomplish the goals of this bill.

It is critical to remember that in order to place teens into age-appropriate experiences online, like Teen Accounts, apps must know who is and is not a teen. Period.

As you're aware, understanding someone's age online is a complex, industry-wide challenge because many people, including young people, may misrepresent how old they are online. SB 2761 risks encouraging teens to misrepresent their age to get around the ban and also ignores the benefits teens can get from social media.

Under SB 2761 teens won't be able to use our services the way they love - from staying connected with family and friends, to discovering their interests, and expressing themselves. This bill would restrict teens from these benefits, and in a manner that will provide inconsistent protections across the many apps that teens use.

While we share your goal of protecting young people online, it's important to note that, on average, teens use around 40 apps per week, so targeting a handful of companies won't keep teens safe. A selective ban risks creating confusion for families, teens, and platforms alike and encouraging teens to move to unsafe and unregulated spaces. As drafted, teens may still be able to access some platforms but not others. SB 2761 bans teens under 16 from only a limited set of the many apps that they use, and should not move forward in the legislative process until this issue is fully addressed. After the loophole is addressed, there are additional remaining areas of concern that we would like to continue to bring to your attention.

As drafted, some of the most popular social media sites may consider themselves out of scope if their "primary purpose" is not socialization with direct communication and many companies may argue that their primary purpose is "educational material." The bill scopes out gaming and video games despite the many similar features among gaming and social media apps and also has additional carveouts for platforms that may have the same features but consider their "primary purpose" to fall into the enumerated categories exempted from the bill. These carveouts may also result in inconsistent application of the law and raise First Amendment concerns about speaker-based and content-based restrictions.

Where some platforms allow it, teens may still be able to access social media sites without an account and without safeguards that are intended for registered users and may put them into

COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair

Senator Rachele Lamosao, Vice Chair

February 6, 2026

Page 3

more age-appropriate experiences. The scoping of this ban will drive teens to less safe, unregulated platforms or encourage them to misrepresent their age.

Bans, especially selectively administered ones, put teens at greater risk when it comes to online safety, access to information, awareness of their social and political environment, economic opportunity, and access to supportive services. Bans also remove the important role of parents in the online lives of their teens.

We do think that there is a legislative solution that will accomplish your goals, without a full ban that carves out many apps and removes the choice from parents. Instead, we support legislation that requires parental approval and age verification at the app store/OS level to ensure all teens are placed into age-appropriate experiences. That approach has been introduced in nearly 30 states across the United States, and Hawaii considered it last year, and versions have already been signed into law in 4 states. Under an app store approach, parents are empowered to decide what apps their teen is or is not ready to use, not the government. Parents need clear, efficient ways to oversee the many apps their children use, and they expect all apps to offer the same standard of protection. This bill fails to afford parents that opportunity and leaves out many of the apps teens are using.

We respectfully oppose SB 2761 and encourage the Committee to instead consider an approach that applies equally across all of the many apps that teens use and empowers parents to make the decision whether or not they want to restrict their child from using certain apps. Parents may decide on a higher or lower age range than this ban proposes or even different allowances among their children, because they know their family best.

Very truly yours,

A handwritten signature in black ink, appearing to read "D. Louie", written in a cursive style.

DAVID M. LOUIE

for

KOBAYASHI SUGITA & GODA, LLP

**SB-2761**

Submitted on: 2/3/2026 11:02:17 PM

Testimony for LBT on 2/6/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Jacob Wiencek	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members,

There is perhaps no more important before the state legislature this year. A growing body of research informs us of the harms social media usage has on young minds. Attention spans, cognitive and social development are all harmed. Hawaii should join other states in putting the screws on social media companies. Strict enforcement of no social media under 16 is a must. And this ban must be enforced in our public schools.

I **STRONGLY URGE** this committee to **SUPPORT** this bill!

**LATE**

**SB-2761**

Submitted on: 2/6/2026 10:47:11 AM

Testimony for LBT on 2/6/2026 3:00:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Angela Young	Testifying for CARES   Community Advocacy Research Education Services	Comments	Written Testimony Only

Comments:

Reference my testimony