

TENNESSEE HOUSE House Banking and Consumer Affairs Subcommittee

March 11th, 2026

Chair Darby and Members of the Subcommittee,

On behalf of the Consumer Choice Center and the consumers around the state of Tennessee and the broader United States we advocate for, we write to you to raise concerns about HB 2254, *The App Store Accountability Act*, and urge you not to move forward with this well-intentioned but problematic proposal.

We share your concern for the well-being of children online, but believe these bills represent a deeply flawed approach, one that undermines privacy, encourages censorship, and imposes sweeping burdens on innovation and speech.

Privacy Risks Created by Mandatory Age Verification

The proposal mandates that app store providers verify the age category of every account holder in the state. To meet these requirements, providers will likely be forced to collect sensitive personal identifiers such as drivers licenses or biometrics from countless Tennesseans. Even with strong encryption technology, this creates a massive repository of sensitive data that becomes a target for cybercriminals.

A breach involving identification data could expose Tennesseans to identity theft, harassment, and the disclosure of deeply personal information.

Consumers should not be required to sacrifice their privacy or anonymity simply to access lawful speech online.

Impractical Enforcement and Inevitability of Evasion

HB 2254 faces serious practical enforcement challenges. Age-verification requirements are often easily bypassed through commonly available tools such as virtual private networks or other workarounds. This means that determined users can evade the system in mere seconds, while compliant companies are left with a massive compliance burden. Additionally, this would create a regulatory moat, making it harder for would-be competitors to effectively enter the marketplace, as they would lack the resources necessary to deal with compliance costs associated with HB 2254.

Censorship and the Path Toward a State-Controlled Internet

Beyond privacy considerations, HB 2254 raises broader First Amendment concerns. Age-verification mandates result in platforms overblocking access to lawful content in order to minimize legal liability. When faced with regulatory penalties, companies frequently take the most risk-averse approach.

In effect, this amounts to the government pressuring a private company to police lawful content in the name of protecting children.

The end result is a chilling effect. When individuals are all treated as children, forced to verify their identity to access lawful material online, many will simply refrain from engaging with that content. The internet has historically served as a conduit, empowering individuals to explore ideas, obtain information and participate in civic discourse with a degree of anonymity, a fundamental part of our country's history. Conditioning access to speech on providing identification risks seriously eroding that foundational right.

Better Alternatives Exist: Empowerment over Enforcement

Protecting children online is a laudable, bipartisan goal, but there are better ways to achieve it that are rooted in education, innovation, and parental authority, not government mandate.

Tennessee should pursue policies that:

- Empower parents to use existing parental-control tools available on every major device and platform.
- Promote digital literacy education for both parents and children alike, as this equips families to manage online risks together.
- Encourage companies to better connect with the community by communicating with parents and showing them the tools and resources available to empower them as parents in the digital age.

Such proposals align with the principles of limited government, individual liberty, and personal responsibility.

HB 2254, while well-intentioned, would create an expansive surveillance and censorious regulatory regime under the banner of child safety. In reality, this proposal compromises privacy, stifles innovation, and undermines the

bedrock principles of freedom of speech and association that are core to American and Tennessee traditions.

The state should not repeat the mistakes seen abroad or in overreaching regulatory regimes elsewhere. Instead, Tennessee should chart a course that trusts parents, protects privacy, and preserves freedom.

For these reasons, we respectfully urge the subcommittee to reject HB 2254 and instead support policies that empower families through voluntary, market-driven means.

Thank you for your time and consideration.

Sincerely,

James Czerniawski

Head of Emerging Technology Policy
Consumer Choice Center