

## **ACT | The App Association – Verbal Testimony – HB 302**

Chairman Thomas and Members of the Committee,

Thank you for the opportunity to speak with you today in support of House Bill 302. My name is Ninia Linero, and I serve as senior manager of state government affairs for ACT | The App Association, a trade organization representing small app developers and technology companies that power innovation and job creation across Ohio and the country.

First, I want to commend Rep. Workman and Rep. Plummer for sponsoring HB 302 and working toward a solution that protects kids online while remaining practical and workable for developers and families. We believe HB 302 strikes a far better balance than HB 226, addressing real concerns without introducing new, unnecessary risks for parents, children, and small businesses, and helps establish a thoughtful, first-of-its-kind framework in Ohio, rather than repeating the challenges seen in recently passed laws in Texas and Louisiana.

### **Why HB 302 Works Better for Ohio Families & Small Businesses**

- **Aligns with Federal Law & Avoids COPPA Conflicts**

Unlike HB 226, HB 302 does not require developers of general-audience apps “likely to be accessed by a child” to flag themselves or treat all users as children by default. This avoids pushing apps outside compliance with the federal Children’s Online Privacy Protection Act (COPPA), which specifically ties parental consent to the collection of a child’s personal information, not just access to an app. HB 226’s approach could expose developers to federal penalties of over \$53,000 per violation. HB 302 respects the COPPA framework and keeps developers from having to collect more personal data than is necessary.

- **Minimizes Data Collection & Security Risk**

A key concern with proposals like HB 226 is that they force the creation and sharing of sensitive age data with millions of apps that don’t need it. Even when an app doesn’t retain user data, the act of collecting and transmitting it creates new vulnerability. Similarly, requiring general audience app developers to associate children with parents for purposes of compliance creates unnecessary new risk surfaces for attackers to exploit. HB 302 instead keeps the responsibility with app stores and developers in ways that limit exposure and reduce privacy risks

- **Practical for General-Audience Apps & Small Businesses**

Think of Gionino’s Pizzeria, a family-run Ohio pizza shop that happens to have an ordering app. HB 226 may treat that local business as though it were running a children’s platform, forcing costly age-gating systems and compliance teams it

doesn't have. HB 302 rightly recognizes the difference between social media platforms that target minors and small, general-use apps.

- **More Sensible & Nationally Workable**

HB 302 moves Ohio toward a framework consistent with where other leading states and companies are going, rather than replicating flawed models like Texas' law, which has created compliance confusion and litigation risk without measurably improving kids' safety online. It's also far better than a Meta proposal like HB 226, which is modeled after approaches from large social media companies with poor track records of protecting children's information.

### **Shared Goal: Protecting Children Without Overburdening Innovators**

We share your commitment to keeping children safe online. That's why we support solutions that give parents better tools, create accountability where it's needed most, and don't unintentionally punish small innovators trying to serve Ohioans. HB 302 respects these principles and sets the stage for a framework that could work across the country.

Thank you for your time and thoughtful consideration. I welcome any questions you may have.

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