

## **Ohio Social Media Law Ruled Unconstitutional**

### **Connor Paulshock**

A federal judge has ruled that Ohio's new social media law may violate the First Amendment rights of minors and tech companies. This preliminary injunction, issued by U.S. District Court Judge Algenon Marbley, will prevent Ohio officials from enforcing the statute, titled the Parental Notification By Social Media Operators Act. The law, passed last July, aimed to restrict minors' (those under 16 years old) ability to use tech platforms by requiring affirmative parental consent. The statute generally applies to "social" sites—those sites allowing users to create profiles and interact with one another. However, exempted from the statute are e-commerce sites and "established and widely recognized" media outlets.

The tech industry group NetChoice sued to enjoin the law, claiming that the statute restricted minors' rights of expression and speech under the First Amendment. NetChoice also argued that the statute wrongly restricted speech on the basis of subject matter. Ohio's Attorney General Dave Yost countered these claims, arguing that the statute did not restrict First Amendment rights but rather restricted their ability to contract, by limiting teens and children's ability to agree to terms of service. Judge Marbley ultimately rejected the State's arguments, writing that "[T]he act is not narrowly tailored to protect minors against oppressive contracts." Marbley also took issue with how the law placed restrictions on minors' ability to contract with "social" sites despite it allowing minors unfettered freedom to contract with media sites.

The law was meant to take effect last month but, on January 9, Judge Marbley issued an emergency restraining order blocking its enforcement for 30 days. Now, the law is enjoined until Judge Marbley issues a final ruling. This law is similar to those recently passed in other states, including Utah, Texas, California, and Arkansas, with the latter two already coming under attack from federal judges in their respective districts.

For more information, check out the full article [here!](#)