

No. 23-112

In the
Supreme Court of the United States

FREE SPEECH COALITION, ET AL.,
Petitioners,

v.

KEN PAXTON,
Respondent.

**On Writ of Certiorari to the
U.S. Court of Appeals for the Fifth Circuit**

BRIEF FOR RESPONDENT

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QUESTIONS PRESENTED

Whether Texas House Bill 1181 should be reviewed under rational-basis or strict scrutiny.

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SUMMARY OF ARGUMENT

In 2023, Texas State Legislature passed HB 1181, an act requiring persons seeking to access sexual material on an Internet website to provide proof of their age in order to view the content. The act was written with the purpose of restricting the access of minors — persons under the age of 18 — from viewing “sexual materials harmful to minors”, while still enabling adults ages 18 and older from viewing whatever material they may like.

Ginsberg v. New York considered a similar question about whether the government has the authority to regulate the access of certain types of speech only for minors. Under *Ginsberg*, the Court justified the restriction of obscenity from minors, arguing that obscenity differs for minors and adults, and as such can be restricted in different manners for those two groups.

Since *Ginsberg* was established in 1968, no other case has explicitly ruled against the case’s precedent, creating a standard for differing First Amendment rights for minors versus adults regarding restrictions on obscenity. Therefore, it is reasonable to conclude in *Free Speech Coalition v. Paxton* that the government is acting in the best interests for the well-being of minors.

With regards to this and the arguments below, Texas HB 1181 should be analyzed under the standard of rational basis and not strict scrutiny.

ARGUMENT

I. Ginsberg's rational basis review should be applied to HB 1181

A. Ginsberg is the Controlling Precedent

Rational basis review applies to Texas HB 1181 because the Supreme Court previously found this was the appropriate standard of review in limiting children's access to adult content in *Ginsberg v. New York*.

In *Ginsberg*, the Supreme Court applied a test which evaluated whether speech-based impositions infringe upon the People's First Amendment rights to determine whether a case is reviewed under rational basis or strict scrutiny. Under this test, rational basis is the appropriate standard of review for *Free Speech Coalition, Inc. v. Paxton* because adults rights are not negatively impacted and under similar circumstances, in *Ginsberg v. New York*, the Supreme Court applied the same test.

The ruling precedent that the Supreme Court uses to guide their decisions regarding obscenity, "material which deals with sex in a manner appealing to prurient interest", comes from the decision in *Miller*

v. California (congress.gov). In that case, the Court established a three-pronged test to determine whether or not material is considered obscene and its subsequent protection under the First Amendment or lack thereof.

The test has three parts that must all be met in order for material to be considered obscene and not be protected. As stated in *Miller v. California*, “A work may be subject to state regulation where that work, taken as a whole, appeals to the prurient interest in sex; portrays, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and, taken as a whole, does not have serious literary, artistic, political, or scientific value.” From this definition, the Court determined that pornography in many cases holds some artistic value, is not patently offensive, and is therefore protected speech for the companies to release and for adults to access.

B. States Have a Duty to Protect Children Without Unduly Burdensome Limitations

Although accessing pornographic material is a right that has been protected for adults, the government has the right to protect its children from content that could be harmful. While the First Amendment

protects freedom of speech, the amendment has to be interpreted differently based on the audience. Where adults are developed and capable of making decisions for themselves, children often do not know the implications of their actions or realize the full extent of them. Due to this difference in maturity and understanding, the Freedom of Speech given to minors, as decided by State governments and interpreted by the Courts, has to differ from that of adults.

There are many examples of how minors are offered more limited freedoms than adults. The country-wide drinking age established under the National Minimum Drinking Age Act of 1984 is enforced by every state and was ruled constitutional in *South Dakota v. Dole*. The Act coerces states to make it illegal for people under 21 to drink alcohol even though it is legal for those over 21. This limit on drinking age was created because it puts the safety of all people in our country first. It limits teenage drinking and the horrible outcomes it can lead to and is an accepted part of our country. In order to enforce this Act, ID checks are required for anyone purchasing alcohol that appears to be under the age of 21. The enforcement of ID checks is a normal part of society and is not something that is put under

question or considered an infringement on people's rights.

Additionally, federal law “prohibits any individual from knowingly transferring or attempting to transfer obscene matter using the U.S. mail or any means or facility of interstate or foreign commerce to a minor under 16 years of age” 18 U.S.C. § 1470. As it is illegal for adult material to be supplied to a minor under federal law, it is logical for these restrictions to be transferred to the internet and for it to be done in a manner that prevents minors from seeing adult material without parental permission. If a bill successfully accomplishes this task without infringing upon the First Amendment rights of adults, it should be reviewed under rational basis.

Texas House Bill 1181 recognizes the fact that the material it is discussing is protected speech and deliberately stays away from any method of control that could infringe upon that guaranteed, constitutional right. The bill itself states that its purpose is “relating to restricting access to sexual material harmful to minors on an Internet website.” The bill only has a purpose of protecting children, not limiting the rights of adults and therefore does not trigger the strict scrutiny test that many other laws and bills pertaining to this subject have in the past.

In many cases, despite their rulings, the Supreme Court spoke on the need to protect children from inappropriate conduct and material. In *Ginsberg v. New York*, the court stated that they “have recognized that even where there is an invasion of protected freedoms “the power of the state to control the conduct of children reaches beyond the scope of its authority over adults” *Mishkin v. New York*, 383 U. S. 502, 509; *Bookcase, Inc. v. Broderick*, supra, at 75, 218 N. E. 2d, at 671; *Ginsberg v. New York*, 390 U.S. 629 (1968). In recent cases such as *Brown, et al. v. Entertainment Merchants Assn.* in 2011, the Court reaffirmed this opinion and cited the same previous decision where it says that legislature can “adju[s]t the definition of obscenity ‘to social realities by permitting the appeal of this type of material to be assessed in terms of the sexual interests ...’ of ... minors” *Mishkin v. New York*, 383 U. S. 502, 509 (1966). The Court remains strong on its opinion that children’s access to obscenity should be adjusted and therefore, limits on minor’s access to pornography do not infringe upon their rights and do not require strict scrutiny.

The Supreme Court’s decision in *Ginsberg v. New York* is the case with the most similar circumstances as *Free Speech Coalition, Inc. v. Paxton*. In both

Ginsberg and Free Speech Coalition, Inc. v. Paxton, the case's objectives are to prevent minors from accessing pornographic material and at no point does either infringe upon adults rights to view it. In *Ginsberg v. New York*, the obscenity of the material that was in question was never questioned when it came to children. The Court's opinion states that there is "No issue here of the obscenity of the material involved, as appellant does not argue that the magazines are not 'harmful to minors'" *Ginsberg v. New York*, 390 U.S. 629 (1968). If the speech is obscene for minors then there should be protections in place to ensure that they cannot view it on their own. By reviewing *Free Speech Coalition, Inc. v. Paxton* under rational basis, the Court will give the States which are tasked with protecting minors, the ability to more easily enact legislature and protect children from obscene material. Additionally, in Texas House Bill 1181, the material is similar to that of *Ginsberg's* pornographic magazines, only it is on the internet. However, despite the different medium, the material's obscenity, as it relates to minors, is one and the same and it should be assessed and ruled with the same criteria for both cases.

As stated in *Ginsberg*, the explicit material in the magazines can cause harm to minors. Therefore, there must be a means of protection. This age-

verification technique in *Paxton* will help prevent minors from accessing content that they do not understand the implications of. It will place a barrier between them and obscene content that according to *Ginsberg v. New York* is unequivocally considered "harmful to minors" *Ginsberg v. New York*, 390 U.S. 629 (1968). The impacts of that harm can be great and placing an extra barrier between minors and this content allows for damage—in many forms—to be avoided. Additionally, it will foster a safer environment for those same children—who will be our countries future leaders and policy makers—to grow up and become fully functioning adults.

Precedent has established that it is necessary for children to be protected from potentially harmful obscene material. There have been many bills and laws put forward to combat this issue and put the protection of children first. Texas House Bill 1181 is different and consistent with *Ginsberg v. New York* because it does not include content-based restrictions. The law itself imposes age-verification techniques to prevent minors who may be young children from accessing this material, but it does not infringe upon adults rights to access it. They can submit their identification and easily access the site like they would under previous circumstances.

C. Texas House Bill 1181 Is Not an Overly Burdensome Limitation to Free Speech for Adults

Concerns about the safety of sharing identifying information with age-verification services on the internet have been expressed by both the viewers and those publishing the material. The viewers have concerns about releasing their identifying information to an unknown, online service and the companies have concerns about a loss of viewership and therefore revenue. However, Texas House Bill 1181 designates a section where it says that the entity or third-party that “performs the age verification...may not retain any identifying information of the individual after access has been granted to the material” and any commercial entity “that is found to have knowingly retained identifying information of an individual after access has been granted... is liable to the individual for damages.” The law includes these specific provisions to ensure that adults can view this content, that they have a right to view, without putting themselves and their identifying information in harms way. As all of the information that is used in the age-verification must be immediately released, should companies want to avoid lawsuits, an online age-verification in this manner is almost identical to one done in person at a shop. The only difference being a lack of face-to-face

contact. However, in our highly digitalized world, face-to-face contact, especially in making purchases, has been reduced and completing an age-verification online is not far off from everyday online activities such as purchasing items with a credit card, supplying airline companies with personal information through websites, etc. Since the bill ensures that those viewing the content will have the right to sue and be compensated if their identifying information is stored or sold, going through this process puts no limits on the rights of adults, which means it does not trigger strict scrutiny and therefore, rational basis as applied under *Ginsberg* is the correct legal standard to use in order to determine the constitutionality of the Texas House Bill 1181.

The regulation of children's access to material like pornography is important for their safety. Texas House Bill 1181 looks to protect children from pornographic material without infringing on the First Amendment rights of adults and the companies distributing the material. By requiring age-verification, a process that has been used in this country without difficulty for a long time, the bill's purpose is to prevent children from accessing pornographic material on their own and it does this while not harming the other parties involved. For

these reasons, the case is consistent with *Ginsberg v. New York* and its decision to examine the case with rational basis and Texas House Bill 1181 and its case, *Free Speech Coalition, Inc. v. Paxton*, should be reviewed under the same standard.

II. Texas House Bill 1181 does not impose blanket bans on speech based on its content, therefore not burdening First Amendment rights to freedom of speech, and in turn not falling under strict scrutiny.

A. HB 1181 clearly defines the speech being restricted.

Texas House Bill 1181 does not claim the material in question to be either indecent or obscene. Instead, the bill refers to the material only as “sexual material harmful to minors” and regulates the access of minors to “pornographic material”. The bill very clearly defines the types of speech restricted, leaving no questions up to interpretation, as well as specifying the restrictions only applying to minors, since adults of ages 18 and older will easily be able to access the material after a simple age verification. *Reno v. ACLU* challenged the constitutionality of the 1996 Communications

Decency Act, specifically the desire to ban “indecent” and “patently offensive” content. The broad context of the Communications Decency Act was deemed unconstitutional due to the lack of clarity in content being restricted, which would severely limit freedom of speech on the internet. According to the First Amendment, indecent material is protected under the umbrella of free speech. A different precedent of *Federal Communications Commission v. Pacifica Foundation* would be more reasonable to model *Free Speech Coalition, Inc. v. Paxton* after. *Federal Communications Commission v. Pacifica Foundation* outlined the government’s ability to restrict “patently offensive words” on a radio broadcast, whether considered obscene or indecent, when they are likely to be heard by minors. The case details how “ audience, medium, time of day, and method of transmission” are crucial to determining whether the speech may be restricted. The internet does not have a specified time of day when children versus adults may access certain content, but Texas House Bill 1181 rationally restricts the method of transmission on the Internet and the medium of content transmitted for the good of society to protect minors from content that has the likelihood of being detrimental or harmful.

**B. HB 1181 details restrictions on free
speech only to minors, as allowed by
*Ginsberg***

The key factor behind Texas House Bill 1181 is that the bill does not pose an outright and concrete ban on any form of speech. Instead, the bill limits the access of “sexual material harmful to minors on an Internet website” by requiring the use of “reasonable age verifications methods”. In *Erznoznik v. City of Jacksonville*, the Court determined that the City of Jacksonville is unable to restrict the viewing of films containing nudity. This is on the account that the city attempting to ban all persons from viewing one specific type of speech is blatantly unconstitutional according to the First Amendment. However, this scenario is vastly different from *Free Speech Coalition, Inc. v. Paxton*. Under Texas HB 1181, the sexual material in question is still available to all persons of ages 18 and older, as long as they provide proof of their age. There are plenty of other circumstances where the government is permitted to require the use of age verification to protect minors from exposure to certain material. For instance, policies are allowed that restrict all persons of ages 16 and under from viewing R-rated movies in a movie theater. This is done out of the legitimate interest of the state to protect minors from viewing harmful

material. The theaters do not restrict persons of ages 17 or older from viewing the material, as Texas HB 1181 does not restrict persons of ages 18 and older from viewing the material in question. A similar argument can be made for bars, where age verification is required to be able to purchase and/or consume alcoholic beverages. These policies were enacted to protect minors from dangers of which their brains may not be fully developed enough to know to stay away from. By a similar logic for protecting minors from harmful substances or materials, *Free Speech Coalition, Inc. v. Paxton* falls under rational basis scrutiny.

C. The state is already entitled to restrict the speech of minors for their own protection

Just like with restrictions for who can buy alcohol, the state is entitled to enact policies restricting what ages of people can access material of a sexual nature, whether this material is transmitted by a physical book/newspaper/etc., over the radio, over the internet, and in any other scenarios. *United States v. Playboy Entertainment Group* deemed Section 505 of the 1996 Communications Decency Act unconstitutional because of its overly restrictive method of protecting minors from harmful speech. However, the intent of

the act was supported. The only issue was that the act was too restrictive. This is resolved with Texas House Bill 1181, which dives into great detail for how the bill aims to protect minors from harmful sexual content on the internet. The bill serves the state's legitimate interests to protect minors from this content, while still allowing the content to be readily available to adults who can prove they are at least 18 years old.

**D. Texas HB 1181 is well detailed,
preventing the need for strict scrutiny
analysis**

The specific and well detailed manner of Texas HB 1181 removes any question for the type of speech being restricted, therefore eliminating the need for strict scrutiny application and allowing for rational basis to decide the outcome. The decision of *Ashcroft v. Free Speech Coalition* striking down The Child Pornography Prevention Act of 1996 as unconstitutional was made because the act was overly broad in its attempt to define the speech in question that was to be suppressed. This case was argued under the ideas of strict scrutiny since the limitations were not narrowly tailored enough to allow for the regulation of only certain types of speech. However, the ideas behind the act with the

intent of protecting minors from child pornography are rational. The purpose of the government is to enact laws to protect its people, which can include protecting minors from harmful sexual content. Therefore, using rational basis under *Ginsberg v. New York* is the logical standard to follow for *Free Speech Coalition, Inc. v. Paxton* due to the state's legitimate interest to protect the well-being of minors.

III. The Stare Decisis Doctrine dictates that Ginsberg controls

To the extent that *Reno* and *Ashcroft* contradict *Ginsberg*, *Ginsberg* is the ruling precedent. In *Ginsberg v. New York*, the Supreme Court ruled that there is legitimate State interest in protecting children from pornographic material. Due to this interest and as the case does not infringe upon adult's right to access the material, the Court applied rational basis to determine whether the sale of adult content to children can be prohibited. The decision on *Ginsberg*, which used rational basis as a test, was made in 1968 and since then it has served as the ruling precedent.

In *Ashcroft v. Free Speech Coalition*, a 2002 case, the same legal standard as *Ginsberg* should have been applied as both cases pertain to the limiting of

children's access to adult content. Should the verdict in *Ashcroft* be the ruling precedent, the Supreme Court would have abrogated their ruling in *Ginsberg v. New York*, but they did not. As the court's first decision pertaining to this issue used rational basis, the ruling precedent and legal standard for examining cases of this nature is rational basis.

Previous to *Ashcroft* in *Reno*, a 1998 case, the Supreme Court made a similar ruling. They also used strict scrutiny as the legal standard where they determined that it is unconstitutional to create a law that makes it illegal to publish adult content that can be viewed by minors. If the Supreme Court believed that this decision was the correct decision and that it contradicted *Ginsberg*, they would have overturned *Ginsberg*. In both cases they did not.

Due to the stare decisis doctrine, the Court's belief in consistency, and the fact that *Ginsberg*, which applied rational basis, was the first decision pertaining to the issue of minor's access to pornography and has not since been abrogated, *Ginsberg* is the guiding principle and correct decision to follow.

IV. Minors and adults have different standards for the regulation of speech

A. Previous precedents have established the state's interest in protecting minors

Sable Communications v. FCC was upheld on the basis of the *Paris Adult Theater I v. Slaton* case of 1973. *Paris Adult Theater I v. Slaton* established the precedent of courts being able to ban obscene speech under the argument that “there were “legitimate state interests at stake in stemming the tide of commercialized obscenity,” including the community's quality of life and public safety.” According to Professor David L. Hudson Jr. at Middle Tennessee State University, the definition of obscenity can change, depending upon the age of the person viewing the material. The University describes the idea behind “harmful to minors laws” and how “material can be considered obscene when viewed by children and young people though not when viewed by adults”. Even if the material in question under *Free Speech Coalition, Inc. v. Paxton*. is not deemed obscene for the general population, it would still be rational to claim that this speech can be viewed as obscene to minors. *Ginsberg v. New York* established a difference in obscene material as dependent upon the age of the person(s) seeking to view the material. Texas House Bill 1181 is centered upon the goal of restricting access to harmful sexual content, whether considered obscene or indecent, from minors while

still allowing the material to be accessed with fair ease for adults. Addressing *Free Speech Coalition, Inc. v. Paxton* under the conditions of rational basis allows for the government to act upon the best interests of minors and society as a whole. Texas HB 1181 does not “burden adults’ access to constitutionally protected speech” as Free Speech Coalition claims in their Petition for Writ of Certiorari, but merely instills an easily provable information requirement to view the material.

B. Restrictions are allowed provided that they apply equally to everyone affected

In *Brown v. Ent. Merchs. Ass’n*, the Court ruled in favor of applying strict scrutiny to the California Assembly Bill 1179 (Act), Cal. Civ. Code Ann. 1746-1746.5 which “restricted the sale or rental of violent video games to minors”. Strict scrutiny was applied because the bill was both “seriously underinclusive” and “seriously overinclusive” with respect to the subjectivity of the speech not being restricted for all minors, but rather only for those whose parents deem the speech to contain a harmful level of violence. However, the Court ruled that the California Assembly Bill would fall under rational basis if not for the previous argument since the bill addresses “a serious social problem” and helps

“concerned parents control their children”. Following this logic, Texas House Bill 1181 addresses a serious social problem of the accessibility of “sexual material harmful to minors on an Internet website” while clarifying that the bill aims to restrict this content from all minors, rendering it fair and not subjective, while allowing adults free access to any content they choose to view.

V. HB 1181 does not violate the First Amendment

A. Private companies are allowed to place restrictions on speech, not public enterprises

The Denver Area Ed. Telecommunications Consortium, Inc. v. FCC questions the constitutionality of the 1992 Cable Television Consumer Protection and Competition Act, which consists of parts (a), (b), and (c). Section 10(a) was upheld, allowing private companies to restrict “patently offensive” or indecent material on the channels which they have leased. Following the same precedent under *Paxton*, it is rational to conclude that privately owned and operated websites can restrict access to any material that they may find “patently offensive” or indecent. This is especially

true regarding the ability for minors to access this material. Section 10(a) of *Denver Area Ed. Telecommunications Consortium, Inc. v. FCC* follows the precedent set by *Ginsberg v. New York*, concluding that private programs may restrict access to indecent content in the best interests of protecting minors from offensive speech. Following the constitutionality of Section 10(a), rational basis should be applied given that Texas House Bill 1181 also acts in the best interest of protecting minors from harmful material and only applies to private websites.

The Court deemed Section 10(b) unconstitutional because it poses excessive restrictions on a viewer's ability to access offensive content, even if they are of an age where the speech is protected by the First Amendment. Texas House Bill 1181 does not resemble Section 10(b) in that access to restricted content is not permitted to be withheld for up to 30 days, as it is under Section 10(b). Furthermore, Section 10(b) requires the restriction of "patently offensive" material, imposing the submission of a request to bypass the restriction. These demands are overly controlling and pose excessive restrictions to freedom of speech by the First Amendment. In contrast, Texas House Bill 1181 only requires a form of age verification, which is immediately verified or

denied, and follows precedent set by numerous other laws that require age verification to protect children from harmful material.

Section 10(c) was also deemed unconstitutional because it restricts certain content from public channels and leaves the definition of “patently offensive” up to inconsistent interpretation. Texas House Bill 1181 does not leave room for this inconsistency. The bill defines restrictions by a person’s age, which is a set number and not up to interpretation. In addition, the bill is not restricting public information, but instead restricting the information distributed via private websites. There is a legitimate state interest in the wellbeing of minors, which Texas House Bill 1181 aims to protect without overly imposing unconstitutional restrictions on freedom of speech and access to different types of content.

B. The right to publish speech is not infringed

In *Ashcroft v. ACLU*, the Child Online Protection Act (COPA) was rightfully deemed unconstitutional because the act infringed on the First Amendment’s protection to freedom of speech by restricting companies from publishing material that could be

considered offensive by “community standards”. The restriction of what a person can or cannot publish in turn restricts what content a person can or cannot access. It is irrational for *Free Speech Coalition, Inc. v. Paxton* to be considered under the same precedent as *Ashcroft v. ACLU* because the Texas House Bill 1181 poses no restrictions on the material that a person can publish. Instead, it merely limits who can access the material. There is no question of if the material violates “community standards” because adults are free to choose whether they access this material or not. The presence of age verification technology serves the best interest of the community to protect minors from harmful content while simultaneously providing an easy and unburdensome way for adults to access the same material. In this sense, the speech exists and is easily accessible for all adults to access if they so choose to do so.

C. Speech is not being coerced

The issue behind the unconstitutionality of *Nat’l. Inst. of Family and Life Advocs. v. Becerra* is found in the attempted mandate that would have required groups like The National Institute of Family and Life Advocates (NIFLA) to share and educate others of services, specifically regarding access to abortion and contraception, which these groups held beliefs

against. The First Amendment not only protects the right to freedom of speech, but includes protections for “your right to express yourself” according to the *ACLU*. Forcing members of NIFLA and other related groups to educate others about ideas that go against their beliefs restrict their freedom of expression as they are prevented from sharing their own beliefs on the subject. In the context of *Free Speech Coalition v. Paxton*, Texas House Bill 1181 includes no language that restricts a person’s ability to express oneself, or more specifically, to share or publish sexual content online. Instead, the restriction is placed on who can access websites containing sexual content.

D. Political speech is not being restricted

Mahanoy Area School District v. B.L. deals with the issue of the restriction of free speech of a student by their public school when they are off campus. *B.L.*’s claims about her speech being protected was validated by the Court’s decision, establishing that students cannot be punished for speech that they share with others outside of school as long as the speech is not “(1) indecent, lewd, or vulgar speech on school grounds, (2) speech promoting illicit drug use during a class trip, and (3) speech that others may reasonably perceive as “bear[ing] the imprimatur of the school”. This differs from *Free Speech Coalition v.*

Paxton in the sense that *Mahanoy Area School District v. B.L.* protects speech that students, or minors, share with others whereas the question under *Free Speech Coalition v. Paxton* is whether speech can be restricted from being shared with minors. The restriction of harmful sexual materials under Texas House Bill 1181 would follow the accepted restricted speech under the the category of “indecent, lewd, or vulgar speech”, indicating that public schools already acknowledge this type of material as unsuitable for minors. As a result, Texas House Bill 1181 fulfills the state’s legitimate interest for the protection of minors as previously outlined by the public school system.

VI. HB 1181 should be analyzed under Constitutional originalism

A. The protection of speech is not extended to obscene material for minors on Internet websites

Texas HB 1181 was enacted with the intent of protecting minors from harmful sexual content on the Internet. A similar policy was questioned under Florida’s S.B. 7072 in *Moody v. NetChoice, LLC*, 144 S. Ct. 2383 (2024). *Moody* questions whether the State of Florida may impose restrictions on privately

owned and operated websites on the internet to preserve the freedom of political speech due to a perceived “bias and censorship by large social media platforms against conservative voices”. This aligns with the intent of the Founding Fathers when they wrote the Constitution and their primary goal of protecting political speech for those whose voices had previously been silenced or threatened due to unpopularity. In contrast, it is highly unlikely that the Founding Fathers wrote the First Amendment with the intent of protecting sexual material on the internet. Under the lens of originalism, the founders would likely side in favor of protecting all forms of political speech today, but not speech of a sexual nature that is likely to be harmful to minors. The founders believed in enacting policies to protect the future of the nation, which makes it especially important to protect the youth. As a result, restricting the access of harmful sexual material to minors is constitutional provided that, as the bill includes, that the speech is still protected for adults.

CONCLUSION

This Court should side with the arguments above.

Respectfully submitted,

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