

General Law Committee

JOINT FAVORABLE REPORT

Bill No.: SB-6
AN ACT CONCERNING PERSONAL DATA PRIVACY AND ONLINE
Title: MONITORING.
Vote Date: 3/15/2022
Vote Action: Joint Favorable Substitute
PH Date: 3/3/2022
File No.:

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SPONSORS OF BILL:

General Law Committee

Co-Sponsors:

Sen. Martin M. Looney, 11 th Dist.	Sen. Rick Lopes, 6 th Dist.
Sen. Bob Duff, 25 th Dist.	Sen. James J. Maroney, 14 th Dist.
Sen. Saud Anwar, 3 rd Dist.	Sen. Douglas McCrory, 2 nd Dist.
Sen. Jorge Cabrera, 17 th Dist.	Sen. Patricia Billie Miller, 27 th Dist.
Sen. Steve Cassano, 4 th Dist.	Sen. Marilyn V. Moore, 22 nd Dist.
Sen. Christine Cohen, 12 th Dist.	Sen. Derek Slap, 5 th Dist.
Sen. Mary Daugherty Abrams, 13 th Dist.	Sen. Gary A. Winfield, 10 th Dist.
Sen. Mae Flexer, 29 th Dist.	Rep. Lucy Dathan, 142 nd Dist.
Sen. John W. Fonfara, 1 st Dist.	Rep. Mitch Bolinsky, 106 th Dist.
Sen. Will Haskell, 26 th Dist.	Rep. Michael A. Winkler, 56 th Dist.
Sen. Julie Kushner, 24 th Dist.	Sen. Dennis A. Bradley, 23 rd Dist.
Sen. Matthew L. Lesser, 9 th Dist.	Rep. Gary A. Turco, 27 th Dist.

REASONS FOR BILL:

The digital world is perpetually growing, more and more people are utilizing the internet to schedule appointments, shop, and input information. With this being true, it is more important than ever to protect consumers' personal information. This bill will help to create a basis that will help to control and process personal data, will give a list of responsibilities along with privacy protection standards for data controllers and processors, and allow consumers to change, delete, and gain access to personal data. Consumers will also be given the choice to not have personal data processed for the purpose of targeting advertisements. Controllers are required to limit the data they gather as well as not process data that is unnecessary nor

any data that does not associate with their intentions. Consent must be given to process a consumer's data and create actions that will help to protect it. This bill seeks to give power back to consumers by creating rights and limiting the collection of personal data to what is adequate, relevant, and reasonably necessary. It seeks to protect the people of Connecticut and set an example for the rest of the country by filling a void and establishing key consumer rights and protections.

PROPOSED SUBSTITUE LANGUAGE:

Changes were made in section 3 of the bill in order to address concerns around HIPPA-adjacent information and the Gramm-Leach-Bliley Act for hospitals and financial institutions. These changes are seen from lines 169-179 and this language change reflects the input of the healthcare and financial industries.

Section 6 (1)(B) was amended to change the dates surrounding consumer opt out or opt in preferences, an area of concern for many who support the bill with modifications. These changes can be found lines 402-427.

Section 12 was removed from the bill.

RESPONSE FROM ADMINISTRATION/AGENCY:

William Tong, Attorney General, State of Connecticut

Mr. Tong, the State of Connecticut Attorney General, supports the bill. The Office of the Attorney General ("Office") believes this bill contains privacy protections that are crucial in an era of increasing reliance on technology. This bill that has benefitted of input of various stakeholders, which has aided in creating a structure that gives the best tools to be fair and thorough in this work. This bill enables the Office to appropriately investigate alleged violators and make use of a wider ray of redress options including penalties and injunctive relief. The Office also believes that the sunset of the 30-day cure period is needed to ensure meaningful enforcement of the law as it provides time for businesses to adjust. The Office does have concerns about sweeping exemptions that could serve to dilute the effect of the law. They believe exemptions should be tied to the information such laws are designed to protect, not entities. Despite this concern Attorney General Tong supports the bill.

Vicki Veltri, Executive Director, Connecticut Office of Health Strategy

Vicki Veltri, on behalf of the Connecticut Office of Health Strategy (OHS), supports the bill with modifications. OHS has administrative oversight of Connie, formally known as the Statewide Health Information Exchange (HEI). Connie is a program rooted in statute that mandates all health care providers capable of connecting to statewide HIE do so. The bill is designed to protect consumer personal information from unwanted sales and dissemination. OHS notes that Connie does not sell personal information of consumers. OHS has provided detailed information about concerns surrounding the exemptions section

NATURE AND SOURCES OF SUPPORT:

Bruce Adams, President & CEO, Credit Union League of Connecticut

Mr. Adams, on behalf of Connecticut's 90 credit unions, supports the bill with modifications. Credit unions are not-for-profit cooperatives that are controlled and owned by their members. As they are already highly regulated, they believe they should be exempt from the requirements of this legislation because of the preexisting protections in the federal Gramm-Leach-Bliley Act. This legislation as written will create lower interest rates on savings, higher interest rates on loans, reduction in service to members, and reduced investment in the community. This bill has an important goal in protecting the consumer against cyber-attacks and data breaches, Connecticut's credit unions look forward to working with the committee to draft common sense legislation.

John D. Blair, Associate Counsel, CT Business and Industry Association

Mr. Blair supports the bill with modifications. The Connecticut Business and Industry Association (CBIA) represents companies across the state, ninety-five percent of their member companies are small businesses with less than 100 employees. As the country emerges from the pandemic, CBIA has encouraged legislation that helps keep costs down for small businesses. If this legislation is overly aggressive or not drafted carefully, there are legitimate concerns about the negative financial impact on small businesses. This impact has been seen on small businesses in other states that have passed privacy laws. They believe that a federal act would be the best remedy as multi-state organizations must comply with different sets of rules depending where they are doing business. Being uniform with other states that has passed laws that work well is another option to avoid differing rules. CBIA also advocates for open data sharing, arguing it has become the lifeblood of the global economy.

Bristol Hospital

Bristol Hospital supports the bill with modifications, and they offer potential language changes to address their concerns. The bill tries to balance important consumer protections with the need to avoid interfering with legitimate data uses. The bill does this through exemptions. However, Bristol Hospital believes the exemptions fall short for healthcare. The current entity-level exemption for healthcare entities lists only hospitals as exempt, which immediately disregards most pediatric practices and physician offices, surgery centers, and many nursing homes, as well as other healthcare providers. The draft bill contains an exemption for "public health", as defined in federal law as exclusively relating to activities only when a public health authority is involved. This exemption does not expressly cover population health and community health activities of providers or others outside of government, even though population health and community health have long been recognized as necessary to addressing healthcare disparities. This bill should also provide an express exemption covering Connecticut's Patient Safety Organization law. They hope the bill can also include 501(c)(6) non-profit entities, and other similar entities. The law should provide a clear, understandable, and express exemption for third parties that preform data storage and colocation services, but that do not directly use data. The final concern of Bristol Hospital expressed was that the Office of the Attorney General, as swiftly as possible, set up and operate a unit to offer timely technical assistance to answer questions that businesses have as they prepare for implementation of the new law.

Dena M. Castricon, DMA Law, LLC

Dena M. Castricon supports the bill. As a privacy and healthcare attorney with nearly 20 years' experience and two certifications in privacy from the International Association of Privacy Professionals, Mrs. Castricon was a participant in the informal working group created by Senator Maroney. The bill before the committee is the best version of bill to date and

evidences a balanced approach to consumer privacy while harmonizing well with existing consumer privacy legislation. This commonsense legislation is designed to protect consumer data privacy and promote a culture where data privacy is valued and respected by all.

Connecticut Trial Lawyers Association

Connecticut Trial Lawyers Association (CTLA) supports the bill with modifications. They believe that the bill should be amended to delete Section 11 and replace it with a private right of action for violations of its provisions. They offer suggested language that is from Consumer Reports Model State Privacy Act and recommend inclusion of the language in the final version of the bill. As the bill currently stands, the Attorney General is the sole authority to enforce its provisions.

Lucy Dathan, Representative, State of Connecticut House of Representatives

Representative Dathan supports the bill. In the digital age, utilizing the internet has become increasingly common. Unfortunately, this has led to entities tracking user data and selling it for profit without the consent of the user. Representative Dathan believes that it is a consumer's right to make the decisions what it done with their data, and an entity should not be allowed to track and sell data without the approval of the consumer.

Bob Duff, Senate Majority Leader, State of Connecticut

Senator Duff supports the bill. With the past 50 years seeing technological advances altering our society in ways past generations could not imagine, with internet serving as a part of daily life. As society advances with technology, government must act to meet the new threats that accompany innovation. Therefore, Connecticut has a dire need for data privacy legislation. Companies compile details like names and birthdays, religious beliefs, or political preferences. Alarmingly, companies are even storing biometric data including fingerprints and retina scans, often being collected and stored without the consumer's knowledge or understanding. This collection of data is done in an attempt to make a profit at the cost of consumer privacy. Furthermore, the consumer data that is being stored is often inadequately protected, putting the consumer data at risk. There are frequent hacking attempts on this type of data due to the lucrative nature of consumer information. Senator Duff believes consumers should have the right to know went their personal data could be at risk of cyberattack and be given the tools to protect themselves and their information. This legislation is long overdue, and while the United States Congress has failed to act, Connecticut has the chance to be among the leading states in consumer and internet privacy, paving the path for other states to follow.

Nora Duncan, State Director, AARP Connecticut

Nora Duncan, representing AARP and their 600,000 members in Connecticut, supports the bill and offers recommendations to strengthen the legislation. AARP has a clear data privacy policy in support of consumer choice and control, privacy by design, and transparency and accountability. Miss Duncan highlights aspects of the bill that align with AARP policy including that it: imposes data minimization requirements; prohibits processing data in violation of anti-discrimination laws; and provides consumers with the right to access, correct, delete, and export to a usable format their personal information. AARP provided proposed amended language that they believe will strengthen the bill.

Eric George, President, Insurance Association of Connecticut

Mr. George, on behalf of the Insurance Association of Connecticut (IAC), supports the bill with modifications. The insurance industry strongly believes in privacy protections for consumers. Both consumers and companies need privacy requirements that are: consistent and equivalent across state lines, provide equal protections for all consumers regardless where they are located, support growth and innovation, and provide legal transparency. Differing privacy standards are likely to lead to consumer confusion and differing consumer rights and protections, obstructing the flow of information and impeding interstate commerce. They strongly recommend that the current state and federal framework for consumers' personal information be synced with the bill in order to avoid conflicts. Therefore, they request language be added to the bill containing a clear, entity-level, federal Gram Leach Bliley Act exemption.

Ernie Gray, Founder, Findhelp

Ernie Gray supports the bill with modifications. Findhelp urges language establishing specific safeguards for HIPPA-adjacent data produced through the access and use of social services through closed-loop referral management systems be included in the bill. This data deserves further consideration and should be protected with the highest level of care given its sensitive nature. Social service providers are typically small community-based organizations that do not typically "covered entities" under HIPPA's federal law. This means that they are not guided by the same policies and protections placed on traditional healthcare providers. Findhelp supports the effort to establish safeguards for consumer data but urges adoption of additional protections and parameters overseeing the development and operations of closed loop referral management systems.

Liz Gustafson, MSW, State Director, Pro-Choice Connecticut

Liz Gustafson, on behalf of Pro-Choice Connecticut, supports the bill with modifications. They urge adoption of language aimed at protecting HIPPA-adjacent data that left unregulated, will have a negative effect on consumer behavior in accessing and using crucial social services. Privacy is a non-negotiable component of exercising bodily autonomy and reproductive freedom. Thus, Pro-Choice Connecticut urges adoption of the bill with the language protecting HIPPA-adjacent data.

Scott Hobson, MPA, Assistant Vice President of Government Relations, Big I Connecticut

Mr. Hobson, on behalf of Big I Connecticut, supports the bill with modifications. The way the bill is drafted, there is an exemption for nonpublic personal information collected, processed, sold, or disclosed pursuant to the Gramm-Leach-Bliley Act (GLBA). Big I Connecticut submits that this exemption be broadened to exempt entities subject to the GLBA. An entity level GLBA exemption is a reasonable approach to alleviating confusion and compliance challenges without compromising the security of consumer data.

Andrew A. Kingman, General Counsel, State Privacy and Security Coalition

Mr. Kingman on behalf of The State Privacy and Security Coalition (SPSC) supports the bill with modifications. Five suggestions are highlighted as the most important issues to address: right to cure amendments, fully align the bill with the Children's Online Privacy Protection Act (COPPA) and align the age requirements with other state laws, remove third party opt-out in order to reduce consumer vulnerability, further clarify the definition of "profiling", and ensure that proprietary information has strong protections. These amendments are not the only changes they see as necessary, but they are the most important issues. The amendments

are offered in the spirit of keeping consumers safe and in control of their data, ensuring that controllers and processors are not disproportionately at risk of enforcement, and of greater alignment with federal law.

Maureen Mahoney, Senior Policy Analyst, Consumer Reports

Maureen Mahoney, on behalf of Consumer Reports, supports the bill with modifications. Two recommendations were offered to better ensure consumer privacy. First, limit exemptions for pseudonymous data. Second, broaden opt-out rights to include all data sharing and ensure targeted advertising is adequately covered. They support several key provisions in the bill including non-discrimination, authorized agent rights, prohibition on dark patterns, data security requirements, and sunset on the right to cure.

Bruce Morris, Director of Government Relations, TicketNetwork, Inc.

Mr. Morris, on behalf of TicketNetwork, supports the bill. TicketNetwork is a leading resale marketplace that facilitates transactions between third-party event ticket buyers and sellers. Overall, they support the bill as it falls in line with the laws of California, Virginia, and Colorado to ensure strong privacy protections for consumers. However, they caution the legislature that any divergence from the framework that has been established by states that have already passed similarly privacy legislation will be complex. In fact, in some cases it will make operations impossible for businesses like TicketNetwork. Legislation that is passed must be compatible with the existing state laws. This will not only benefit businesses, but also consumers who will be confident knowing that they will receive consistent protections regardless of where they call home.

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Brendan Peppard, Regional Director, America's Health Insurance Plans

Brendan Peppard, on behalf of America's Health Insurance Plans (AHIP), supports the bill. Mr. Peppard notes significant federal laws impact and dominate treatment of consumer information, including insurance data across the country. These laws include the Gramm-Leach-Bliley Act (GLBA), the Fair Credit Reporting Act, Health Information Portability and

Accountability Act (HIPPA), and Health Information Technology for Economic and Clinical Health (HITECH). It is key that this bill does not create any requirements that conflict or overlap with the framework under which AHIP currently operates. Any conflicts would create confusion, varying standards, and unnecessary increases in operational costs.

Wayne Pesce, President, Connecticut Food Association

Mr. Pesce, the President of the Connecticut Food Association, is speaking on behalf of the organization and those they represent, supports the bill with modifications. As drafted, the Connecticut Food League has two minor concerns: the counting and loyalty program provisions. They request that legislation passed in Virginia and recently in Utah are considered when discussing the bill. While the Utah law is like the Virginia Consumer Data Protection Act (VCDPA), the bill has not been signed into law yet but is expected to be soon. The laws in Virginia and Utah do not include a private right of action, provisions on dark patterns, privacy impacts assessments, or a global opt-out report. Utah's bill also includes languages protecting food retailers' ability to offer loyalty programs. With these two business friendly changes addressing their concerns, they believe the bill will protect Connecticut consumers.

Timothy Phaelan, President, Connecticut Retail Merchants Association

Mr. Phaelan, on behalf of the Connecticut Retail Merchants Association (CRMA), supports the bill with modifications. The major area that CRMA finds needs work is in preserving customer loyalty plans for Connecticut consumers, they also offer an explanation to the significance of loyalty programs. CRMA also recommends changes to the implantation periods, effective dates, and small business protections. They stress that these areas seem technical, and they are, however this bill seeks to create a regulatory system from the ground up. CRMA has worked with the Committee and is happy to continue doing so to assure consumers and retailers that current loyalty programs will continue in Connecticut.

Senate Democrats, Connecticut General Assembly

Senate Democrats of the Connecticut General Assembly support this bill. The bill seeks to protect consumer privacy interest by controlling the way that businesses process and use consumers personal data. The Senate Democrats are glad to see that this bill gives consumers the autonomy to opt out of things and requires that businesses in the state protect consumer personal data. In a digital world that is perpetually growing, this bill offers protection for consumers' personal data that is currently non-existent.

Sana Shah, Chief of Staff, Connecticut Voices for Children

Sana Shah, on behalf of Connecticut Voices for Children, supports the bill. They are pleased that the bill protects consumers from the unwanted sale and dissemination of their data and expands privacy rights through allowing consumers to delete and opt out of certain businesses collecting their personal information.

Jeff Shaw, Senior Public Policy Advisor, The Alliance

Mr. Shaw, representing the Connecticut Community Nonprofit Alliance (The Alliance), supports the bill with modifications. They request that the definition of nonprofit be made clear that the exemption applies to nonprofits as well as their subsidiaries and affiliates. The Alliance offered suggested language that would make this change.

Bonnie D. Stewart, Executive Director & CEO, Connecticut Society of Certified Public Accountants

Bonnie D. Stewart, on behalf of the Connecticut Society of Certified Public Accountants (CTCPA), supports the bill with modifications. CTCPA believes in having suitable privacy protections for clientele and companies both, but the bill does not include an exemption for entities covered by the Gramm-Leach-Bliley Act (GLBA), and so they oppose the bill. They request an entity-level GLBA exception. If this request is added, CTCPA would be in support of the bill.

Mary Stuart, MPH, Regional Director Community Health and Well Being, Saint Francis Hospital and Medical Center Trinity Health of New England

Mary Stuart, on behalf of Saint Francis Hospital and Medical Center Trinity Health of New England, supports the bill with modifications. They currently work with a national funder, Robert Wood Johnson, on an initiative called Data Across All Sectors for Health (DASH) that focuses on defining guidelines for data sharing that maintain privacy while allowing for data collection, analysis, and sharing that address health inequities seen in Connecticut. As a medical provider, Saint Francis Hospital is not able to do their work if data is not shared between institutions with similar focus of addressing inequities and thus encourages the Committee to review with caution the language included in this bill to expand the potential to positively impact health as much as possible.

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Bonnie D. Stewart, Executive Director & CEO, Connecticut Society of Certified Public Accountants

Bonnie D. Stewart, on behalf of the Connecticut Society of Certified Public Accountants (CTCPA), supports the bill if and only if modifications are made. CTCPA believes in having suitable privacy protections for clientele and companies both, but the bill does not include an exemption for entities covered by the Gramm-Leach-Bliley Act (GLBA), and so they oppose the bill. They request an entity-level GLBA exception. If this request is added, CTCPA would be in support of the bill.

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medical provider, Saint Francis Hospital is not able to do their work is data is not shared between institutions with similar focus of addressing inequities and thus encourages the Committee to review with caution the language included in this bill to expand the potential to positively impact health as much as possible.

Several others submitted testimony in support of the bill, stating that it would address the needs of all Connecticut consumers in a time where the internet is becoming more and more common place. With the internet being a common place for business, consumer personal data privacy is an urgent matter.

David Acquash-Mensah
Amelie
Caleb Dunson
Eliza Lord
Logan George
Josh Guo
Tione Hoeckner
Brook Smith

Jeremy Williams
Sophie Kane
Yaz Liow
Meridian Monthy
Isabella Morales
Bradley Nowacek
Griffin Richie

Several healthcare providers shared similar testimony in support of the bill. The following groups testimony aligns with that of Bristol Hospital.

Connecticut Children's Hospital
Connecticut Hospital Association
Amy Hogan, Yale New Haven Health
Meg Morelli, President, LeadingAge Connecticut
Melissa Riley, Hartford Healthcare
Kathleen Silard, Stamford Health
Benjamin Smith, Chief Information Security Officer, Nuvance Health
Jennifer Wildness, President, Connecticut Conference of Independent Colleges

Several New Haven residents wrote testimony in support of the bill. The bill would improve the privacy of personal information by protecting consumer personal information and data from unwanted sale and dissemination and increase transparency between businesses and consumers on the use and collection of personal information. More things are becoming internet connected, and mass amounts of data are being collected. As internet usage increases, the risk of privacy breaches only intensify, in August of last year T-Mobile was hacked and the information of over 54 million people was leaked. This bill creates protections for all Connecticut residents, regardless of background of technological know-how and makes them feel secure online.

Liddy Boland
Julian Daniel
Talia Kolodkin
Conrad Lee

Kelly Li
Kyle Mayer
Vanessa Nunez
Ryan Smith

NATURE AND SOURCES OF OPPOSITION:

American Property Casualty Insurance Association (APCIP)

American Property Casualty Insurance Association (APCIP) opposes the bill. Insurance workers value and prioritize the privacy of their consumers. They have long been complying with the Federal Gramm-Leach-Bliley Act (GLBA) and each state has adopted regulations implementing GLBA and/or have statutes consistent with or stricter than GLBA. In Connecticut, the insurance industry is already subject to a privacy landscape that addressed the disclosure, notification and opt-out issues. It is important to avoid creating duplicative and potentially inconsistent obligations nationally and within the state of Connecticut. APCIA urges that DB 6 be amended to fully exempt entities that are subject to GLBA to recognize existing frameworks. APCIA is also concerned that the effective date does not provide adequate time for implementation tasks necessary.

Rory Whalen, Regional Vice President, New England, National Association of Municipal Insurance Companies

Mr. Whalen, on behalf of National Association of Municipal Insurance Companies, opposes the bill and provided similar testimony to that of APCIP.

Digital Advertising Alliance

Digital Advertising Alliance, on behalf of the advertising industry, opposes the bill as drafted. They offer five areas of which they have concerns and suggest amendments to the bill with an aim towards better aligning the wants of consumers with the needs of the Internet economy. (1) Connecticut should take steps towards harmonizing its approach to privacy with other state laws, (2) broad opt-in consent requirements impede consumers from reviewing critical, relevant information and messages, (3) the bills proposed global signal provisions for authorized agents lack reasonable safeguards to protect consumer choice, (4) the opportunity to cure violations of the bill should be permanent to incentivize controllers to quickly bring practices in line with legal requirements, and (5) the data-driven and ad-supported online ecosystem benefits Connecticut residents and fuels economic growth. Although the agency supports protecting consumer privacy, they believe the bill would impose particularly onerous requirements on entities doing business in the state while unnecessarily impeding Connecticut residents from receiving helpful services and accessing useful information online.

Scott Dolch, President & CEO, Connecticut Restaurant Association

Mr. Dolch, on behalf of Connecticut's 8,500 restaurants and local food services, opposes the bill. While the Connecticut Restaurant Association supports efforts to ensure individuals can control their personal data, they believe this bill would have far-reaching impacts beyond the Committees intentions. As drafted, the bill would put an added burden on restaurants just as they are beginning to bounce back from the pandemic. Restaurants have taken to utilizing the web as the norm for the industry, making it easier than ever for a local restaurant to reach 65,000 consumers. Once the local restaurant exceeds this threshold, a new financial burden and a new form of stress are added to an industry that is not in the business of collecting and processing personal data. Mr. Dolch stresses that there could be unintended consequences on the hospitality industry that was so impacted during the pandemic.

Elizabeth Gara, Connecticut Water Works Association (CWWA)

The Connecticut Water Works Association (CWWA) opposes the bill as drafted. They express concerns that it may impose confusing, costly requirements on the state's private water utilities that must obtain personal data to serve their customers and manage employees and vendors. Private water utilities do not derive income from the sale of personal data. CWWA is concerned that such utilities will be subject to the provisions of Section 2(1) to the extent that data is maintained for other purposes such as providing required legal notices to customers regarding public health concerns, in addition to completing a payment transaction. In accordance, CWWA requests that Section 3 of the bill be amended to expressly exempt water utilities from its scope, consistent with Colorado's Data Privacy Act, which excepts "customer data maintained by a public utility" CWWA is concerned that the bill may be construed to apply to water utilities, subjecting them to requirements that will impose additional compliance cost on companies. CWWA therefore requests that Section 3 of the bill be revised to exempt consumer data maintained by water utilities as defined under Section 25-32a of the general statutes.

Christopher Gilrein, Executive Director, Northeast, TechNet

Mr. Gilrein, on behalf of TechNet, opposes the bill. TechNet is a national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted public agenda at the federal and state level. TechNet and their member companies place a high priority on consumer privacy, and they support a federal standard that establishes a uniform set of rights and responsibilities for all Americans. With internet being a global entity, federal policy is demanded. Even the most well-designed state statutes will contribute to a patchwork of different standards across the country, resulting in hefty compliance costs and confusion of consumers. However, they offer recommendations for legislation that is posed in the absence of federal law. Key principals and recommendations they offer include interoperability with existing models, trying specific remedies to specify privacy risks, and clear and explicit roles and responsibilities in statute. Additional concerns posed by Mr. Gilrein include the definition of biometrics, definition of sale, right to cure, global privacy control, authorized agents, and trade secrets.

David Godbout

Mr. Godbout opposes the bill, stating it is a violation of his 4th amendment rights.

Ginny Kozolowski, Executive Director, Connecticut Lodging Association

Ginny Kozolowski, on behalf of the Connecticut Lodging Association, opposes the bill. Although process has been made in creating a workable approach and the Connecticut Lodging Association hopes to continue to be a part of the conversation, there are still concerns. Interoperability is a major concern in the state, the counting provisions appear more onerous than prior discussions and have raised concerns from smaller members due to the costs associated with compliance.

Nancy Libin, Davis Wright Termaine, LLP, on behalf of Comcast

Nancy Libin, on behalf of Comcast, opposes the bill. However, if the bill were to pass, they have suggested additional language. The language recommended would ensure the bill be interoperable with Colorado and other state laws. If amended, it is believed that the bill would provide strong privacy protections and preserve flexibility for Connecticut businesses.

Timothy O. Wilkerson, President, New England Cable and Telecommunications Association, Inc.

Mr. Wilkerson, on behalf of New England Cable and Telecommunications, opposes the bill and aligns themselves with the comments of Nancy Libin speaking on behalf of Comcast.

Michael Ryan, President, Connecticut Broadcasters Association

Mr. Ryan, on behalf of the Connecticut Broadcasters Association, opposes the bill. The main concerns of the Connecticut Broadcasters Association are that the bill would create excessive administrative burdens and incremental costs and could infringe upon freedom of press. Understanding the desire to control the use of consumers' personal data, they would be happy to discuss data privacy further, but they believe any state law regulating data use should exempt genuine journalism activities

Joseph Violette, Director of Public Policy of Economic Development, Waterbury Regional Chamber

Joseph Violette, on behalf of the Waterbury Regional Chamber (the Chamber) which represents the interests of more than more than 900 member businesses, opposes the bill. The Chamber believes in a balance of consumer rights and business interests. Two concerns that remain present are cost and compliance that would be imposed on small business

Reported by: Luke Tressy, Assistant Clerk

Date: 02/23/2022