



TECHNET
THE VOICE OF THE
INNOVATION ECONOMY

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February 25, 2021

The Honorable Senator James Maroney, Senate Chair
The Honorable Representative Michael Agostino, House Chair
Joint Committee on General Law
LOB, Room 3500
Hartford, CT 06106

Re: SB 893 and SB 156 – Relative to Consumer Privacy

Dear Chair Maroney, Chair Agostino, and members of the Committee:

We respectfully submit these comments in opposition to legislation that would establish a new set of state-level regulations to govern the protection and use of personal data.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. Our diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over three and a half million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance.

Our member companies place a high priority on consumer privacy. The technology industry is fully committed to securing privacy and security for consumers and engages in a wide range of practices to provide consumers with notice, choices about how their data is used, as well as control over their data. TechNet supports a federal standard that establishes a uniform set of rights and responsibilities for all Americans. Even the most well-designed state statute will ultimately contribute to a patchwork of different standards across the country, resulting in steep compliance costs and consumer confusion.

The global nature of the flow of data demands a uniform, federal standard. That said, if the Committee intends to press forward with this concept, TechNet believes the following policy principles are fundamental to any state privacy regime:

- Any consumer privacy bill should be oriented around building consumers' trust and fostering innovation and competitiveness.
- Consumer consent processes should take into account the limitations of specific devices and not be overly burdensome or prescriptive to the consumer or technology provider.
- New privacy laws should provide strong safeguards to consumers while also allowing the industry to continue to innovate. New laws should be based upon a uniform set of standards to avoid imposing a patchwork of policies across jurisdictions.

- Specific requirements on data collection, use, or retention should be narrowly focused on personally identifiable, highly sensitive, or proprietary information.
- Privacy laws should be limited to specific practices tied to specific harms.
- Research is needed to establish the role of de-identification and anonymization of data that provides actionable guidance to the private and public sector without tying laws to technical mandates that become quickly outdated.
- Private rights of action, civil penalties, and other tools to encourage litigation should be avoided. Enforcement by a state's attorney general is preferred.
- Privacy laws should apply to government entities.
- Outright bans, prohibitions, or moratoriums on specific technologies should be avoided.
- State privacy laws should not apply to information already regulated by existing federal privacy laws.
- Privacy laws should not limit consumer access to free, advertising-supported services.

TechNet strongly opposes inclusion of a private right of action in privacy statutes, as proposed under SB 156. This would expose Connecticut businesses of all sizes to potentially devastating litigation and provides little in the way of protection or benefits to any consumers beyond the litigators.

Thank you for your consideration. Please do not hesitate to contact me if I can provide any additional information or assistance.

Sincerely,



Christopher Gilrein
Executive Director, Massachusetts and the Northeast
TechNet
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