



February 28, 2023

Joint Committee on General Law
Attn: Michael Shannon, Committee Clerk
Legislative Office Building, Room 3500
300 Capitol Avenue
Hartford, CT 06106

**Re: H.B. 6393 - An Act Establishing Additional Data Privacy Protections for Minors
(Oppose)**

Dear Co-Chair Maroney, Co-Chair D'Agostino, and Members of the Joint Committee on General Law:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully raise concerns regarding H.B. 6393, An Act Establishing Additional Data Privacy Protections for Minors.

CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms¹. For over 50 years, CCIA has promoted open markets, open systems, and open networks. The Association supports the enactment of comprehensive federal privacy legislation in order to promote a trustworthy information ecosystem characterized by clear and consistent consumer privacy rights and responsibilities for organizations that collect data. A uniform federal approach to the protection of consumer privacy is necessary to ensure that businesses have regulatory certainty in meeting their compliance obligations and that consumers are able to understand and exercise their rights.

We appreciate, however, that in the absence of federal privacy protections, state lawmakers have a continued interest in enacting local legislation to guide businesses and protect consumers. CCIA strongly believes younger users deserve an enhanced level of security and privacy online. Currently, there are a number of efforts among our members to incorporate protective design features into their websites and platforms. CCIA's members have been leading the effort in raising the standard for teen safety and privacy across our industry by creating new features, settings, parental tools, and protections that are age-appropriate and tailored to the differing developmental needs of young people. As the legislature explores this policy area we offer the following recommendations for consideration.

¹ For 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.



1. Any legislation should be sure to avoid unintended pitfalls which could put more children at risk.

As other states have considered well-intended legislation to enhance childrens' privacy online, many proposals that have been considered would implement requirements that would actually require the harvesting of additional data on children, weaken encryption security, and would enable third-party verification applications to access childrens' data.

By requiring measures such as age verification, businesses may be forced to accumulate personal information they don't want to collect and consumers don't want to give, and that data collection creates extra privacy and security risks for everyone, including children. In addition, any legislation should be sure to avoid unintentionally weakening encryption security measures. Furthermore, some states have considered measures that would authorize or even mandate the use of a third-party verification application, which would once again require the harvesting of childrens' sensitive data, this time sharing that private information with potentially unvetted and questionable operators, raising security concerns.

3. Proposed legislation should provide businesses with an adequate timeline to adopt the necessary changes needed to comply with new regulations.

A successful privacy framework should ensure that businesses have an appropriate and reasonable opportunity to clarify the measures that need to be taken to fully comply with new requirements. CCIA recommends that any legislation advanced in Connecticut include at least one year of lead time to allow covered entities to come into compliance.

4. Investing enforcement authority solely with the state attorney general and providing a cure period would be beneficial to consumers and businesses alike.

Any legislation must place the sole enforcement authority with the Attorney General's office, in order to avoid creating any punitive financial incentives and the potential for a flood of frivolous claims that could clog up Connecticut's courthouses.

CCIA recommends that the legislation include a cure period of at least 30 days. This would allow for actors operating in good faith to correct an unknowing or technical violation, reserving formal lawsuits and violation penalties for the bad actors that the bill intends to address. This would also focus the government's limited resources on enforcing the law's provisions for those that persist in violations despite being made aware of such alleged violations. Such notice allows consumers to receive



injunctive relief, but without the time and expense of bringing a formal suit. Businesses would also be better equipped with the time and resources to address potential privacy changes rather than shifting focus to defending against litigation.

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We appreciate the Joint Committee’s consideration of these comments and stand ready to provide additional information as the Legislature considers proposals related to technology policy.

Sincerely,

Khara Boender
State Policy Director
Computer & Communications Industry Association