



March 2, 2023

House Committee on Innovation, Internet, and Technology
Attn: Dawn Huntley, Committee Clerk
State House
82 Smith St
Providence, RI 02903

Re: H.B. 5354 - An Act Relating To Commercial Law--General Regulatory Provisions -- Rhode Island Data Transparency And Privacy Protection Act (Support).

Dear Chair Baginski, and Members of the Committee on Innovation, Internet, and Technology :

On behalf of the Computer & Communications Industry Association (CCIA), I write to support H.B. 5745, An Act Relating To Commercial Law--General Regulatory Provisions -- Rhode Island Data Transparency And Privacy Protection Act.

CCIA is a 50-year-old not-for-profit international tech trade association that advocates for policy and market conditions that benefit innovation, the tech sector, and consumers¹. CCIA strongly believes that transparent data practices are essential in order to ensure consumer trust in the online marketplace. Consumers need clarity regarding how their data is collected, used, and shared. When consumers understand how their data is being implicated whenever they are online, it allows them to exercise meaningful choice regarding their personal information.

In reviewing H.B. 5354, we appreciate the Legislature's efforts to establish the ability for consumers to understand how their data is being collected, used, and shared online. Doing so will give Rhode Island residents a clearer picture as to how their data is being implicated whenever they are online, empowering them to exercise meaningful choice regarding their personal information.

As the Legislature considers H.B. 5354, CCIA would like to raise a few areas that could benefit from additional clarity, as well as suggest a few amendments to the bill that could help strengthen it. Firstly, the term "biometric data" is referenced in regards to personally identifiable information, but no definition is provided. We suggest updating the bill language to include a definition of biometric data that aligns with other states in order to avoid unnecessary confusion for businesses. Secondly, the definition of operator includes a carveout

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>.



for any business that has ten or fewer employees. This carveout could potentially undermine the intended aims and objectives of the Legislature by creating a way for entities like data brokers, who can operate with ten or less employees, to avoid having to comply with the requirements set out in the bill and therefore still potentially harm consumers.

In addition, we propose that the requirements pertaining to information sharing practices be slightly amended to only require that operators identify the categories of third parties or entities with whom the operator may disclose personally identifiable information with. This language change would still provide consumers with transparency while also aligning Rhode Island with other states who have already implemented similar measures, therefore preventing any unnecessary friction for businesses.

Finally, we suggest that the effective start date of the legislation be pushed back. The current effective start date is January 1, 2024, but depending on when the bill completes the legislative process and is signed into law, that may only leave businesses with a few months to set up systems to comply with the new transparency requirements, something that could adversely affect smaller operators captured by the legislation. We suggest tying the effective start date to the day the bill becomes law and providing businesses with one full calendar year from the enactment date to come into compliance.

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

Sincerely,
Alex Spyropoulos
Regional Policy Manager, Northeast
Computer and Communications Industry Association