



November 2, 2023

Assembly Committee on Consumer Protection
Attn: Wyatt Cooper, Committee Clerk
State Capitol
P.O. Box 8953
Madison, WI 53708-8953

**Re: AB 466 - Relating to: consumer data protection and providing a penalty
(Oppose unless amended)**

Dear Chair Callahan and Members of the Assembly Committee on Consumer Protection:

On behalf of the Computer & Communications Industry Association (CCIA)¹, I write to respectfully oppose AB 466.

CCIA supports the enactment of comprehensive federal privacy legislation to promote a trustworthy information ecosystem characterized by clear and consistent consumer privacy rights and responsibilities for organizations that collect and process data. A uniform federal approach to the protection of consumer privacy throughout the economy is necessary to ensure that businesses have regulatory certainty in meeting their compliance obligations and that consumers are able to exercise their rights. CCIA appreciates, however, that in the absence of baseline federal privacy protections, state lawmakers are attempting to fill in the gaps. To inform these efforts, CCIA produced a set of principles to promote fair and accountable data practices.²

Existing broad-based privacy laws typically recognize a core set of rights and protections including individual control, transparency of processing activities, and limitations on third-party disclosures. However, even minor statutory divergences between frameworks for key definitions or the scope of privacy obligations can create onerous costs for covered organizations. Therefore, CCIA encourages that any consumer privacy legislation is reasonably aligned with existing definitions and rights in other jurisdictions' privacy laws so as to avoid unnecessary costs to Wisconsin businesses.

CCIA strongly supports the protection of consumer data and understands that Wisconsin residents are rightfully concerned about the proper safeguarding of their data. The proposed law includes many strengths, including allowing for a 30-day cure period and clearly defined consumer rights with respect to their data. However, as currently written AB 466 risks diverging from existing state comprehensive consumer data privacy laws, particularly through the inclusion of a rulemaking process

¹ CCIA is an international, not-for-profit trade association representing small, medium, and large communications and technology firms. For over 50 years, CCIA has promoted open markets, open systems, and open networks. For more information about CCIA please see: <https://www.ccianet.org/about>.

² Computer & Communications Industry Association, *Considerations for State Consumer Privacy Legislation: Principles to Promote Fair and Accountable Data Practices* (January, 2022), <https://www.ccianet.org/wp-content/uploads/2022/02/CCIA-State-Privacy-Principles.pdf>



which introduces compliance uncertainty. In California and Colorado such rulemaking processes have proven lengthy and complicated. In fact, while California was the first state to pass a comprehensive data privacy law, the California Privacy Protection Agency is still in the process of promulgating and finalizing rules five years after the original law was enacted. Therefore, CCIA encourages lawmakers to revert to the original form of AB 466, which largely mirrored laws passed in other jurisdictions.

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We appreciate your 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