



February 19, 2020

The Honorable Delores G. Kelley, Chair
Senate Finance Committee Members
3 East
Miller Senate Office Building
Annapolis, MD 21401

RE: SB957, the Online Consumer Protection Act—SUPPORT

Dear Chair Kelley and Members of the Committee:

Thank you for considering the Online Consumer Protection Act (SB957).

Common Sense is a national organization representing kids, parents, and educators that is dedicated to helping kids and families thrive online and on social media. Common Sense has over 108 million users, and our educational materials are used in 50% of US schools, including by over 8,000 teachers in Maryland. Common Sense was a sponsor of California's precedent-setting consumer privacy law, the California Consumer Privacy Act (CCPA). We have also sponsored and supported privacy laws across the country and at the federal level.

We support the Online Consumer Protection Act as an important first step towards protecting Maryland's privacy.

The daily drumbeat of data misuse and abuse is adding to a growing distrust of the online and tech world. And concerns are particularly acute for kids: Ninetyeight percent of children under 8 in America have access to a mobile device at home. Half of teens say they feel addicted to their mobile devices, and those teens overall consume an average of nine hours a day of media. It's not hyperbole to say that children today face surveillance unlike any other generation—their every movement online and off can be tracked by potentially dozens of different companies and Organizations.

At Common Sense, it is our goal to help our tens of millions of American members improve the digital wellbeing of their families – and while in many instances that means teaching parents, teachers, and kids good digital hygiene practices and privacy skills, it also means ensuring there are baseline protections in place. Even extremely savvy digital citizens are powerless if they do not know what companies are doing with their information, if they cannot access, delete, or move their information, or if they have no choices with respect to the use and disclosure of their information.



What do families want in such protections? According to our research:

- More than 9 in 10 parents and teens think it's important that websites clearly label what data they collect and how it will be used.
- Those same numbers – more than 9 in 10 – think it is important that sites ask permission before selling or sharing data.

The Maryland Online Consumer Protection Act would offer these protections, and it would ensure that our most vulnerable children – up to age 16 – are protected from having their data shared with data brokers and other companies looking to profile and profit off of them.

This bill recognizes that it is not just health, or financial information, that needs protections. This bill recognizes that Marylanders have privacy rights in all of their information, no matter who holds it. The bill would allow Maryland residents to access the personal information companies collect about them--and port or delete their data if they wish. Adults can tell companies to stop sharing their personal information. Importantly – the most vulnerable get the highest protections – kids under 16 can't have their data shared. Additionally, while the bill does not have specific breach provisions, it still helps protect consumers from breaches: if a company doesn't have your information because you've deleted it or because it wasn't sold to them, they can't lose it. The Attorney General enforces violations, and the bill applies equally to service providers, edge companies, and brick and mortar entities, if they research certain size thresholds.

It brings the rights of Maryland residents into line with those enjoyed in California. Without this legislation, Maryland residents will suffer from a lower-tier of online privacy rights. Common Sense is eager to work with members of this committee to advance SB957, and please do not hesitate to reach out with any questions to 563.940.3296 or via email at jjerome@commonsense.org.

Sincerely,
Joseph Jerome
Multistate Policy Director