

SB0011/983529/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 11
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland Online Consumer Protection and Child Safety Act” and substitute “Workgroup on Online Consumer Personal Information Privacy”; in line 3, after the first “of” insert “establishing the Workgroup on Online Consumer Personal Information Privacy”; strike beginning with “regulating” in line 3 down through “Act;” in line 9; strike in their entirety lines 10 through 20, inclusive; and in line 22, strike “the Laws of Maryland read as follows”.

AMENDMENT NO. 2

On pages 1 through 18, strike in their entirety the lines beginning with line 23 on page 1 through line 30 on page 18, inclusive.

AMENDMENT NO. 3

On page 1, after line 22, insert:

“(a) There is a Workgroup on Online Consumer Personal Information Privacy.

(b) The Workgroup shall include the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) a representative of the Office of the Attorney General, Consumer Protection Division, designated by the head of the Consumer Protection Division; and

(4) other persons who express interest in participating in the Workgroup.

(c) The President of the Senate and the Speaker of the House shall each appoint one of their members as cochair of the Workgroup.

(d) The Department of Legislative Services shall provide staff for the Workgroup.

(e) The Workgroup shall:

(1) review the current practices of business entities relating to the collection, use, storage, disclosure, analysis, deletion, and modification of online personal information of consumers in the State; and

(2) monitor and analyze approaches to protecting online consumer privacy at the federal level, in other states, and internationally, including:

(i) notice and disclosure obligations on business entities relating to online personal information;

(ii) establishing and protecting rights of consumers relating to the processing of online personal information, including specific rights and protections relating to:

1. personal information collected from children;
2. biometric and genetic information that may be used to uniquely identify an individual;

3. personal information revealing racial or ethnic origin, religious beliefs, mental or physical health diagnosis, sexual orientation, or citizenship or immigration status; and

4. precise geolocation data;

(iii) protections against discrimination for the exercise of consumer rights relating to online personal information;

(iv) obligations on business entities relating to online consumer data minimization and protection;

(v) the types of entities and information subject to online consumer privacy requirements and any exemptions from the requirements; and

(vi) enforcement mechanisms for protecting consumer online privacy and remedies available to consumers; and

(3) make findings and recommendations relating to online consumer personal information privacy, including any recommended legislation.

(f) On or before December 1, 2022, the Workgroup shall submit a report to the Governor and, in accordance with § 2–1257 of the State Government Article, the Senate Finance Committee and the House Economic Matters Committee that includes the findings and recommendations of the Workgroup, including any recommended legislation for the 2023 regular legislative session.”.

On page 18, in line 32, strike “January” and substitute “June”; and in the same line, strike “2023” and substitute “2022. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2023, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect”.