

February 12, 2020

The Honorable Delores G. Kelley
Chair, Finance Committee
Miller Senate Office Building, 3E
11 Bladen Street
Annapolis, MD 21401

RE: Opposition to Senate Bill 201 (Commercial Law - Personal Information Protection Act - Revisions)

Dear Chairwoman Kelley:

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, opposes Senate Bill 201 (Commercial Law - Personal Information Protection Act - Revisions).

This measure requires businesses that maintain personal information of clients, customers, and other individuals to maintain extensive security procedures, with strict new requirements for how the business must notify the public. If the business has reason to believe there has been a breach, the business must conduct an investigation and notify the consumer of the potential breach.

While we appreciate the intent to protect sensitive private information and ensure consumer protection, the specific requirements regarding notification and investigation are concerning. As drafted, this bill removes the requirement for an investigation to conclude before the clock starts ticking for the business to provide notice to consumers. Notification is understandable but if notice must be provided before the investigation is concluded, the communication to consumers will be incomplete.

For these reasons, MBIA respectfully requests the Committee give this measure an unfavorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Senate Finance Committee Members