



LEGISLATIVE POSITION:

UNFAVORABLE

House Bill 218

**Commercial Law – Consumer Protection –
Biometric Identifiers and Biometric Information Privacy
House Economic Matters Committee**

Wednesday, January 27, 2021

Dear Chairwoman Kelley and Members of the Committee:

Founded in 1968, the Maryland Chamber of Commerce is the leading voice for business in Maryland. We are a statewide coalition of more than 5,000 members and federated partners, and we work to develop and promote strong public policy that ensures sustained economic recovery and growth for Maryland businesses, employees, and families.

Maryland Chamber of Commerce members place a high priority on consumer privacy, however, as drafted, HB 218 would create significant hardships for Maryland employers and could result in stifling important advances in safety and security.

Chamber members believe that privacy laws should provide strong safeguards for consumers, while allowing the industry to continue to innovate. HB 218 adopts language from an Illinois law passed in 2008 and does not account for over a decade of innovation in technology and business practices. It does not identify and protect against specific privacy harms, instead utilizing a definition of “Biometric identifier” that is overbroad and difficult to implement.

In addition to significant compliance costs, this legislation would further burden local businesses with the threat of frivolous class action litigation. As has been shown in Illinois, the threat of liability will prevent Maryland companies from developing or utilizing pro-consumer, pro-privacy uses of biometric data like building security, user authentication, and fraud prevention.

Maryland residents and employers deserve privacy protections that safeguard sensitive data while promoting innovation and job creation. The Maryland Chamber of Commerce urges the bill sponsor to work alongside industry partners in addressing the issue surrounding the safety and security of personal data.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 218**.