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## Testimony of American Property Casualty Insurance Association (APCIA)

House Economic Matters Committee

House Bill 117

Commercial Law - Personal Information Protection Act - Revisions

January 27, 2021

### Favorable with Amendments

The American Property Casualty Insurance Association (APCIA) represents more than 1200 insurers and reinsurers that provide critically important insurance protection throughout the U.S. and world. In combination, our members write 60% of the U.S. property casualty market. APCIA members represent all sizes, structures, and regions—protecting families, communities, and businesses in the U.S. and across the globe. In Maryland, our members write 66.6% of all written premium. APCIA appreciates the opportunity to provide written comments to House Bill 117.

State breach notification laws must strike the appropriate balance between providing meaningful notice guidelines that inform consumers when there is a risk of harm while avoiding the potential to desensitize consumers. House Bill 117 would amend the Personal Information Protection Act to reduce the timeframe within which a business must notify consumers. This bill creates conflicting legal obligations. In Subsection (A)(2) notice is not required until after investigation is concluded, but the new language amends (A)(3) to state that an entity must provide notice 45 days after discovery or notification of the breach.

APCIA strongly recommends not making the proposed changes in (A)(3) as they are conflicting, and it is important for the trigger to be based on the conclusion of the investigation. This allows companies the time to understand and remediate the breach. The law already provides a 45-day time limit, therefore (A)(3) is unnecessary. APCIA requests this language be removed.

APCIA urges the Committee to make this amendment on House Bill 117.