



LEGISLATIVE POSITION:

Unfavorable

House Bill 995

Commercial Law – Health Data Privacy

House Economic Matters Committee

Wednesday, March 1, 2023

Dear Chairman Wilson 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 6,400 members and federated partners working to develop and promote strong public policy that ensures sustained economic health and growth for Maryland businesses, employees, and families.

As introduced, HB 995 is seeking to regulate the collection and use of certain types of data by private entities.

Many of the concerns the Maryland Chamber has raised with HB 33 – Commercial Law – Consumer Protection – Biometric Data Privacy remain with HB 995. Those concerns are:

- HB 995 introduces a new definition of biometric data than what is contained in HB 33.
- HB 995 still contains the broad private right of action which has been presented in other data privacy bills.
- The bill contains broad definitions of key terms such as “consent,” “sale,” and “private entity.”
- HB 995 contains an effective date of October 1, 2023. As mentioned in other data privacy bills, it is typical to give the business community more time to comply with such sweeping changes.

The Maryland Chamber remains committed to finding a way forward on the issue addressing data privacy, however, HB 995 represents a third new approach to addressing biometric data for the 2023 legislative session. An alternative in HB 807 would address the various types of data in a single, comprehensive approach.

For these reasons, the Maryland Chamber of Commerce respectfully requests an **unfavorable report** on **HB 995**, and we look forward to finding an amicable solution.