



Testimony to the House Economic Matters Committee
HB 807: Consumer Protection-Online and Biometric Data Privacy
Position: Favorable

February 22, 2023

The Honorable C.T. Wilson, Chair
House Economic Matters Committee
Room 231, House Office Building
Annapolis, Maryland 21401
cc: Members, House Economic Matters

Honorable Chair Wilson and Members of the Committee:

Economic Action Maryland (formerly the Maryland Consumer Rights Coalition) is a people-centered movement to expand economic rights, housing justice, and community reinvestment for working families, low-income communities, and communities of color. Economic Action Maryland provides direct assistance today while passing legislation and regulations to create systemic change in the future.

We are writing in support of HB 807 and urge a favorable report.

Biometric identifiers (palm, fingerprint, iris, voice, face) are increasingly being used by law enforcement, airports, property management firms, and employers. Currently there are few restrictions on how companies collect, analyze, store, share, or sell our personal biometric identifiers. Unlike a credit card, we can't get new biomarkers.

While some consumers may choose to use biometrics to, for example, open their smartphone with their fingerprint, it is their choice to do so for security and/or ease. In other cases, the individual may not be aware that their biometric data is being collected and stored.

HB 807 establishes reasonable limits on the collection, use, and storage of biometric data. It prohibits businesses from collecting biometric data without consumer consent. It also prohibits businesses from selling or sharing consumer biometric data.

In addition, HB 807 requires that biometric information be destroyed when it is no longer in use. Several other states have already enacted laws to protect consumers' biometric information, including California, Illinois, Texas, and Washington. These protections are particularly important given the



uniqueness of biometric identifiers. Unlike account numbers, once biometric data has been breached, it is compromised forever—you cannot change your fingerprint or iris if it gets stolen.

Data thieves have already begun to target biometric data; in 2019, data thieves breached an international database and gained access to more than a million fingerprints and other sensitive data, including photographs of people and facial recognition data.

Like the laws already in effect in Illinois and California, HB 807 provides for a private right of action. Given the high cost when an individual's biometrics are compromised, businesses must be held accountable if they sell or misuse an individual's biometric data.

For all these reasons, we support HB 807 and urge a favorable report.

Best,

Marceline White
Executive Director