



February 22, 2023

Chair C. T. Wilson
Economic Matters Committee
Maryland General Assembly

Dear Chair Wilson, Vice-Chair Crosby and Members of the Economic Matters Committee:

On behalf of the Security Industry Association (SIA) and our members, I am writing to express our opposition to House Bill 807 as it currently stands under consideration by the committee.

SIA is a nonprofit trade association located in Silver Spring, MD that represents companies providing a broad range of safety and security-focused products and services in the U.S and throughout Maryland, including more than 40 companies headquartered in our state. Among other sectors, our members include the leading providers of biometric technologies available in the U.S. Privacy is important to the delivery and operation of many safety and security-enhancing applications of technologies provided by our industry, and our members are committed to protecting personal data, including biometric data.

We are concerned that HB 807, as introduced, is the wrong approach to protecting data privacy as it would import an outdated and problematic model from Illinois and patchwork it into a broader data privacy bill—creating unnecessarily duplicative and overly restrictive regulations which would negatively impact consumers and small businesses in Maryland.

No other state has adopted legislation similar to the Illinois Biometric Information Protection Act (BIPA), which has resulted in more harm to consumers and local businesses than protections. There, businesses have been extorted through abusive “no harm” class action lawsuits, and beneficial technologies have been shelved. In fact, many of our member companies that provide products utilizing biometric technologies have chosen not to make these products or specific functions available in Illinois.

Safeguarding biometric information is important, but it should be done in a way that both protects Marylanders and allows for the development and use of advanced technologies that benefit them.

Beyond opening the door to lawsuit abuse with enforcement through a private right of action, there are also very real consequences to consumers – including their privacy – for imposing unnecessary limits through overregulation.

If the committee decides to move forward with HB 807, key changes are critical for preventing negative impacts on Maryland businesses and consumers. Targeting biometric data for additional BIPA-style restrictions is unnecessary and counterproductive, as this data should be treated the same as other types of personal data, and is more secure than other types of data like social security numbers, etc.

Such inconsistency only damages the integrity and intent of a broad consumer data privacy policy. We urge you not to approve the bill in its current form.

Again, we support the overall goal of safeguarding personal data and information, and we stand ready to provide any additional information or expertise needed as you consider these issues.

Respectfully submitted,

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