



**LEGISLATIVE POSITION:**

**Unfavorable**

**Senate Bill 541**

**Maryland Online Data Privacy Act of 2024**

**Senate Finance Committee**

**Wednesday, February 14, 2024**

Dear Chairwoman Beidle 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 6,800 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.

Senate Bill 541 would establish a framework for regulating how consumer's personal data is controlled and processed. The bill would also grant certain rights to consumers regarding their personal data and establish methods for consumers to exercise those rights. The Maryland Chamber of Commerce and its members place a high priority on consumer privacy and believe that privacy laws should provide strong safeguards for consumers but also balance the need for industry to innovate.

The Chamber recognizes the work and collaboration that have gone into writing SB 541 compared to iterations of past years. To that end, it is imperative from the Chamber perspective, that members of the General Assembly and stakeholders continue working toward a data privacy law that mirrors the budding regional approach, providing a clear set of rules for businesses and consumers, no matter their location. Areas of outstanding concern with HB 564 include:

- 1. Aligning definitions and requirements with those in other states.**
  - a. The definition of biometric information, consumer health data, and sensitive data is of most concern.
- 2. Ensuring the Attorney General retains sole responsibility of enforcement.**
- 3. Remove the requirement for permission to use personalized marketing techniques.**
- 4. Extending the effective date to October 2026 to provide adequate time for compliance.**

The Maryland Chamber of Commerce represents businesses of all sizes and industries, many of which would be impacted in some way by SB 541. We look forward to continuing the conversation on behalf of our diverse membership to produce legislation that is effective, consistent, and avoids unnecessary burdens.