

MARRIOTT INTERNATIONAL
PROPOSED AMENDMENTS TO HB567/SB541 (ONLINE DATA PRIVACY ACT)

Amendment #1: On page 14, strike lines 28-30.

The access limitation outlined here is unworkable as to employees because we do not have contracts with our employees. They must maintain confidentiality by company policy but there is no contract under which to establish a duty of confidentiality.

Amendment #2: On page 19, strike lines 27-29.

As currently drafted, this provision effectively establishes an “opt-in” requirement for marketing and personalization. The other protections in this section will apply to the collection of data for these purposes, and striking this language would better align this legislation with other state laws that have been enacted across the country.

Amendment #3: On page 17, strike lines 15-17.

It is duplicative and unnecessary to require the controller to notify the consumer that the controller has complied with the request since the law will require the controller to comply with and respond to a consumer’s request within 45 days unless the controller affirmatively communicates to the consumer that an extension is necessary under subsection (e)(2)(i) and (ii) of this section. We are unaware of any other state laws that require this additional step. If it is not removed, this additional step would be difficult for us to operationalize given the diversity of our systems.