



**Testimony of
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CTIA**

In Opposition to Senate Bill 541

Before the Maryland Senate Finance Committee

February 14, 2024

Chair Beidle, Vice-Chair Klausmeier, and members of the committee, on behalf of CTIA®, the trade association for the wireless communications industry, I submit this testimony in opposition to Senate Bill 541. Our members support strong consumer privacy protections, including empowering consumers with the rights necessary to control their data. While consumer data is best addressed at the federal level, we look forward to working with the sponsor to ensure this legislation aligns with existing state frameworks on consumer protection.

Consumer privacy is an important issue and the stakes involved in consumer privacy legislation are high. State-by-state regulation of consumer privacy is creating an unworkable patchwork that will lead to consumer confusion. That is why CTIA strongly supports ongoing efforts within the federal government to develop a uniform national approach to consumer privacy. Deviating from clearly defined definitions, obligations, and privacy protections could have serious consequences for consumers, innovation, and competition in Maryland. A



patchwork quilt of state regulations would only complicate federal efforts and impose serious compliance challenges on businesses, ultimately confusing consumers.

The Maryland legislature is considering a privacy law that would generally apply to all industries. While a national standard is our preferred approach, we understand the concerns driving state action on these issues in the absence of a federal privacy law. The comprehensive approach in SB 541 is the right approach for state regulation. Importantly, it largely aligns with the comprehensive frameworks enacted in fifteen other states to date. This alignment is critical to ensure consistently strong consumer protections for consumers and to drive interoperable compliance processes for businesses with customers in many states.

We encourage the Maryland legislature to continue with this approach and to make some amendments to ensure the bill is interoperable with the laws that have already passed in other states. For example, we urge the legislature to further conform definitions like “targeted advertising” and “consumer health data” to match other state laws. General data collection and use restrictions also need to be further aligned with existing state laws. Ensuring conformity in definitions will ensure strong consumer privacy rights and protections and impose robust but clear obligations on businesses.

Additionally, SB 541 does not include a provision for a right to cure, which is found in the Virginia, Connecticut, Colorado, and Utah data privacy frameworks. This is a significant tool that allows a state enforcement authority to seek speedy resolution to good faith



compliance issues, and to focus their resources for enforcement actions on those businesses that either will not or cannot come into compliance within the statutory cure period.

In closing, we reiterate our concern about the enactment of state laws that create further fragmentation at the state level and recommend Maryland looks to further conform definitions and data collection restrictions with existing state laws and include a right to cure provision. For these reasons, CTIA respectfully opposes SB 541. We look forward to working with the sponsor to address some ways the bill can be amended to better align with existing state laws.