



TO: The Honorable Members of the House Commerce Committee

FROM: Neal Leshner, Director, Government Affairs

DATE: November 14, 2023

RE: **HB 1201 – Data Privacy**

I write on behalf of the PA Chamber regarding HB 1201, which would regulate the collection and use of consumers’ personal data by providing consumers with certain rights and requiring business to protect and limit the collection of personal data.

The PA Chamber believes a national framework for data privacy regulation would be preferable to protect consumer data, promote transparency, and provide regulatory certainty in the marketplace. Congress, however, has not yet advanced consumer data privacy legislation and in the meantime eleven states have adopted a patchwork of data privacy laws. We have advocated that if lawmakers are to advance data privacy legislation at the state level, that they look to state’s such as Virginia and Connecticut, which crafted their laws with input from the business community.

In [testimony](#) submitted to this committee in September, we outlined a number of key principles for data privacy legislation. A02979, which the committee is expected to consider, makes several improvements to the legislation, including: aligning the definitions of “affiliate”, “personal data”, and “publicly available information”; protecting trade secrets; and exempting financial institutions who are already regulated.

We also want to thank the sponsor for placing exclusive enforcement authority with the Attorney General and further making it clear that nothing in the act shall be construed as providing a private right of action.

We do have a few remaining concerns, including the short implementation timeframe, the ability of the Attorney General to promulgate additional regulations, and thresholds for business covered under the act that we hope to be able to work on with the Sponsor.

Thank you for considering our views on this important matter. Please contact Neal Leshner at nlesher@pachamber.org or 717-507-9240 with questions or to discuss.