

1       Sec. X. DATA BROKERS; RECOMMENDATION

2           (a) Findings. The General Assembly finds that:

3               (1) The data broker industry brings benefits to society by:

4                   (A) providing data necessary for the operation of both the public and  
5 private sectors;

6                   (B) supporting the critical flow of information for interstate and  
7 intrastate commerce; and

8                   (C) aiding in securing and protecting consumer identities.

9               (2) Despite these benefits, concerns have arisen about the data broker  
10 industry, including:

11                   (A) how the data broker industry or persons accessing the industry may  
12 directly or indirectly harm vulnerable populations;

13                   (B) the use of the data broker industry by those who harass, stalk, and  
14 otherwise harm others;

15                   (C) whether appropriate safeguards are in place to assure that our  
16 most sensitive information is not sold to identity thieves, scammers, and other  
17 criminals; and

18                   (D) the impact of the data broker industry on the privacy, dignity, and  
19 well-being of the people of Vermont.

20           (c) Recommendation. On or before December 15, 2017, the  
21 Commissioner of Financial Regulation and the Attorney General, in  
22 consultation with industry and consumer stakeholders, shall submit a  
23 recommendation or draft legislation to the House Committee on Commerce

1 and Economic Development and the Senate Committee on Economic  
2 Development, Housing, and General Affairs reflecting:

3 (1) an appropriate definition of the term “data broker”;

4 (2) whether and, if so, to what extent the data broker industry should be  
5 regulated by the Commissioner of Financial Regulation or the Attorney

6 General;

7 (3) additional consumer protections that data broker legislation should  
8 seek to include that are not addressed within the framework of existing  
9 federal and State consumer protection laws; and

10 (4) proposed courses of action that balance the benefits to society that  
11 the data broker industry brings with actual and potential harms to the industry  
12 or persons accessing the industry may pose to consumers.