1   H.706

2   Introduced by Representative Priestley of Bradford

3   Referred to Committee on

4   Date:

5   Subject: Commerce and trade; protection of personal information; data privacy

6   Statement of purpose of bill as introduced: This bill proposes to require a

7   business that develops or maintains an internet browser to provide

8   functionality within the browser that allows a consumer to send a preference

9   that the consumer wishes to opt out of the sale of the consumer's personal data.

10   An act relating to internet browsers and data selling

11   It is hereby enacted by the General Assembly of the State of Vermont:

12   Sec. 1. 9 V.S.A. chapter 62 is amended to read:

13   CHAPTER 62. PROTECTION OF PERSONAL INFORMATION

14   Subchapter 1. General Provisions

15   * * *

16   § 2432. INTERNET BROWSER OPT-OUT

17   (a) As used in this section:

18   (1) "Browser" means an interactive software application that is used by

19   consumers to locate, access, and navigate websites.

1   (2) "Opt-out preference signal" means a signal that complies with this

2 section and that communicates the consumer's choice to opt out of the sale of

3 the consumer's personal data.

4   (3) "Personal data" means any information, including derived data and

5 unique identifiers, that is linked or reasonably linkable, alone or in

6 combination with other information, to an identified or identifiable individual

7 or to a device that identifies, is linked to, or is reasonably linkable to one or

8 more identified or identifiable individuals in a household.

9   (b) Prohibition.

10   (1) A business shall not develop or maintain a browser that does not

11 include functionality configurable by a consumer that enables the browser to

12 send an opt-out preference signal to the websites with which the consumer

13 interacts through the browser.

14   (2) The functionality required by subdivision (1) of this subsection shall

15 be easy for a reasonable person to locate and configure.

16   (c) Disclosure. A business that develops or maintains a browser shall make

17 clear to a consumer in its public disclosures how the opt-out preference signal

18 works and the intended effect of the opt-out preference signal.

1	(d) Enforcement and rulemaking.

2	(1) A business that violates this section or rules adopted pursuant to this

3	section commits an unfair and deceptive act in commerce in violation of

4	section 2453 of this title.

5	(2) The Attorney General shall have the same authority under this

6	section to make rules, conduct civil investigations, bring civil actions, and

7	enter into assurances of discontinuance as provided under chapter 63 of this

8	title.

9	(e) Safe harbor. A business that develops or maintains a browser that

10	includes a functionality that enables the browser to send an opt-out preference

11	signal pursuant to this section shall not be liable for a violation of this section

12	by another business that receives the opt-out preference signal.

13	Sec. 2. EFFECTIVE DATE

14	This act shall take effect on January 1, 2027.