

Sensitive data.

In subdivision 2415e(a)(6) (Duties of Controllers), on page 31, by striking subdivision (6) and inserting in lieu thereof the following:

”(6) not collect, sell or otherwise process the sensitive data of a consumer without the consumer’s express consent. For purposes of this subdivision, “express consent” means a consumer’s affirmative authorization to grant permission in response to a clear, meaningful, and prominent notice regarding the the collection, sale or processing of of sensitive data for a specific purpose. Express consent cannot be inferred from inaction. Agreement obtained through the use of dark patterns does not constitute express consent.