

H.211 - An act relating to data brokers and personal information

Todd Daloz, Director of Policy and Legislative Affairs, Attorney General's Office

Lauren Hibbert, Deputy Secretary of State, Secretary of State's Office

Sean McLaughlin, Regional Vice President, National Association of Mutual Insurance Companies - Zoom

Zach Tomanelli, Consumer Protection Advocate, VPIRG

Dylan Zwicky, Leonine Public Affairs, Partner, RELX

Chris D'Elia, President, Vermont Bankers' Association

Matt Schwartz, Policy Analyst, Consumer Reports - Zoom

Rik Sehgal, Legislative Counsel, Office of Legislative Counsel

Key Takeaways

- Testimony on H.211 – some in strong support as is and some in support of amendments. Everyone is in support of the modernization of data broker registration.
- A recurring question that came up from committee was: How can we make it as easy and simple as possible for Vermont's to understand how to request the deletion of their data and actually do it?
- Support from SoS, only notes that instead of creating Vermont's own data deletion portal on the SoS website, they may want to use the CalPrivacy system that already exists.
- The insurance industry representative asked for a full carve out for the insurance industry in the bill - exempting them from deletion provisions, arguing there already is oversight.
 - Follow up request from Chair Clarkson for information from insurance companies regarding what information they need to be able to underwrite policies so deletion may still apply only to non-essential information.
 - The insurance rep will send this info and an amendment is likely coming.

- There were multiple requests to fold S.211 deletion provisions into S.71, but shut down quickly by Chair Clarkson.
- Vermont Bankers' Association argued that by deleting data, it may create an issue for people receiving financial services because data is so embedded in that industry.
- Testimony from Consumers Reports cited that data broker information can be largely inaccurate. Also noting that other states in the northeast region are pursuing similar legislation that would make Vermont regionally consistent.

Sentiment in the committee seemed to lean towards an exemption amendment that may be similar to California's current model, which states that if data itself is regulated by FCRA/GLBA/DPPA, then the data is exempt from deletion provisions regardless of its use.

H.512 - An act relating to the event ticketing market

Cameron Wood, Legislative Counsel, Office of Legislative Counsel

Susan Evans McClure, Executive Director, Vermont Arts Council

Nathan Marro, Executive Director, National Independent Talent Organization - Zoom

Kendall Gilvar, National Independent Venue Association - Zoom

Key Takeaways

Only real pushback came from Sen. Chittenden on the price cap as well as several requests that he outlined at the end of discussion:

1. Defined individuals as persons who sell less than a specific number of tickets per year (10, for example) and exempt them from the price cap
 2. Define ticket resellers as companies acquiring and selling tickets for profit to clearly differentiate them from individuals
 3. Raise price cap to 120%
 4. Specific that the price cap applies to all tickets at Vermont venues (not tickets to out-of-state venues bought in Vermont)
 5. Define marketplace fee restrictions as a percentage of original price
 6. Proposed a sunset of the price cap in 2030 as a trial period and to force revisiting
- Chair Clarkson agreed to the Vermont specific venue amendment.
 - More follow up wanted from senator Brock on where price caps have been unsuccessful.