

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to  
3 which was referred House Bill No. 211 entitled “An act relating to data brokers  
4 and personal information” respectfully reports that it has considered the same  
5 and recommends that the Senate propose to the House that the bill be amended  
6 as follows:

7 First: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, in  
8 subdivision (a)(4), by striking out subdivision (A) in its entirety and inserting  
9 in lieu thereof a new subdivision (A) to read as follows:

10 (A) the name and primary physical, ~~e-mail, and Internet addresses~~  
11 email, and internet addresses and phone number of the data broker;

12 Second: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, in  
13 subdivision (a)(4)(E), by striking out subdivision (ii) in its entirety and  
14 inserting in lieu thereof a new subdivision (ii) to read as follows:

15 (ii) in the past year, has shared consumers’ data with or sold  
16 consumers’ data to:

17 (I) a foreign actor;

18 (II) the federal government;

19 (III) other state or local governments;

20 (IV) law enforcement, unless the data was shared pursuant to a  
21 subpoena or other court order; or

1                    (V) a developer of a GenAI system or model;

2            Third: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, in  
3 subdivision (c)(3)(B), by striking out subdivision (i) in its entirety and  
4 inserting in lieu thereof a new subdivision (i) to read as follows:

5                    (i) data subject to:

6                    (I) Title V of the Gramm-Leach-Bliley Act, as amended, and  
7 regulations adopted to implement that act; or

8                    (II) Title VI of the Consumer Credit Protection Act, as  
9 amended, and regulations adopted to implement that act;

10            Fourth: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, in  
11 subdivision (c)(3)(B), by striking out subdivision (vi) in its entirety and  
12 inserting in lieu thereof a new subdivision (vi) to read as follows:

13                    (vi) processed solely in the data broker’s capacity as a processor  
14 to:

15                    (I) the State or a political subdivision of the State;

16                    (II) a business with which the consumer has a direct  
17 relationship, as that term is defined in subdivision 2430(6)(B) of this chapter;

18 or

19                    (III) a business working on behalf of another business that has  
20 a direct relationship with the consumer, as that term is defined in subdivision  
21 2430(6)(B) of this chapter, provided that the data broker is a nonprofit

1 organization established to provide enrollment data reporting services on  
2 behalf of postsecondary schools, as that term is defined in 16 V.S.A § 176(b);  
3 or

4 Fifth: By adding a new reader assistance heading and a new section to be  
5 Sec. 2a to read as follows:

6 \* \* \* Cybersecurity Advisory Council \* \* \*

7 Sec. 2a. 20 V.S.A. § 4662 is amended to read:

8 § 4662. CYBERSECURITY ADVISORY COUNCIL

9 (a) Creation. There is created the Cybersecurity Advisory Council to  
10 advise on the State’s cybersecurity infrastructure, best practices,  
11 communications protocols, standards, training, and safeguards.

12 (b) Membership. The Council shall be composed of the following  
13 members:

14 (1) the Chief Information Officer, who shall serve as the Chair or  
15 appoint a designee from the Council to serve as the Chair;

16 (2) the Chief Information Security Officer;

17 (3) a representative from a distribution or transmission utility, appointed  
18 by the Commissioner of Public Service;

19 (4) a representative from a State municipal water system, appointed by  
20 the Secretary of Natural Resources;

1 (5) a representative from a Vermont hospital, appointed by the President  
2 of the Vermont Association of Hospitals and Health Systems;

3 (6) a person representing a Vermont business related to an essential  
4 supply chain, appointed by the Chair of the Vermont Business Roundtable;

5 (7) the Director of Vermont Emergency Management or designee;

6 (8) the Governor’s Homeland Security Advisor or designee;

7 (9) the Vermont Adjutant General or designee;

8 (10) the Attorney General or designee; ~~and~~

9 (11) the President of Vermont Information Technology Leaders or  
10 designee;

11 (12) the Chair of the House Committee on Energy and Digital

12 Infrastructure;

13 (13) the Chair of the Senate Committee on Institutions; and

14 (14) a representative from the Judiciary, appointed by the Chief Justice  
15 of the Supreme Court.

16 \* \* \*

17 Sixth: By adding a new section to be Sec. 2b to read as follows:

18 Sec. 2b. 2023 Acts and Resolves No. 71, Sec. 4 is amended to read:

19 Sec. 4. REPEAL

20 20 V.S.A. chapter 208 (cybersecurity) is repealed on June 30, ~~2028~~ 2033.

1 (Committee vote: \_\_\_\_\_)

2

\_\_\_\_\_

3

Senator \_\_\_\_\_

4

FOR THE COMMITTEE