

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 1, in section 2430, by
8 striking out subdivision (16)(B) in its entirety and inserting in lieu thereof a
9 new subdivision (16)(B) to read as follows:

10 (16)(B) “Publicly available information” does not include:

11 (i) biometric data collected by a business about a consumer
12 without the consumer’s knowledge;

13 (ii) any obscene visual depiction, as defined in 18 U.S.C. § 1460;

14 (iii) genetic data, unless otherwise made publicly available by the
15 consumer to whom the information pertains; or

16 (iv) intimate images, authentic or computer-generated, known to
17 be nonconsensual.

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

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

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

6 (ii) in the past year, has shared consumers' data with or sold
7 consumers' data to:

8 (I) a foreign actor;

9 (II) the federal government;

10 (III) other state or local governments;

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

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

14 Fourth: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, in
15 subdivision (a)(4)(I)(i), by striking out "pursuant to subsection (c) of this
16 section" and inserting in lieu thereof "if the data broker permits deletion"

17 Fifth: In Sec. 1, 9 V.S.A. chapter 62, in subchapter 5, in section 2446, by
18 striking out subsection (c) in its entirety and by relettering the remaining
19 subsections to be alphabetically correct.

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

4 (d) Consumer rights web page. The Secretary of State shall create and
5 maintain a publicly accessible page on its website that provides consumers
6 with the following:

7 (1) a downloadable spreadsheet of data brokers that have registered with
8 the State along with the information a data broker provides during registration
9 pursuant to subsection (a) of this section; and

10 (2) any additional information about the rights consumers have pursuant
11 to this subchapter.

12 Seventh: By striking out Sec. 3, effective date, in its entirety and inserting
13 in lieu thereof a reader assistance heading and a new Sec. 3 to read as follows:

14 * * * Cybersecurity Advisory Council * * *

15 Sec. 3. 20 V.S.A. § 4662 is amended to read:

16 § 4662. CYBERSECURITY ADVISORY COUNCIL

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

20 (b) Membership. The Council shall be composed of the following
21 members:

- 1 (1) the Chief Information Officer, who shall serve as the Chair or
- 2 appoint a designee from the Council to serve as the Chair;
- 3 (2) the Chief Information Security Officer;
- 4 (3) a representative from a distribution or transmission utility, appointed
- 5 by the Commissioner of Public Service;
- 6 (4) a representative from a State municipal water system, appointed by
- 7 the Secretary of Natural Resources;
- 8 (5) a representative from a Vermont hospital, appointed by the President
- 9 of the Vermont Association of Hospitals and Health Systems;
- 10 (6) a person representing a Vermont business related to an essential
- 11 supply chain, appointed by the Chair of the Vermont Business Roundtable;
- 12 (7) the Director of Vermont Emergency Management or designee;
- 13 (8) the Governor’s Homeland Security Advisor or designee;
- 14 (9) the Vermont Adjutant General or designee;
- 15 (10) the Attorney General or designee; ~~and~~
- 16 (11) the President of Vermont Information Technology Leaders or
- 17 designee;
- 18 (12) the Chair of the House Committee on Energy and Digital
- 19 Infrastructure;
- 20 (13) the Chair of the Senate Committee on Institutions; and

