

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Regulatory Reform
2 Subcommittee

3 Representative McFarland offered the following:

4

5 **Amendment**

6 Remove lines 687-756 and insert:

7 (b) The business shall deliver the information required or
8 act on the request in subsections (3) through (5) to a consumer
9 free of charge within 45 days after receiving a verifiable
10 consumer request. The response period may be extended once by 30
11 additional days when reasonably necessary, taking into account
12 the complexity of the consumer's requests, provided the business
13 informs the consumer of any such extension within the initial
14 45-day response period along with the reason for the extension.
15 The information must be delivered in a readily usable format

Amendment No. 4

16 that allows the consumer to transmit the information from one
17 entity to another entity without hindrance.

18 (c) If a third party assumes control of all or part of a
19 business, acquires a consumer's personal information as part of
20 the transfer, and the third party materially alters how it uses
21 a consumer's personal information or shares the information in a
22 manner that is materially inconsistent with the promises made at
23 the time of collection, the third party must provide prior
24 notice of the new or changed practice to the customer. The
25 notice must be sufficiently prominent and robust to ensure that
26 existing consumers can easily exercise their rights under
27 subsections (3) through (6).

28 (d) Any contract between a business and a service provider
29 must prohibit the service provider from:

- 30 1. Selling or sharing the personal information;
31 2. Retaining, using, or disclosing the personal
32 information for any purpose, commercial or otherwise, other than
33 for the business purposes specified in the contract with the
34 business; or
35 3. Combining the personal information that the service
36 provider receives from or on behalf of the business with
37 personal information that it receives from or on behalf of
38 another person or entity or that the service provider collects
39 from its own interaction with the consumer, provided that the

Amendment No. 4

40 service provider may combine personal information to perform any
41 business purpose.

42 (e) A third party that receives a consumer's personal
43 information is prohibited from:

44 1. Selling or sharing the personal information.

45 2. Retaining, using, or disclosing the information outside
46 of the direct business relationship between the person and the
47 business.

48 (f) A third party or a service provider must require any
49 subcontractor to meet the same obligations of such third party
50 or service provider with respect to personal information.