



Maryland | Delaware | DC Press Association

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To: Economic Matters Committee

From: Rebecca Snyder, Executive Director, MDDC Press Association

Date: February 26, 2020

Re: **HB 237 – SUPPORT with Amendments**

The Maryland-Delaware-District of Columbia Press Association represents a diverse membership of news media organizations, from large, metro dailies like the Washington Post and the Baltimore Sun, to hometown newspapers such as The Frederick News Post and the Hagerstown Herald Mail to publications such as The Daily Record, the Oakland Republican, and online-only publications such as Maryland Matters and Bethesda Beat.

The Press Association supports the idea that the public be better informed about security breaches where their personal data and information is at risk. However, the bill as written substitutes effective, verifiable notice to consumers through statutorily required public notice and replaces it with a spongy request for notification to major media outlets in the state (Page 6, lines 18 – 32).

Currently, if there is a security breach of a certain level, businesses must, among other things, place a public notice in statewide media. That public notice requires a verification that it ran as intended and is archived appropriately and is run in print and online platforms. Under the new language, a business, in addition to electronically mailing the notice and posting on its website, could simply send a press release to “major media outlets” and call their obligation finished. We don’t believe that is the notice the sponsors intended, nor does it create the kind of traceable public record that should be maintained in the instances of data breaches.

The members of Press Association respectfully request that Page 6, line 32 be changed to read as follows:

(3) Notification by PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN MAJOR MEDIA OUTLETS THROUGHOUT THE STATE.

This change will ensure that the widest cross-section of the community is informed about data breaches, not simply those affected.

FACTS

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central to a strong and open society.**

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