

2SSB 5376 - H COMM AMD

By Committee on Appropriations

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the  
2 following:

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4 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

5 (a) Washington explicitly recognizes its people's right to  
6 privacy under Article I, section 7 of the state Constitution.

7 Nothing in this act diminishes this right.

8 (b) There is rapid growth in the volume and variety of personal  
9 data being generated, collected, stored, and analyzed. The  
10 protection of individual privacy and freedom in relation to the  
11 processing of personal data requires the recognition of the  
12 principle that consumers retain ownership interest of their personal  
13 data, including personal data that undergoes processing or is in  
14 possession of another party. Consumers desire greater transparency  
15 and control over the collection, disclosure, and sharing of their  
16 personal data.

17 (c) Nothing in this act affects the consumer protections in  
18 chapter 19.86 RCW, the consumer protection act.

19 (d) Personal data should be collected with a clear purpose and  
20 with consumers' consent.

21 (2) Possession of personal data brings with it an obligation of  
22 care and to fulfill requirements under this act, no matter the  
23 source of data, or the size of the entity holding or processing  
24 personal data. To preserve trust and confidence that personal data  
25 will be protected appropriately, the legislature recognizes that  
26 with regard to processing of personal data, Washington consumers  
27 have the rights to:

1 (a) Confirm whether or not personal data is being processed by a  
2 controller;

3 (b) Obtain a copy of the personal data undergoing processing;

4 (c) Correct inaccurate personal data;

5 (d) Obtain deletion of personal data;

6 (e) Restrict processing of personal data;

7 (f) Be provided with any of the consumer's personal data that  
8 the consumer provided to a controller;

9 (g) Object to processing of personal data; and

10 (h) Not be subject to a decision based solely on profiling.

11 (3) The European Union recently updated its privacy law through  
12 the passage and implementation of the general data protection  
13 regulation, affording its residents the strongest privacy  
14 protections in the world.

15 (4) Washington residents have long enjoyed an expectation of  
16 privacy in their public movements. The development of new technology  
17 like facial recognition could, if deployed indiscriminately and  
18 without proper regulation, enable the constant surveillance of any  
19 individual. Washington residents should have the right to a  
20 reasonable expectation of privacy in their movements, and thus  
21 should be free from ubiquitous and surreptitious surveillance using  
22 facial recognition technology. Further, Washington residents have  
23 the right to information about the capabilities, possible bias, and  
24 limitations of facial recognition technology and that it should not  
25 be deployed by private sector organizations without proper public  
26 notice."

27 Correct the title.

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EFFECT: Strikes all material from the Senate Bill and replaces  
it with the intent section from the striking amendment by the  
Committee on Innovation, Technology, and Economic Development.

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