

ESHB 1155 - S AMD TO S AMD (S-2826.4/23) **296**
By Senator Short

NOT ADOPTED 04/05/2023

1 On page 18, after line 5, insert the following:

2 "(5) The obligations imposed on regulated entities, small
3 businesses, and processors under this chapter do not restrict a
4 regulated entity's, small business's, or processor's ability to do
5 any of the following:

6 (a) Investigate, respond to, exercise, prepare for, or defend
7 legal claims;

8 (b) Provide a product or service specifically requested by a
9 consumer;

10 (c) Take immediate steps to protect an interest that is essential
11 for the life or physical safety of a consumer or another individual;

12 (d) Assist another regulated entity, small business, processor,
13 or third party with any of the obligations under this chapter;

14 (e) Conduct internal research to develop, improve, or repair
15 products, services, or technology;

16 (f) Effectuate a product recall;

17 (g) Identify and repair technical errors that impair existing or
18 intended functionality; or

19 (h) Perform internal operations that are reasonably aligned with
20 the expectations of the consumer or reasonably anticipated based on
21 the consumer's existing relationship with the regulated entity or the
22 small business, or are otherwise compatible with processing consumer
23 health data in furtherance of the provision of a product or service
24 specifically requested by a consumer or the performance of a contract
25 to which the consumer is a party."

EFFECT: Provides that the obligations imposed on regulated entities, small businesses, and processors do not restrict their ability to do any of the specified activities, such as investigating legal claims, effectuating a product recall, or performing internal operations that are reasonably aligned with consumers' expectations.

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