5376-S2 AMH APP GAVC 109

**2SSB 5376** - H COMM AMD

By Committee on Appropriations

**NOT CONSIDERED 12/23/2019**

 Strike everything after the enacting clause and insert the following:

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

(a) Washington explicitly recognizes its people's right to privacy under Article I, section 7 of the state Constitution. Nothing in this act diminishes this right.

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

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

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

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

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

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

(c) Correct inaccurate personal data;

(d) Obtain deletion of personal data;

(e) Restrict processing of personal data;

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

(g) Object to processing of personal data; and

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

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

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

Correct the title.

|  |  |
| --- | --- |
|  |  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. |

**--- END ---**