

AMENDMENTS TO HOUSE BILL NO. 1201

Sponsor: REPRESENTATIVE RABB

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1 Amend Bill, page 1, by inserting between lines 11 and 12

2 "Affiliate." A legal entity that shares common branding with
3 another legal entity or controls, is controlled by or is under
4 common control with another legal entity.

5 Amend Bill, page 2, lines 1 and 2, by striking out

6 "recording, unless the data is generated to identify a" in line
7 1 and all of line 2 and inserting

8 recording. The term does not include information captured
9 and converted to a mathematical representation, including a
10 numeric string or similar method that cannot be used to recreate
11 the data captured or converted to create the mathematical
12 representation.

13 Amend Bill, page 3, lines 13 through 17, by striking out

14 "Collects consumers' personal information or on" in line 13 and
15 all of lines 14 through 17 and inserting

16 Alone or jointly with others, determines the
17 purposes and means of the processing of consumers'
18 personal information.

19 Amend Bill, page 5, lines 9 through 30; page 6, lines 1

20 through 16; by striking out all of said lines on said pages and
21 inserting

22 (1) Any information that is linked or reasonably
23 linkable to an identified or identifiable individual.

24 (2) The term does not include publicly available
25 information, de-identified data or biometric data captured
26 and converted to a mathematical representation.

27 Amend Bill, page 6, line 22, by inserting a comma after

28 "communications"

1 Amend Bill, page 8, lines 3 through 16, by striking out "As
2 follows:" in line 3 and all of lines 4 through 16 and inserting
3 Information that:
4 (1) is lawfully available through Federal, State or
5 municipal records or widely distributed media; or
6 (2) a controller has a reasonable basis to believe a
7 consumer has lawfully made available to the general public.
8 Amend Bill, page 10, by inserting between lines 10 and 11
9 "Trade secret." As defined in 12 Pa.C.S. § 5302 (relating to
10 definitions).
11 Amend Bill, page 10, line 15, by inserting after "data"
12 , unless the confirmation or access would require the
13 controller to reveal a trade secret
14 Amend Bill, page 10, line 27, by inserting after "means"
15 in a manner that would disclose the controller's trade
16 secrets
17 Amend Bill, page 13, line 13, by inserting after "act"
18 or opting the consumer out of the processing of the data
19 for any purpose except for those exempted under section 11(a)
20 (3)
21 Amend Bill, page 14, lines 22 through 26, by striking out
22 "Establish, implement and maintain reasonable" in line 22 and
23 all of lines 23 through 26 and inserting
24 Process personal data in a manner that ensures
25 reasonable and appropriate administrative, technical,
26 organizational and physical safeguards of personal data
27 collected, stored and processed.
28 Amend Bill, page 18, by inserting between lines 9 and 10
29 (F) Be in compliance with this section. A
30 controller that recognizes signals approved by other
31 states shall be considered in compliance with this
32 section.
33 Amend Bill, page 30, by inserting between lines 2 and 3
34 (3) The right to cure shall apply for 60 days.
35 Amend Bill, page 30, lines 12 through 15, by striking out all
36 of lines 12 through 14 and "(e)" in line 15 and inserting
37 (d)

1 Amend Bill, page 30, lines 27 and 28, by striking out all of
2 said lines and inserting

3 (5) A financial institution or an affiliate of a
4 financial institution or data subject to Title V of the
5 Gramm-Leach-Bliley Act (15 U.S.C. § 6801 et seq.).

6 Amend Bill, page 33, line 27, by striking out "immediately"
7 and inserting

8 in six months