

2018 -- H 8353

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LC005981
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

H O U S E R E S O L U T I O N

CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS THE "RHODE ISLAND ONLINE DATA TRANSPARENCY AND PRIVACY PROTECTION COMMISSION"

Introduced By: Representatives Shanley, Keable, Marszalkowski, Carson, and Kazarian

Date Introduced: June 22, 2018

Referred To: House read and passed

1 WHEREAS, The right to privacy is a personal and fundamental right protected by the
2 United States Constitution; and

3 WHEREAS, All individuals have a right to privacy in information pertaining to them,
4 and providing consumers with transparency about how their personal information, especially
5 information relating to their children, is shared by businesses is of utmost importance; and

6 WHEREAS, This transparency is crucial for Rhode Island citizens to protect themselves
7 and their families from cyber-crimes and identity thieves; and

8 WHEREAS, For free market forces to have a role in shaping the privacy practices and for
9 "opt-in" and "opt-out" remedies to be effective, consumers must be more than vaguely informed
10 that a business might share personal information with third parties; and

11 WHEREAS, Consumers must be better informed about what kinds of personal
12 information is shared with other businesses. With these specifics, consumers can knowledgeably
13 choose to opt-in, opt-out, or choose among businesses that disclose information to third parties on
14 the basis of how protective the business is of consumers' privacy; and

15 WHEREAS, Businesses are now collecting personal information and sharing and selling
16 it in ways not contemplated or properly covered by the current law; and

17 WHEREAS, Some websites are installing tracking tools that record when consumers visit
18 webpages, and sending very personal information, such as age, gender, race, income, health
19 concerns, religion, and recent purchases to third-party marketers and data brokers; and

1 WHEREAS, Third-party data broker companies are buying, selling, and trading personal
2 information obtained from mobile phones, financial institutions, social media sites, and other
3 online and brick and mortar companies; and

4 WHEREAS, Some mobile applications are sharing personal information, such as
5 location information, unique phone identification numbers, and age, gender, and other personal
6 details with third-party companies; and

7 WHEREAS, Consumers need to know the ways that their personal information is being
8 collected by companies and then shared or sold to third parties in order to properly protect their
9 privacy, personal safety, and financial security; now, therefore be it

10 RESOLVED, That a special legislative commission to be known as the "Rhode Island
11 Online Data Transparency and Privacy Protection Commission" be and the same is hereby
12 created consisting of eleven (11) members: five (5) of whom shall be members of the Rhode
13 Island House of Representatives, not more than four (4) from the same political party, to be
14 appointed by the Speaker of the House; one of whom shall be the Rhode Island Attorney General,
15 or designee; one of whom shall be a representative of an Internet service provider, to be
16 appointed by the Speaker of the House; one of whom shall be a representative from a commercial
17 website operator, to be appointed by the Speaker of the House; one of whom shall be a
18 representative of a data transparency and privacy advocacy organization, to be appointed by the
19 Speaker of the House; one of whom shall be a member of a trade association or designee whose
20 membership includes companies from the information technology, e-commerce, the sharing and
21 gig economies, advanced energy, cybersecurity, venture capital and finance, to be appointed by
22 the Speaker of the House; and one of whom shall be a member of the general public, to be
23 appointed by the Speaker of the House.

24 The purpose of said commission shall be to make a comprehensive study and provide
25 recommendations on legislation and/or regulations for protecting individuals from disclosures of
26 personally identifiable information through the Internet by operators of commercial websites or
27 online services.

28 Forthwith upon passage of this resolution, the members of the commission shall meet at
29 the call of the Speaker of the House and organize and shall select a chairperson.

30 Vacancies in said commission shall be filled in like manner as the original appointment.

31 The membership of said commission shall receive no compensation for their services.

32 All departments and agencies of the state shall furnish such advice and information,
33 documentary and otherwise, to said commission and its agents as is deemed necessary or
34 desirable by the commission to facilitate the purposes of this resolution.

1 The Speaker of the House is hereby authorized and directed to provide suitable quarters
2 for said commission; and be it further

3 RESOLVED, That the commission shall report its findings and recommendations to the
4 House of Representatives no later than February 5, 2019, and said commission shall expire on
5 May 5, 2019.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
HOUSE RESOLUTION
CREATING A SPECIAL LEGISLATIVE COMMISSION TO BE KNOWN AS THE "RHODE
ISLAND ONLINE DATA TRANSPARENCY AND PRIVACY PROTECTION
COMMISSION"

1 This resolution would create an eleven (11) member "Rhode Island Online Data
2 Transparency And Privacy Protection Commission" to study and make recommendations on
3 legislation and/or regulations for protecting individuals from disclosures of personally identifiable
4 information through the Internet, and who would report back to the House no later than February
5 5, 2019, and whose life would expire on May 5, 2019.

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