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**It’s Your Data, You Have a Right to Know Who’s Selling it**

If you ran into a neighbor at the grocery store and asked them about creating a regulatory framework for data brokering in Delaware, you’d probably get a puzzled look. But what if you asked that same neighbor if they want to know who’s selling their name, address, biometric data or other information linked to their identity, who’s buying up their personal information, and how businesses are profiting off of that data? I can tell you that, when we put the issues into clear and relatable terms, people get interested.

We all know by now that the modern economy runs on a tradeoff of privacy and convenience. But in a world of geolocated data collection tracking our trips to the pharmacy, and shadowy companies hoovering up data to build profiles on each of us, it’s hard to know the real stakes of that tradeoff.

Don’t just take my word for it. A 2019 study by the Pew Research Center found that approximately 80 percent of Americans feel they have little or no control over how their personal data is collected, that the risks of collecting their data outweigh the benefits, and that they’re concerned about how their data is being used.

Today, I have to tell my constituents that there’s no realistic way for the average Delawarean to track who’s making a profit selling the information that fundamentally belongs to that person. House Bill 262, which I’ve spent more than two years developing, is a plan to fix that.

While some companies are required to provide consumers with privacy policies, anyone who’s ever tried to read one without a corporate lawyer by their side knows how indecipherable they can be – and that’s no accident. HB 262 will give Delawareans a clear and concise way to determine who is selling their personal information. Those companies would be required to register with the state Department of Justice’s Consumer Protection Unit. That office will then host an easy-to-use website where consumers can see what kind of data companies are collecting, how they collect it, and how they use it to make money.

If a company that sells data doesn’t register, the Department of Justice could pursue penalties to bring them into compliance.

Some say we should let the free market decide – that consumers will “vote with their feet” and reward companies who don’t misuse their data. But how can consumers make those choices if they have no way of knowing or comparing how their data is used? HB 262 would arm consumers with that information, making the market a fair place to do business.

I’ve worked with stakeholders from the tech industry, finance and banking sectors, and groups like the Delaware State Chamber of Commerce to make sure House Bill 262 delivers the information Delawareans have a right to know about their personal data. I’ve made clarifications, relied on experts, and crafted a piece of legislation that won’t place an undue burden on companies that operate fairly and openly when it comes to data privacy.

When we pass HB 262 and the Governor signs it into law, we can be proud that, in Delaware, we know who’s selling our personal data and what it’s being used for.

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