



February 5, 2021

Honorable Chair Mike Lefor
Industry, Business, and Labor Committee
North Dakota State Legislature
600 East Boulevard
Bismarck, ND 58505-0360

Re: TechNet Opposition to HB 1330, concerning data privacy

Honorable Chair Lefor and Members of the Industry, Business and Labor Committee:

TechNet is the national, bipartisan network of technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50 state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than three million employees in the fields of information technology, e-commerce, clean energy, gig and sharing economy, venture capital, and finance. TechNet is committed to advancing the public policies and private sector initiatives that make the U.S. the most innovative country in the world.

I am writing today on behalf of our membership in respectful opposition to HB 1330, concerning data privacy. TechNet members are fully committed to securing privacy and security for consumers, and engage in a wide range of practices to provide consumers with notice, choices about how their data is used, as well as control over their data. We believe this is an unnecessary bill which would cause burdensome challenges for both consumers as well as businesses of all sizes.

North Dakota has already analyzed and rejected the need for state privacy legislation through an interim study process which took place over the last two years. Through that open stakeholder process, this body decided that a federally-led data regulation effort is preferable to a one-state approach. Having one federal privacy standard brings uniformity to all Americans, regardless of where they live, while ensuring that consumers' privacy and security are protected.

Additionally, HB 1330 proposes a significantly different privacy framework from anything that has already passed or is currently being considered nationwide. New privacy laws should provide strong safeguards to consumers while also allowing the industry to continue to innovate. In the absence of federal action, any new proposals should be based upon a uniform set of standards to avoid imposing a patchwork of policies across jurisdictions. Our member companies are already complying with privacy standards established in the California Consumer Privacy Act (CCPA) and the General Data Protection Regulation (GDPR). As a result of this patchwork approach, businesses of all sizes would be forced to create an entirely different compliance structure just to comply in North Dakota. This is costly, time consuming, and difficult for businesses in North Dakota, especially after already investing significant resources to comply with other laws.

HB 1330 will not effectively protect consumers and leads to complications that can impede innovation, we ask you to vote no. Thank you for your ongoing engagement on this important issue. I am available at your convenience should you have any questions.

Best Regards,

A handwritten signature in black ink, appearing to read "Santana Kersul". The signature is fluid and cursive, with a large, stylized "Q" at the end.

Samantha Kersul
Executive Director, Northwest
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