



April 17, 2024

The Honorable Keshia Ram Hinsdale
Senate Committee on Economic Development, Housing, & General Affairs
115 State St.
Montpelier, VT 05633-5301

Dear Chair Hinsdale:

BSA | The Software Alliance¹ appreciates the opportunity to share our feedback on the Vermont Data Privacy Act (H.121). BSA members support strong privacy protections for consumers. In our federal and state advocacy, BSA works to advance legislation that ensures consumers' rights — and the obligations imposed on businesses — function in a world where different types of companies play different roles in handling consumers' personal data. At the state level we have advocated for strong privacy laws in a range of states and supported the consumer privacy laws enacted in Colorado, Connecticut, and Virginia.

BSA is the leading advocate for the global software industry. Our members are enterprise software companies that create the business-to-business technologies that other companies use. For example, BSA members provide tools including cloud storage services, customer relationship management software, human resource management programs, identity management services, and collaboration software. Businesses entrust some of their most sensitive information — including personal data — with BSA members. Our companies work hard to keep that trust. As a result, privacy and security protections are fundamental parts of BSA members' operations.

Our feedback focuses on five key aspects of H.121:

- Supporting strong and exclusive regulatory enforcement by the Attorney General's office.
- Supporting strong anti-discrimination provisions focused on unlawful activities.
- Supporting the ability of processors to combine information in ways that benefit consumers.
- Supporting consumers' right to know through practical requirements.
- Supporting H.121's interoperability with other state privacy laws.

We are attaching a redline with specific recommendations on these issues. We appreciate the opportunity to submit this feedback, which builds on the input that BSA provided to your office in March.²

¹ BSA's members include: Adobe, Alteryx, Asana, Atlassian, Autodesk, Bentley Systems, Box, Cisco, CNC/Mastercam, Databricks, DocuSign, Dropbox, Elastic, Graphisoft, Hubspot, IBM, Informatica, Kyndryl, MathWorks, Microsoft, Okta, Oracle, PagerDuty, Palo Alto Networks, Prokon, Rubrik, Salesforce, SAP, ServiceNow, Shopify Inc., Siemens Industry Software Inc., Splunk, Trend Micro, Trimble Solutions Corporation, TriNet, Twilio, Workday, Zendesk, and Zoom Video Communications, Inc.

² See BSA Letter on Vermont H121, Comprehensive Privacy Act to Vermont Senate Economic Development Committee (March 28, 2024), available at <https://www.bsa.org/policy-filings/us-bsa-letter-on-vermont-h121-comprehensive-privacy-act-to-vermont-senate-economic-development-committee>.

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Thank you for your continued leadership in establishing strong consumer privacy protections, and for your consideration of our views. We welcome an opportunity to further engage with your office on these important issues.

Sincerely,

A handwritten signature in black ink that reads "Olga Medina". The signature is written in a cursive, flowing style.

Olga Medina
Director, Policy

CC: Members of the Senate Committee on Economic Development, Housing, and General Affairs