UPDATED
FLOOR ALERT
SB 327 (JACKSON) - OPPOSE

May 30, 2017

TO: Members, California State Senate

FROM: California Chamber of Commerce
Advance Medical Technology Association
Alliance of Automobile Manufacturers
Association for Unmanned Vehicle Systems International
Association of Home Appliance Manufacturers
Association of National Advertisers
California Cable and Telecommunications Association
California Manufacturers and Technology Association
California Retailers Association
Civil Justice Association of California
Computing Technology Industry Association - CompTIA
Consumer Technology Association
CTIA – The Wireless Association
SUBJECT: SB 327 (JACKSON) INFORMATION PRIVACY: CONNECTED DEVICES

OPPOSE – AS AMENDED MAY 26, 2017

The California Chamber of Commerce and the above organizations STRONGLY OPPOSE SB 327. This bill will impede innovation by placing unworkable, unnecessary and ineffective mandates on devices that connect to the internet. The latest amendments further complicate these mandates.

SB 327 is unworkable. SB 327 would place requirements on the manufacturers of virtually every device sold in California. The breadth of these requirements begins at product design and continues through the device’s lifecycle. The scope requires notice of everything from how the device interacts with users to the intricacies of the processes by which the device works with other devices. SB 327 also requires notices when connected devices are sold that are more likely to confuse customers than help them make informed decisions about their purchase.

SB 327 will impede innovation. SB 327 will make device makers liable if consumers use new applications or updates to increase device functionality. The bill also introduces barriers concerning product support, development and maintenance that conflict with well-established standards. Many consumers are excited to buy technological devices because functionality is expected to grow as new apps and updates come to market. Further, designers looking to add functionality during a product’s lifecycle are a major economic contributor. Burdening device makers trying to increase functionality will stifle innovation.

SB 327 is unnecessary. There are federal and state laws that cover these devices so the requirements in SB 327 are not necessary to provide protections to California residents. Existing law already requires manufacturers to implement reasonable privacy protections appropriate to the nature of the information they collect. The federal Children’s Online Privacy Protection Act (COPPA) provides stringent requirements for collection of children’s information. Additionally, California’s Online Privacy Protection Act was the first state law in the nation to require websites to post their privacy policies.

SB 327 is ineffective. Because of the plethora of disclosures and warnings mandates by SB 327, consumers will be inundated with too much information and may ultimately ignore the warnings and protections they most need to see.

Everyday in California, new Internet connected devices are being developed to improve people’s health, help the environment and save lives. SB 327 will impede the creation of these devices without providing benefits to consumers. VOTE NO ON SB 327!

cc: The Honorable Hannah-Beth Jackson
    Tom Dyer, Office of the Governor
    Mike Petersen, Senate Republican Caucus
    Senate Floor Analyses
    Margie Estrada Caniglia, Senate Judiciary Committee
    District Offices, Members, California State Senate