

OVERVIEW OF PRIVACY HARMS AND PRIVACY LAW IN THE U.S.

*Alaska House Judiciary Committee
3-20-26*

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INTRODUCTION

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CR is independent, non-profit, and non-partisan

6 million members nationally, including members in every state

Privacy is a key issue for CR members, and CR works with legislators across the country to craft strong privacy laws

THE PROBLEM

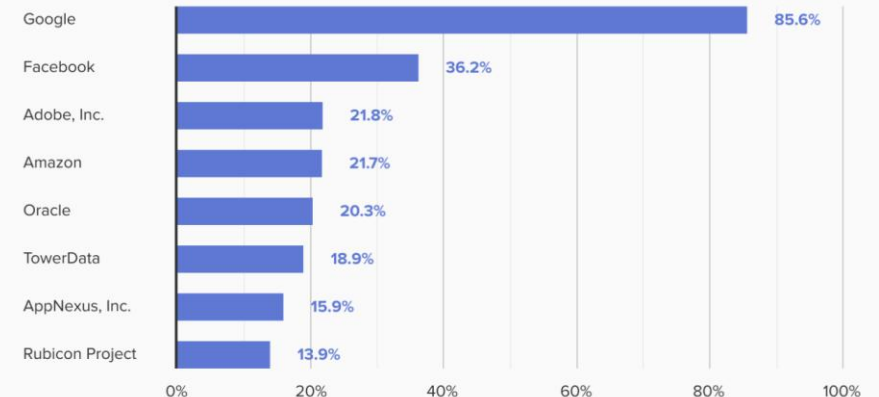
- Many of the tools (e.g. social media, websites, apps, connected devices) we use today collect and share our data
 - How? Cookies, Pixels, Tracking Beacons, Software Development Kits (SDKs), etc.
- That can be helpful, but also comes with downsides
 - Ubiquitous tracking, stalking, identity theft, hyper-targeting, surveillance pricing, etc.

Your Apps Know Where You Were Last Night, and They're Not Keeping It Secret

Dozens of companies use smartphone locations to help advertisers and even hedge funds. They say it's anonymous, but the data shows how personal it is.

By JENNIFER VALENTINO-DeVRIES, NATASHA SINGER, MICHAEL H. KELLER and AARON KROLIK DEC. 10, 2018

Source of the Most Common Trackers Found on the Top 50K Sites



INSURANCE PRICING

The New York Times

How G.M. Tricked Millions of Drivers Into Being Spied On (Including Me)

This privacy reporter and her husband bought a Chevrolet Bolt in December. Two risk-profiling companies had been getting detailed data about their driving ever since.

January 13, 2025 | Press Release

Attorney General Ken Paxton Sues All-state and Arity for Unlawfully Collecting, Using, and Selling Over 45 Million Americans' Driving Data to Insurance Companies

Automakers tracking drivers, sharing data with car insurance companies

Report reveals sneaky way car companies share customer's driving habits, leading to some drivers seeing rise in insurance rates

DATA BROKERS



FTC Takes Action Against Mobilewalla for Collecting and Selling Sensitive Location Data

Proposed order bans use or sale of data associated with military installations, churches, healthcare facilities, or other sensitive locations

DHRUV MEHROTRA DELL CAMERON SECURITY NOV 19, 2024 11:00 PM

Anyone Can Buy Data Tracking US Soldiers and Spies to Nuclear Vaults and Brothels in Germany

More than 3 billion phone coordinates collected by a US data broker expose the detailed movements of US military and intelligence workers in Germany—and the Pentagon is powerless to stop it.

SURVEILLANCE PRICING

TRAVEL

Hotel booking sites show higher prices to travelers from Bay Area

In an investigative column, SFGATE contributor Keith A. Spencer exposes online price discrimination targeting San Francisco travelers

Instacart's AI-Enabled Pricing Experiments May Be Inflating Your Grocery Bill, CR and Groundwork Collaborative Investigation Finds

A Consumer Reports and Groundwork Collaborative investigation found that some grocery prices differed by as much as 23 percent per item from one Instacart customer to the next. In an inadvertently sent email, the company calls one pricing tactic "smart rounding."

Kroger's facial recognition plans draw increasing concern from lawmakers

Kroger's plans to roll out facial recognition tools at its grocery stores is attracting increased criticism from lawmakers, who warn that it could be exploited to increase the prices certain individuals pay for food and put customers' personal data at risk.



HB 367: CONSUMER PERSONAL INFORMATION PRIVACY ACT

Representative Andi Story

20 March 2025



OUR RIGHTS AS ALASKANS ARE BEING INFRINGED

THE CONSTITUTION OF THE STATE OF ALASKA, ARTICLE I, SECTION 22. RIGHT TO PRIVACY

The right of the people to privacy is recognized and shall not be infringed. The legislature shall implement this section. *[Amended 1972]*

DIGITAL DATA BROKER MARKETS

LARGELY UNREGULATED DATA BROKER INDUSTRY, CURRENTLY ESTIMATED TO BE WORTH NEARLY \$300 BILLION

**UNIQUE DIGITAL
PROFILES
CONSIST OF
THOUSANDS OF
DATA POINTS ON
EVERYONE WITH
AN ONLINE
PRESENCE.**

INCLUDING

- Basic identifiers
- Contact information
- Demographic details
- Financial information
- Online activities
- Health information
- Lifestyle and interests
- Daily movements

WHAT IS THE HARM?

- Price premiums
- denial of services
- lost employment opportunities
- reputational harm
- Increase fraud
- Intrusive targeting
- national security risks.

HB 367 INTENT

Establishing the Consumer Personal Information Privacy Act

HB 367's intent is to modernize Alaska law to reflect today's digital economy, giving Alaskans meaningful control over their personal data.

Creating clear standards for how businesses collect, use, sell, and share personal information, and providing accountability.



KEY COMPONENTS

1. Rights of Consumers
2. Business Obligations
3. Special Protections for Minors
4. Data Brokers Register & Transparency
5. Enforcement & Accountability
6. Revenue
7. Definitions

1. RIGHTS OF CONSUMERS

Right to Know

Alaskans will have the right to know when businesses are collecting their personal information.

Right to Disclosure

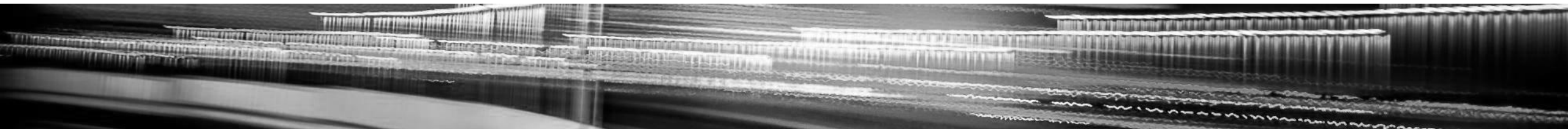
Alaskans will have the right to learn what information businesses have collected about them for the last five years and whether businesses have sold or disclosed that information to third parties.

Right to Delete

Alaska will have the right to request that businesses delete any personal information collected within the last five years.

Right to Opt Out

Alaskans will have the right to prevent businesses from selling their personal information.



2. BUSINESS OBLIGATION

Notice of Collection

A business shall notify the consumer before collecting the information.

Notification to the consumer must clearly and conspicuously indicate the categories of personal information that will be collected, the specific purposes for which each category of personal information will be used

Maintain Privacy Policies

A business shall have, maintain, and update online privacy policies and include a clear and conspicuous link to an Internet website page titled "Do Not Collect or Sell My Personal Information" that enables a consumer to exercise the consumer's rights

Keep Records and Know Chain of Control

A business that collects or has collected personal information from a consumer shall maintain records of each person to whom the business discloses the personal information.

Limit on Collection

A business shall limit its collection and sharing of personal information with third parties to what is reasonably necessary for the business to provide a service or conduct an activity that a consumer has requested.

3. MINORS

SEC. 45.48.845

Data Type	Potential Developmental Impact
BEHAVIORAL (clicks, views)	Shapes preferences, attention patterns, creates filter bubbles.
BIOMETRIC (face, voice)	Analyzed for emotional state, raises privacy and manipulation concerns.
LOCATION	Tracks physical movements, adds layer to profile, privacy risk.

A business that has knowledge that a consumer is 16 years of age or under may not;

Disclose the personal information

for a business purpose or commercial purpose, or use the consumer's precise geolocation data for a purpose other than to provide goods or services that the consumer reasonably requests and expects,

Sell or share the personal information

Track or profile the personal information

in order to provide to the individual a commercial advertisement that is based on the personal information or online activity of the individual.

5. DATA BROKERS REGISTER & TRANSPARENCY

6. ACCOUNTABILITY & ENFORCEMENT

7. REVENUE

Data broker registration

Before a business begins operating as a data broker, the business shall register with the Department of Commerce, Community and Economic Development

Violations

*Use existing unfair or deceptive trade practice statutes for enforcement.
Enforcement by the Department of Law and Attorney General*

Establish a separate Consumer privacy account

A business shall pay a 3 % fee of the revenue received by the business from the buying, selling, or sharing of the personal information to the

Data Broker registration fee

civil penalties and money collected

money appropriated to the account by the legislature



8. DEFINITIONS

AS 45.48.940

- Business – Page 24, line 3
- Business Purpose – Page 24, line 27
- Commercial Purpose – Page 24, line 7
- Consent – Page 25, line 11
- Data broker –Page 27 line 9
- Disclose – Page 27, line 30
- Personal information – Page 28, line 23
- Operational Purpose – Page 28, line 4
- Sensitive personal information – Page 31, line 5



RECOMMENDATIONS

- Increase age of minors from age 16 and under to 17 and under
- Explicit Opt-in permission for Sensitive Data
- Explicit Opt-in permission for biometric Data
- Update bill language to align closer with national standards to increase compliance and enforcement



THANK YOU

Presented by Representative Andi Story
20 March 2026