

**ALASKA STATE LEGISLATURE
SENATE JUDICIARY STANDING COMMITTEE**

March 20, 2024

1:31 p.m.

MEMBERS PRESENT

Senator Matt Claman, Chair
Senator Jesse Kiehl, Vice Chair
Senator James Kaufman
Senator Löki Tobin

MEMBERS ABSENT

Senator Cathy Giessel

OTHER LEGISLATORS PRESENT

SENATOR WIELECHOWSKI

COMMITTEE CALENDAR

SENATE BILL NO. 60

"An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), 602(c) and (h), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

- HEARD & HELD

CS FOR HOUSE JOINT RESOLUTION NO. 3(JUD) AM

Encouraging Congress to pass the Concealed Carry Reciprocity Act or a similar bill.

- HEARD & HELD

SENATE BILL NO. 134

"An Act relating to insurance data security; amending Rule 26, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 60

SHORT TITLE: REPEAL WORKERS' COMP APPEALS COMMISSION

SPONSOR(s): SENATOR(s) WIELECHOWSKI

02/06/23 (S) READ THE FIRST TIME - REFERRALS
02/06/23 (S) L&C, JUD
02/27/23 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/27/23 (S) Heard & Held
02/27/23 (S) MINUTE(L&C)
05/10/23 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
05/10/23 (S) Moved SB 60 Out of Committee
05/10/23 (S) MINUTE(L&C)
05/11/23 (S) L&C RPT 2DP 1NR
05/11/23 (S) NR: BJORKMAN
05/11/23 (S) DP: DUNBAR, GRAY-JACKSON
01/22/24 (S) JUD AT 1:30 PM BUTROVICH 205
01/22/24 (S) Heard & Held
01/22/24 (S) MINUTE(JUD)
03/20/24 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: HJR 3

SHORT TITLE: CONCEALED HANDGUN RECIPROCITY B/W STATES

SPONSOR(s): REPRESENTATIVE(s) RAUSCHER

02/01/23 (H) READ THE FIRST TIME - REFERRALS
02/01/23 (H) JUD, STA
02/10/23 (H) JUD AT 1:30 PM GRUENBERG 120
02/10/23 (H) Heard & Held
02/10/23 (H) MINUTE(JUD)
02/17/23 (H) JUD AT 1:30 PM GRUENBERG 120
02/17/23 (H) Moved CSHJR 3(JUD) Out of Committee
02/17/23 (H) MINUTE(JUD)
02/20/23 (H) JUD RPT CS(JUD) 3DP 4NR
02/20/23 (H) DP: C.JOHNSON, GROH, VANCE
02/20/23 (H) NR: CARPENTER, EASTMAN, GRAY, ALLARD
02/28/23 (H) STA AT 3:00 PM GRUENBERG 120
02/28/23 (H) Scheduled but Not Heard
03/02/23 (H) STA AT 3:00 PM GRUENBERG 120
03/02/23 (H) Heard & Held
03/02/23 (H) MINUTE(STA)
03/14/23 (H) STA AT 3:00 PM GRUENBERG 120
03/14/23 (H) Moved CSHJR 3(JUD) Out of Committee
03/14/23 (H) MINUTE(STA)
03/17/23 (H) STA RPT CS(JUD) 5DP 1AM

03/17/23 (H) DP: ALLARD, WRIGHT, C.JOHNSON,
CARPENTER, SHAW
03/17/23 (H) AM: STORY
04/14/23 (H) DIVIDE THE AMENDMENT PASSED Y24 N15 E1
04/19/23 (H) TRANSMITTED TO (S)
04/19/23 (H) VERSION: CSHJR 3(JUD) AM
04/21/23 (S) READ THE FIRST TIME - REFERRALS
04/21/23 (S) STA, JUD
05/04/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
05/04/23 (S) Heard & Held
05/04/23 (S) MINUTE(STA)
05/06/23 (S) STA AT 9:00 AM BELTZ 105 (TSBldg)
05/06/23 (S) Scheduled but Not Heard
05/06/23 (S) STA AT 3:30 PM BELTZ 105 (TSBldg)
05/06/23 (S) -- Public Testimony <Time Limit May Be
Set> --
05/12/23 (S) STA REFERRAL WAIVED
03/20/24 (S) JUD AT 1:30 PM BUTROVICH 205

BILL: SB 134

SHORT TITLE: INS. DATA SECURITY; INFO. SECURITY PRGRMS
SPONSOR(S): SENATOR(S) KAUFMAN

04/21/23 (S) READ THE FIRST TIME - REFERRALS
04/21/23 (S) L&C, JUD, FIN
02/05/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/05/24 (S) Heard & Held
02/05/24 (S) MINUTE(L&C)
02/16/24 (S) L&C AT 1:30 PM BELTZ 105 (TSBldg)
02/16/24 (S) Moved CSSB 134(L&C) Out of Committee
02/16/24 (S) MINUTE(L&C)
02/19/24 (S) L&C RPT CS 3DP SAME TITLE
02/19/24 (S) DP: BJORKMAN, DUNBAR, BISHOP
02/19/24 (S) FIN REFERRAL REMOVED
03/18/24 (S) JUD AT 1:30 PM BUTROVICH 205
03/18/24 (S) <Bill Hearing Rescheduled to 03/20/24>
03/20/24 (S) JUD AT 1:30 PM BUTROVICH 205

WITNESS REGISTER

ANDY HEMENWAY, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 60.

MICHAEL BUDZINSKI, representing self
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 60.

REPRESENTATIVE GEORGE RAUSCHER, District 29
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of HJR 3.

RYAN MCKEE, Staff
Representative George Rauscher
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Answered questions during the discussion on HJR 3.

ROBERT FRENCH, Lieutenant
Alaska State Troopers
Department of Public Safety (DPS)
Anchorage, Alaska

POSITION STATEMENT: Responded to questions during the discussion of HJR 3.

TOM BOUTIN, representing self
Juneau, Alaska

POSITION STATEMENT: Testified in support of HJR 3.

DOMINICK HARNETT, Staff
Senator James Kaufman
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented the sectional analysis for SB 134 on behalf of the sponsor.

LORI WING-HEIER, Director
Division of Insurance
Department of Commerce, Community & Economic Development
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the discussion of SB 134.

NANCY MEADE, General Counsel
Administrative Offices
Alaska Court System
Anchorage, Alaska

POSITION STATEMENT: Answered questions during the discussion of SB 134.

ACTION NARRATIVE

[1:31:26 PM](#)

CHAIR MATT CLAMAN called the Senate Judiciary Standing Committee meeting to order at 1:31 p.m. Present at the call to order were Senators Kaufman, Tobin, Kiehl, and Chair Claman.

SB 60-REPEAL WORKERS' COMP APPEALS COMMISSION

[1:31:57 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 60 "An Act repealing the Workers' Compensation Appeals Commission; relating to decisions and orders of the Workers' Compensation Appeals Commission; relating to superior court jurisdiction over appeals from Alaska Workers' Compensation Board decisions; repealing Rules 201.1, 401.1, and 501.1, Alaska Rules of Appellate Procedure, and amending Rules 202(a), 204(a) - (c), 210(e), 601(b), 602(c) and (h), and 603(a), Alaska Rules of Appellate Procedure; and providing for an effective date."

[1:32:40 PM](#)

CHAIR CLAMAN opened public testimony on SB 60.

[1:33:09 PM](#)

ANDY HEMENWAY, representing self, Juneau, Alaska, testified in opposition to SB 60. He stated that he retired as chair of the Alaska Workers Compensation Appeals Commission in 2016 and testifies today in a personal capacity. He addressed two points:

Commission Rulings Have the Force of Legal Precedent

MR. HEMENWAY explained that prior to the creation of the Commission, appeals from the Workers' Compensation Board were heard by the Superior Court. Superior Court rulings did not have the force of legal precedent, meaning the Board, insurance companies, or an attorney representing injured workers could disregard a legal ruling with which they disagreed in future cases. Moreover, other Superior Court judges could rule differently in future cases, leading to uncertainty in the application of rules. He stated that the legislature addressed this uncertainty by creating the Commission and directing by statute that Commission decisions have the force of legal precedent. This meant the Board, insurance companies, workers and their attorneys could rely on clear rules and plan and act accordingly. He stated that if the parties to a case do not like the Commission's ruling, they may appeal to the Alaska Supreme Court.

MR. HEMENWAY underscored that because the Commission's decisions create binding precedent, it is especially important that these

decisions are the product of a body with experience and expertise in workers' compensation law. Legal expertise on the part of the chair and practical experience on the part of the lay members of the Commission, by statute, must have served on the Workers Compensation Board.

Commission Caseload Numbers

MR. HEMENWAY acknowledged a decline in cases before the Commission in the last three years. He attributed this to a corresponding drop in the number of claims filed, which inevitably led to fewer cases before the Board and, eventually, fewer appeals to the Commission. He surmised that the drop is related to the COVID-19 pandemic. He expects that the number of appeals will rise. He stated that six appeals have already been filed this year, which is equivalent to past normal caseload numbers.

[1:36:05 PM](#)

MICHAEL BUDZINSKI, representing self, Anchorage, Alaska, testified in opposition to SB 60. He stated that he is an attorney who has practiced in the area of workers' compensation for over 40 years. He practiced when appeals went to the Superior Court and, afterward, in 2005, when appeals transitioned to the Commission.

MR. BUDZINSKI expressed his view that the current structure, which involves the Commission, is far better than the prior structure when appeals went to the Superior Court. He said this is due, in large part, to the requirement that Commission members have experience in workers' compensation; they are very knowledgeable. When appearing before the Commission, attorneys can use technical shorthand and legal acronyms, knowing that Commission members are familiar with the terminology and subject matter. This is a huge advantage. He emphasized the importance of Commission decisions, which have precedential value, and noted a recent experience in which the Commission pushed back on legal issues raised by the Alaska Supreme Court. He believes this type of exchange strengthens the process and yields a better legal result because there is give and take between the different bodies.

MR. BUDZINSKI expressed his belief that maintaining the Commission is the wisest choice. He concluded by stating that the creation of the Commission in 2005 was necessary, and the reasons for its existence remain valid to this today.

[1:37:43 PM](#)

CHAIR CLAMAN asked if he worked primarily on the employer or employee side of workers' compensation proceedings.

MR. BUDZINSKI replied, the employer side.

[1:37:59 PM](#)

SENATOR KIEHL said that he is intrigued to hear that the Commission pushed back against the Alaska Supreme Court (ASC) on legal matters and asked for details about this.

MR. BUDZINSKI replied that the issue of attorney fee rates is still before the Alaska Supreme Court. He explained that there was an attempt to increase the hourly rate paid to attorneys representing injured workers from the typical range of \$400 - \$450 per hour to between \$600 - \$900 per hour. The Commission awarded \$450 per hour for an appeal, consistent with its past practice. That decision was appealed to the Supreme Court, which responded that a higher rate was appropriate and remanded the case to the Commission for reconsideration.

MR. BUDZINSKI said the Commission declined to reconsider, maintaining its original decision. The matter is now before the Supreme Court again. He expressed his view that this demonstrated legal courage on the part of the Commission. This matter is important to concerned employers who may be required to pay higher rates for attorneys representing injured workers.

[1:39:26 PM](#)

SENATOR KIEHL expressed his appreciation for the information and remarked that he may need to learn more about the issue. He observed that if employers seek a standard different from the standard in the law as interpreted by the Supreme Court, those employers should speak to the legislature. He stated that he found the situation troubling.

MR. BUDZINSKI responded that may happen; employers may need to approach the legislature for relief. It is a statutory system so the legislature decides these matters.

[1:39:58 PM](#)

CHAIR CLAMAN commented on an unrelated matter, noting that he found it interesting that, in other issues before the legislature, the executive branch appears comfortable paying outside attorneys between \$600 and \$900 per hour for representation in statehood defense claims. He remarked that while he was once troubled by such high rates, they now seem to have become relatively normalized.

MR. BUDZINSKI said that the Supreme Court awarded the rate, it was not done at the Board level. The issue became whether the Commission should adopt that rate. The Commission decided against adopting that rate.

[1:40:38 PM](#)

CHAIR CLAMAN asked whether this was a published Supreme Court decision.

MR. BUDZINSKI replied yes but noted that it is on appeal again and remains ongoing.

CHAIR CLAMAN asked whether this was the first case published and remanded to the Commission on the issue.

MR. BUDZINSKI confirmed and stated that the case involves two injured workers, with the first named Rusch. The employer was Southeast Alaska Regional Health [Consortium] (SEARHC).

[1:41:20 PM](#)

CHAIR CLAMAN closed public testimony on SB 60.

CHAIR CLAMAN held SB 60 in committee.

HJR 3-CONCEALED HANDGUN RECIPROCITY B/W STATES

[1:41:34 PM](#)

CHAIR CLAMAN announced the consideration of CS FOR HOUSE JOINT RESOLUTION NO. 3(JUD) am Encouraging Congress to pass the Concealed Carry Reciprocity Act or a similar bill.

CHAIR CLAMAN said this is the first hearing of HJR 3 in the Senate Judiciary Committee. He invited the bill sponsor and his staff to identify themselves for the record and begin their remarks. He noted that staff from the administration are available to answer questions.

[1:42:19 PM](#)

REPRESENTATIVE GEORGE RAUSCHER, District 29, Alaska State Legislature, Juneau, Alaska, sponsor of HJR 3. HJR 3 encourages Congress to amend the federal criminal code to allow individuals who are qualified to carry or possess a concealed handgun in one state to do so in another state that also allows concealed carry.

REPRESENTATIVE RAUSCHER explained that HJR 3 urges Congress to enact the Concealed Carry Reciprocity Act, H.R. 38 from the 117th Congress, or a similar measure. He noted that the National Rifle Association of America - Institute for Legislative Action (NRA-ILA) has provided multiple reasons to support national reciprocity, including:

- In 2008, the Supreme Court affirmed that individuals, including Alaskans, have a constitutionally protected right to keep and bear arms. Furthermore, no state can deny that constitutional right.
- Concealed carry permit holders are among the most law-abiding citizens. He referenced a 2014 study to support this. The study revealed that among 875,000 Florida permit holders, the revocation rate was 0.00007 percent, and among 584,850 Texas permit holders, the revocation rate was 0.21 percent.
- Reciprocity laws can change frequently with little or no public notice, putting otherwise law-abiding citizens at a greater risk of inadvertently committing a crime. These citizens are often unaware that they cannot drive through certain states with concealed weapons. One such person, Mr. Brian Fisher, while traveling through North Carolina and New Jersey for disaster relief work, voluntarily disclosed possession of a legally owned firearm to a New Jersey police officer. The police officer subsequently arrested Mr. Fisher, who faced up to five years in prison.

REPRESENTATIVE RAUSCHER stated that he requests support of HJR 3 for these and other reasons.

[1:45:15 PM](#)

RYAN MCKEE, Staff, Representative George Rauscher, Alaska State Legislature, Juneau, Alaska, answered questions during the discussion on HJR 3. He indicated that staff from the Department of Public Safety (DPS) are available to take questions.

[1:45:33 PM](#)

SENATOR TOBIN stated that while she deeply respects the sponsor and his work, she is very upset with HJR 3. She shared that she is married to a federal law enforcement officer and has reviewed research indicating states that have eliminated conceal and carry permit requirements have experienced significant increases in officer-involved shootings. She emphasized the desire for her husband to return home safely each night. She asked whether the sponsor had spoken with law enforcement officers or

organizations, such as fraternities of peace officers, and whether those groups support the bill or have provided any input.

[1:46:19 PM](#)

MR. MCKEE deferred to the Alaska State Troopers (AST), expressing his belief that the organization has not taken a position on HJR 3.

[1:46:32 PM](#)

CHAIR CLAMAN directed the question to Lieutenant Robert French from AST and Lisa Purinton from DPS.

[1:46:38 PM](#)

SENATOR TOBIN requested testifiers to indicate whether they speak on behalf of their respective organizations or for themselves.

[1:47:09 PM](#)

CHAIR CLAMAN directed the question to Lieutenant French.

[1:47:20 PM](#)

ROBERT FRENCH, Lieutenant, Alaska State Troopers, Department of Public Safety, Anchorage, Alaska, stated he was available to answer general questions but not make blanket policy statements.

[1:47:31 PM](#)

CHAIR CLAMAN restated the question.

[1:47:42 PM](#)

SENATOR TOBIN clarified the question asking whether:

- he had spoken with law enforcement officers about HJR 3.
- he received any letters of support.
- his colleagues had concerns that the reciprocity legislation could undermine Alaska's ability to protect its residents, given other states' authority to set their own firearm policies.

[1:48:13 PM](#)

LIEUTENANT FRENCH responded in the negative, stating he does not have information on any of the questions posed.

[1:48:24 PM](#)

REPRESENTATIVE RAUSCHER stated that the key requirements for obtaining a concealed carry permit under HJR 3 include fingerprinting, an FBI background check, and successful completion of a [handgun competency] program with a certificate of completion.

REPRESENTATIVE RAUSCHER explained that applicants from reciprocity states must meet these same core requirements. The concealed carry permit serves as proof of compliance, thereby removing the need for retesting in each reciprocity state. He compared it to a driver's license, which is honored across states. He stated that for states allowing concealed carry, individuals could present their license to demonstrate completion of the necessary requirements, including fingerprinting and an FBI check. He remarked that concealed carry permit holders likely represent one of the lowest-offending populations. Statistically, 8.4 percent of the U.S. adult population holds a concealed carry permit, so while the reciprocity bill may not apply to everyone, it addresses the rights of a notable number of people.

[1:50:03 PM](#)

SENATOR TOBIN noted that some states with concealed carry laws include additional restrictions related to domestic violence, stalking, or felony convictions. She stated that those stipulations had not been mentioned and asked whether, in his estimation, would this usurp a state's ability to include such provisions to protect its residents.

[1:50:31 PM](#)

MR. MCKEE replied that individuals must comply with the laws of the state they are in. He explained that HJR 3 does not suggest one state's law could override another state's restrictions. Once an individual enters another state, they are required to follow that state's laws. He said HJR 3 encourages reciprocity, meaning concealed-carry states cannot deny an out-of-state individual permission based on residency.

[1:51:13 PM](#)

SENATOR TOBIN asked how law enforcement officers will ensure out-of-state individuals follow Alaska concealed carry laws.

[1:51:28 PM](#)

REPRESENTATIVE RAUSCHER responded that law enforcement would handle enforcement for out-of-state individuals the same as it does for Alaskans. He explained there is no way to identify someone carrying concealed until an offense is committed. He

expressed his belief that this is consistent across all concealed-carry states, and stated that individuals must follow the laws of the state that they are in.

[1:53:01 PM](#)

CHAIR CLAMAN posed a hypothetical scenario. He said that if an individual obtains a concealed carry permit in Alaska and then travels to another state, such as New Mexico, where the criteria for issuing permits differ, issues may arise. For example, New Mexico may prohibit individuals with a domestic violence restraining order from obtaining a concealed carry permit. He noted that he was unsure of Alaska's specific requirements, but this hypothetical scenario assumes Alaska does not have that same restriction. He asked whether New Mexico would be obligated to honor Alaska's concealed carry permit even though the individual would not qualify under New Mexico's standards.

[1:53:50 PM](#)

REPRESENTATIVE RAUSCHER responded that his understanding was no.

[1:53:57 PM](#)

SENATOR KIEHL sought clarification on some of the provisions in U.S. H.R. 38, which HJR 3 endorses. He cited U.S. H.R. 38, stating that a person who "is entitled to carry a concealed firearm in the State in which the person resides," either through a permit or under state law, may possess or carry in any state that does not prohibit concealed carry. He expressed his recollection that Alaska does not require a permit to carry a concealed firearm. He sought clarification about U.S. H.R. 38, asking whether this means an Alaskan does not need any kind of permit at all to carry in say New Jersey, which requires one.

REPRESENTATIVE RAUSCHER asked that the question be restated.

SENATOR KIEHL repeated that federal legislation would allow a person who either holds a concealed carry permit in their home state or is lawfully entitled to carry without one, to carry in any state that does not prohibit concealed carry. He interpreted the legislation to mean that, if enacted, an Alaskan, who does not need a permit under Alaska law, would not need a permit to carry in a state like New Jersey, which does require one.

[1:56:05 PM](#)

REPRESENTATIVE RAUSCHER agreed with that interpretation.

SENATOR KIEHL referenced committee discussion about background checks and fingerprinting, asking whether those requirements would apply.

REPRESENTATIVE RAUSCHER responded that, in his understanding, no one would stop a person from carrying a concealed handgun in Alaska since it is legal to do so, and asked whether that answered the question.

[1:56:49 PM](#)

SENATOR KIEHL clarified that his question pertains to states that only allow concealed carry by permit. He said that, as he reads the federal legislation, if enacted, it would allow Alaskans without permits to carry in another state even if that state requires a permit. As a result, a permitless Alaskan, who would not have undergone a background check or fingerprinting, could legally carry in a state that mandates those requirements.

[1:57:18 PM](#)

REPRESENTATIVE RAUSCHER expressed his belief that this interpretation is not accurate.

SENATOR KIEHL suggested, that based on the federal text, the matter might be appropriate for Legislative Legal Services to review.

SENATOR KIEHL raised concern about how the legislation addresses limitations on where a person may carry a concealed firearm. He remarked that the federal legislation appears somewhat ambiguous. He referenced [page 3, line 19 - page, 4, line 3] of U.S. H.R. 38, which states that this section of the bill:

shall not be construed to supersede or limit the laws of any State that -

- permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or
- prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

SENATOR KIEHL pointed out that the legislation does not appear to address specific restrictions such as Alaska's prohibition on concealed carry in bars, churches, or daycares.

SENATOR KIEHL sought confirmation that, if enacted, the federal legislation would allow someone from a state where concealed carry in churches is allowed to carry in an Alaska church where it is illegal.

[1:59:02 PM](#)

REPRESENTATIVE RAUSCHER responded no, explaining individuals would be required to abide by each participating state's laws. He expressed his understanding that U.S. H.R. 38 does not rewrite state law; it is intended to preserve states' rights. He noted that while nonresidents may be permitted to carry concealed in a bar in their home state, they would not be permitted to do so in Alaska if Alaska law prohibits it.

SENATOR KIEHL returned to the language on page 3, line 19 through page 4, line 3 of U.S. H.R. 38, and asked why the listed restrictions are so limited, noting that states like Alaska impose additional carve-outs, such as those related to churches, daycares, or bars.

REPRESENTATIVE RAUSCHER replied that he does not know.

[2:01:11 PM](#)

SENATOR KAUFMAN said the rationale behind the federal legislation appears similar to how driver's licenses are treated across states. He explained that a person licensed to drive in Alaska must follow the laws of other states when driving in them. He stated that, similarly, the concealed carry permit could be recognized across states with the understanding that individuals must follow local laws. He noted that it would be interesting to see whether this rationale holds when reviewed by Legislative Legal Services.

[2:02:21 PM](#)

SENATOR TOBIN reflected on the complication between driver's licenses and concealed carry permits. She shared that her nephew recently turned 18 in New York, where, prior to that age, he was not allowed to drive with another person under 18 in his vehicle or drive alone after 6:00 p.m. She noted that New York has stricter rules than Alaska and emphasized that even within the Driver License Compact, states are still permitted to establish rules they believe are appropriate for their communities. She stated that this is the core concern. It is to ensure that Alaska retains the authority to define how firearms may be carried, rather than having that authority overridden by other states or the federal government.

SENATOR TOBIN noted that under Alaska law, individuals under the age of 21 are prohibited from carrying a concealed weapon. She referenced page 3 of U.S. H.R. 38 and asked the sponsor whether Alaska's age restriction would still be honored under the bill, requesting his interpretation.

[2:03:50 PM](#)

REPRESENTATIVE RAUSCHER responded, stating that is not his interpretation. He offered a supposition. If a person cannot drive at the age of 14 in New York but can in Missouri with a farm license, that does not mean Missouri's driving laws apply in New York. He recalled that when he was growing up, some states allowed 14-year-olds to obtain a farmer's license to perform certain agricultural work. However, if individuals operated outside those parameters, they would be in violation of the law. He offered that such a license would not be valid in New York unless New York had a similar farm license law.

[2:04:42 PM](#)

SENATOR TOBIN commented that was not her interpretation and that it would be helpful to have clarification from legal counsel.

[2:05:06 PM](#)

SENATOR KIEHL cited the federal legislation, which indicates a person must carry valid identification (ID) and concealed carry permit documentation when in possession of a concealed handgun in another state. He said the federal legislation definition does not appear to include tribal identification, noting that tribal IDs are good enough to fly and show to the Division of Motor Vehicles (DMV).

SENATOR KIEHL asked whether the definition for "identification document" in U.S. H.R. 38 includes tribal IDs.

REPRESENTATIVE RAUSCHER asked him to restate the question.

SENATOR KIEHL commented that this is a research question. He asked whether the definition of "identification document" in U.S. H.R. 38 includes tribal IDs. He stated that many Alaska tribes issue IDs.

REPRESENTATIVE RAUSCHER expressed his understanding that if Alaska requires a driver's license to operate a vehicle on its highways, and another state with concealed carry permits requires the same, then a driver's license would be required in both states.

REPRESENTATIVE RAUSCHER recalled that people who reside in villages could obtain a separate type of license that required a less extensive driving test. He said this was the case in King Cove approximately 25 years ago, noting that circumstances may have changed since then. He emphasized that one must obey the laws of the state they are in and said he did not believe a person is exempt based on where they are from. He stated he was not sure if that fully answered the question.

[2:07:27 PM](#)

SENATOR KIEHL said that he could follow up offline and expressed his belief that the definition includes a passport and a state-issued ID that is not a driver's license. He expressed curiosity whether the definition also includes a tribal ID.

REPRESENTATIVE RAUSCHER replied that he was unsure whether a passport is sufficient to rent a car but surmised that whatever is required to rent a car would probably apply.

[2:07:56 PM](#)

CHAIR CLAMAN stated that the federal legislation referenced in HJR 3 is from 2021 and likely no longer active. He inquired whether there is a current federal bill, and if so, it would be beneficial to update HJR 3.

REPRESENTATIVE RAUSCHER indicated he would collect that information for the committee.

[2:08:31 PM](#)

CHAIR CLAMAN opened public testimony on HJR 3.

[2:09:05 PM](#)

TOM BOUTIN, representing self, Juneau, Alaska, testified in support of HJR 3. He urged the committee to move HJR 3 out of committee as soon as possible. He stated that he has held an Alaska concealed carry permit for approximately 30 years. He recounted an experience in which his plane out of Juneau was delayed due to weather and by the time he landed in Boston at midnight, his connecting flight to a constitutional carry state had long since departed. He had a revolver in his checked baggage, and the airline insisted he take possession of his baggage at that time. He said there is not time to explain what he did next and remarked that it might be somewhat shocking. He stated that Alaskans need constitutional carry nationwide. He said that it might be pertinent to point out that driving a car or even riding a horse is not a constitutionally guaranteed right, whereas the right to keep and bear arms is. He thanked

the committee for their time and for their hard work on behalf of Alaskans.

[2:10:18 PM](#)

CHAIR CLAMAN closed public testimony on HJR 3.

CHAIR CLAMAN noted that HJR 3 needs a couple of updates, mainly: update the speaker of the U.S. House of Representatives, HJR 3 currently lists Kevin McCarthy; update the current number of states with reciprocity, HJR 3 currently mentions 19 states with reciprocity provisions in their statutes, including Alaska, but he understands that the current number is 20.

CHAIR CLAMAN said the committee would likely hear the bill again after Legislative Legal Services answers some of the outstanding questions.

CHAIR CLAMAN held HJR 3 in committee.

SB 134-INS. DATA SECURITY; INFO. SECURITY PRGRMS

[CSSB 134(L&C) was before the committee.]

[2:11:15 PM](#)

CHAIR CLAMAN announced the consideration of SENATE BILL NO. 134 "An Act relating to insurance data security; amending Rule 26, Alaska Rules of Civil Procedure, and Rules 402 and 501, Alaska Rules of Evidence; and providing for an effective date."

CHAIR CLAMAN said this is the first hearing of SB 134 in the Senate Judiciary Committee. He invited the bill sponsor and his staff to identify themselves for the record and begin their remarks.

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SENATOR JAMES KAUFMAN, speaking as sponsor, introduced SB 134. He stated that SB 134 is intended to address growing concerns over data breaches within the insurance industry over the last several years. He noted that insurance companies maintain sensitive personal, financial, and health information for millions of consumers, making it important to establish guidelines and standards to reduce potential damage from data breaches within the industry.

SENATOR KAUFMAN explained that SB 134 would require state-licensed insurance companies to assess internal and external threats and to develop, implement, and maintain an information

security program based on those threats. While the standards in the bill are not broad in scope, they establish the expectations for governance, risk assessment, risk management, third-party risk management, and incident response.

SENATOR KAUFMAN stated that SB 134 also includes specific requirements for incident investigation and notification. The bill would empower the Division of Insurance with the tools needed to effectively oversee the protection of sensitive personal information by licensees. Similar legislation already exists in at least 23 other states, and the federal government has urged states to adopt comparable measures, reflecting nationwide recognition of this issue's importance.

SENATOR KAUFMAN described SB 134 as a proactive approach to protecting personal information from cyber threats, enhancing consumer protections, and strengthening the cybersecurity position of the insurance industry.

SENATOR KAUFMAN expressed appreciation to the committee for their consideration.

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DOMINICK HARNETT, Staff, Senator James Kaufman, Alaska State Legislature, Juneau, Alaska, presented the sectional analysis for SB 134 on behalf of the sponsor:

Section 1:

AS 21.96 is amended by adding new sections related to insurance data security.

Sec. 21.96.250. Risk Assessment

Licensees shall conduct a risk assessment of nonpublic information.

- In conducting the risk assessment, the licensee shall identify reasonably foreseeable internal and external threats, assess the likelihood and potential damage of threats, and assess the sufficiency of current safeguards in protecting nonpublic information.
- A licensee shall use this risk assessment to design the information security program required in the next section.

Sec. 21.96.260. Information Security Program

Licensees shall develop, implement, and maintain an information security program.

- The program is to be based off the threats identified in Sec 21.96.250.
 - Licensees shall designate one or more employees, an outside vendor, or third-party service provider to be responsible for the security program.
 - A licensee's information security program must:
 - Contain safeguards to protect security and confidentiality of nonpublic information and the information system
 - Protect against threats, hazards, and unauthorized access to nonpublic information
 - Establish a schedule for retention of nonpublic information
 - Establish a mechanism for secure destruction of nonpublic information.
 - The development and upkeep process of the licensee's information security program shall:
 - Implement appropriate security measures such as information access controls, identification and management of data access points, physical access controls, encryption, secure development practices, regular tests, audit trails, disaster responses, and secure disposal
 - Determine cybersecurity risks to include in the licensee's risk management process
 - Stay informed of emerging threats or vulnerabilities
 - Include cybersecurity risks in the licensee's enterprise-wide risk management process
 - Provide personnel with cybersecurity awareness training
 - Implement information safeguards addressing identified threats and annually assess effectiveness of safeguards
 - Exercise due diligence in the third-party service provider selection process
 - Monitor, evaluate, and adjust the information security program as appropriate

- Establish a written incident response plan for responding to a cybersecurity event that addresses
 - Internal response processes
 - Goals of the plan
 - Roles, responsibilities, and decision authority
 - Internal processes for communication and information sharing
 - Plans for how to remediate identified weaknesses
 - Documentation and reporting of cybersecurity events
 - Evaluation and revision process of incident response plan
- 21.96.250(d) requires the licensee board to delegate responsibility of the program to executive management which is required to at least once a year develop a report that:
 - Provides overall status of the information security program and compliance with the contents of this bill
 - Material matters related to the information security program such as assessments, decisions, test results, cybersecurity events, and more
- If the executive management uses a delegate to implement the program, the executive management is required to oversee the development of the program by the delegate
- 21.96.260(f) sets requirements for licensees domiciled in the state to submit annual reports to the Director of Insurance certifying that the licensee complies with AS 21.96.50, including keeping records for at least five years.

Sec. 21.96.270. Investigation of cybersecurity event

Sets investigating requirements for licensees when a cybersecurity event occurs.

- If a cybersecurity event occurs, the licensee or responsible party shall investigate the event and assess the nature and scope of the event, identify nonpublic information involved, restore the security

of the information systems that were compromised, and retain relevant information for a period of at least 5 years

Sec. 21.96.280. Notification of cybersecurity event

Sets notification criteria for licensees when a cybersecurity event occurs

- Licensees must notify the director of insurance within 72 hours of a cybersecurity event occurring. Licensees are affected if:
 - They are insurers domiciled in the state
 - They are insurance producers in which Alaska is their home state
 - The cybersecurity event involves nonpublic information of 250 or more consumers and the event and:
 - State or federal law requires notice to a government agency
 - There is a reasonable likelihood of materially harming a consumer in the state or the licensee's normal operations
- The report to the director of insurance must include information specified in AS 21.96.280(b)(1-13) in a form and format as prescribed by the director
- 21.96.280(e) allows the 72-hour notification period to begin one day after the licensee is made aware of a cybersecurity event affecting information systems maintained by third-party service providers
- 21.96.280(f) sets requirements for assuming insurers to notify affected ceding insurers and the appropriate supervisory official of the licensee's state of domicile

Sec. 21.96.290. Confidentiality

Establishes that all information shared with the Division by licensees remains strictly confidential. This means that the information is:

- not subject to inspection and copying under AS 40.25.110
- not obtainable by subpoena or discovery

- not admissible in evidence in private civil action

21.96.290(b), (c), (d), (e) gives privileges to the director when using documents, materials, or information as described earlier in this section when done in the performance of the duties of the director.

Sec. 21.96.300. Applicability

This section establishes the criteria for which licensees are not subject to the provisions set by this bill.

- Licensee with fewer than 10 employees
- Licensees that are employees, agents, representatives, or designees of another licensee that is already covered by an information security program
- Licensee is subject to and in compliance with the Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191)

Sec. 21.96.310. Enforcement; penalties

Adds additional powers of examination and investigation to the director under AS 21.06.120.

- Does not create or imply a private cause of action if a licensee is found in violation of the stipulations within this bill (AS 21.96.250 - 21.96.399)

Sec. 21.96.399. Definitions

Adds definitions. Highlighted definitions are listed below:

- "Cybersecurity event" means an event resulting in unauthorized access to or disruption or misuses of an information system or information stored on the information system
- "Information security program" means the administrative, technical, and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store,

use, transmit, dispose of, or otherwise handle nonpublic information

- "Licensee" means a person licensed, authorized to operate, or registered, or required to be licensed, authorized, or registered, under the insurance laws of the State of Alaska

Section 2:

Rule 26, 402, and 501 Alaska Rules of evidence changes.

- Rules 26 - Prohibits discovery of evidence in the possession or control of the division of insurance that was provided by a licensee under AS 21.96.260(f) or 21.96.280(b)(2)-(5), (8), (10), or (11) or that is obtained by the director in an investigation or examination under AS 21.96.310.
- Rule 402 and 501 - AS 21.96.290(a)(4) and (c) enacted in Sec. 1 of this Act prevent the director of the division of insurance acting under the authority of the director from being compelled to testify about confidential or privileged documents. It also precludes admissibility of evidence in a private action of documents, materials, or other privileged information.

Section 3:

This section notices the Division to begin the process of writing regulations but does not implement any before the effective date in Sec. 8 of this Act.

Section 4:

A conditional effect for AS 21.96.290(a)(3) and (4) and (c) enacted by Sec. 1 of this bill requires a two-thirds majority vote of each house as required for court rules changes required by art. IV, sec. 15, of the Constitution of the State of Alaska

Section 5:

Sec.3 takes effect immediately so that the Division of Insurance can start drafting regulations.

Section 6:

Sets an effective date for several provisions of this bill of January 1, 2025 to give insurance companies and producers time to comply.

Section 7:

Sets an effective date of January 1, 2026 to give insurance companies and producers time to find a third-party service provider.

Section 8:

Except as provided in secs. 5 - 7 of this bill, this Act takes effect January 1, 2024, thus allowing time for compliance.

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SENATOR KIEHL expressed gratitude to the bill sponsor for bringing this bill forward, stating he is a fan of privacy protections. He expressed that SB 134 is a starting point to better understand the scope of the issue. He referred to the definitions section, stating the bill appears to focus exclusively on cybersecurity and computerized information. He asked whether anything in the bill, or already in statute, addresses how insurance companies protect personally identifiable information in physical form, such as paper records.

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SENATOR KAUFMAN said his intention is to defer questions of a broader scope to the director of the Division of Insurance.

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CHAIR CLAMAN directed the question to Director Wing-Heier.

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LORI WING-HEIER, Director, Division of Insurance, Department of Commerce, Community & Economic Development, Anchorage, Alaska, replied that AS 21 provides for some very limited authority in the event of a data breach. It does not extend to cybersecurity. She noted that nearly every agency is now paper-free, meaning the primary concern is a cyber risk rather than physical paper risks. She clarified that while the Division's authority is limited, insurers are required to report breaches. When a breach occurs, the Division works with the company to ensure clients are notified and appropriate remedies, such as free credit monitoring, are offered based on the specifics of the situation.

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SENATOR KIEHL said that SB 134 includes language about notifying the director of the Division of Insurance when a cybersecurity event or data breach occurs but does not appear to directly address consumer notification. The statutes reference the Alaska Personal Information Protection Act and questioned whether it requires consumer notification. He asked whether existing statutes address how notification is handled.

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MS. WING-HEIER replied that while the Alaska Statutes give very limited statutory direction, the Division would most definitely require notification to consumers if their data were compromised. She shared some recent headline news about a Change Healthcare data breach, stating that Change Healthcare, a platform owned by UnitedHealth [Group], experienced a breach in February that severely disrupted pharmacies, hospitals, and medical clinics nationwide. She explained that Change Healthcare provides various platforms for preauthorization of medical services and prescriptions, and the breach left many facilities unable to operate normally.

MS. WING-HEIER stated that the Division has very little authority to work with Change Healthcare because Alaska does not have a cybersecurity law. She reported that she had just returned from the spring National Association of Insurance Commissioners (NAIC) meeting last night, where the chief executive officer (CEO) participated in a regulator-to-regulator session. She said the CEO was strongly questioned due to the massive scale of the breach. Some clinics and facilities may be forced to close because they are not receiving payments and cannot meet payroll obligations. Change Healthcare not only processes UnitedHealthcare claims, but handles claims for many insurance companies, doctors, and pharmacists.

MS. WING-HEIER said the Division issued a bulletin to try and help consumers, emphasizing that it was about as far as she could go under current law.

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SENATOR KIEHL sought confirmation about consumer breach notifications, asking whether she is comfortable with AS 45.48, and other statutes, providing sufficient authority to notify or require an insurer to notify customers of a breach of their data.

MS. WING-HEIER replied that the Division of Insurance relies on existing statutory authority to ensure consumer notification of a breach of their data.

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CHAIR CLAMAN commented that, if the legislature wanted, it could add a provision to statute that required consumer notification.

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SENATOR TOBIN noted that the definition section in SB 134 includes some thorough definitions and remarked that she would be hard-pressed to craft definitions as eloquently written. She asked whether the sponsor based the bill on model legislation from another entity or whether the sponsor's staff drafted the definitions.

SENATOR KAUFMAN expressed appreciation for his staff, describing them as marvelous, and said SB 134 was a collaborative effort. He stated that while other models influenced the definitions, the bill also reflects input from industry professionals and other stakeholders. He explained that the team developed a matrix to identify problems, propose solutions, and mitigate potential effects. He said the work is ongoing and anticipates further input and clarification as the bill moves forward.

SENATOR KAUFMAN highlighted that while the comprehensive list of actions outlined in the bill is remarkable, even more so is the realization that many of these data protections are not yet standard practice. He said that though the goal of protecting data is simple, the complexity lies in implementing it without increasing costs, creating bottlenecks, or introducing irreconcilable conflicts.

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SENATOR TOBIN stated that one of the strongest levels of consumer protection is double encryption but expressed uncertainty about its feasibility within the insurance industry. She explained that achieving such protection would require decoupling identifying information to enable end-to-end encryption. She asked whether it is possible to decouple identifying information to provide an extra level of consumer protection, or whether that would be too great a hill to climb.

MS. WING-HEIER replied that specific claim information is double encrypted, particularly within health payment utilization databases. She noted that while claim data is transmitted with encryption, underwriting information is not necessarily double

encrypted. She explained that if a data breach were to occur during the underwriting process, it could expose individual files containing sensitive personal details like Social Security numbers, dates of birth, and other collected information. She emphasized that this concern applies not only to health or life insurance, but to all types of insurance.

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SENATOR TOBIN said she was unsure whether additional protections were possible within the current framework. She referenced the definition of "encrypt" on page 13, line 19, and questioned whether there might be opportunities to strengthen the language or add provisions to enhance data security. She expressed concern for her own family members, noting that while they rely on various insurance tools for protection, it is equally important to ensure that their personal data is safeguarded.

SENATOR TOBIN asked whether there is a way to provide some clarity on what the committee can and cannot double encrypt and about other protections the committee could add. The expectation is to decouple as much information as possible.

MS. WING-HEIER replied that she could work with the bill sponsor and his staff but surmised insurers would likely say that changes to their platforms and programs would be necessary. She stated that she would look into the matter and report back on whether additional safeguards could be incorporated into the bill to better protect personal information.

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SENATOR KIEHL observed that SB 134 includes deadlines for insurers to notify the director when a breach occurs in a system maintained by a third party under contract with the insurer. He noted that the notification timeline begins once the third party informs the insurer. He asked whether there is a deadline by which the third party must notify the insurer.

SENATOR KAUFMAN replied that the chain of notification, how to manage it, and the related accountabilities are part of the ongoing work of SB 134. He deferred to the director to address some of the details.

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MS. WING-HEIER stated that the insurance industry approached the bill sponsor and asked for a notification deadline revision from 72 hours to three days. She agreed to the change on the condition that the first day begins when the insurer is notified

of the breach. She explained that this becomes more complicated with third-party vendors because the Division does not have direct statutory or regulatory authority over them. She clarified, however, that she does have authority over the insurance company and can hold insurers accountable for their vendors' actions. She emphasized that insurers are liable for their vendors' conduct.

MS. WING-HEIER reiterated that the Division expects the insurer, not the vendor, to notify the department within three days of being informed of a breach. She added that this issue has been a major topic of discussion, particularly as the algorithms and models used by third-party vendors present concerns.

MS. WING-HEIER concluded by stating SB 134 proposes the insurer inform the Division within three days of when the vendor notifies them. Ideally, the insurer's contract requires the vendor to make immediate notification.

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SENATOR KIEHL said he is interested in working with the sponsor's office and the director on language that would require insurance companies to include contractual provisions that ensure timely notification of a data breach. He said the goal is to give the director the power to enforce such provisions and activate a response plan to prevent situations where affected individuals never receive notice.

SENATOR KIEHL shifted to a new topic, referencing the director's use of the word "liable." He brought up the confidentiality provisions in SB 134, stating that it is unclear how far they extend. It appears the provisions prohibit disclosure of personal identifiable information in lawsuits against a company. However, it is not clear whether they prohibit any information from the Division from being used in court if an individual sues a company for violating cybersecurity rules. He asked how far those confidentiality provisions go.

MS. WING-HEIER replied that it is fairly clear that the Division has to keep confidential any market conduct, examination, or investigation files. However, this does not prevent a private citizen from obtaining information directly from the insurance company through court action. She explained that to ensure an investigation is not impeded, Division files are confidential; this is true for about any investigation the Division conducts. She said that while Division files are confidential, it does not

bar individuals from pursuing them through the parties responsible for the data breach.

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SENATOR KIEHL sought confirmation that the need for a court rule change is consistent with existing process and practice.

MS. WING-HEIER replied that is precisely why SB 134 requires a court rule change. She explained that, under standard procedures, a person might be able to obtain information from the Division as the entity in possession of the data. However, a provision in SB 134 explicitly states that such information cannot be obtained from the Division. Instead, individuals must seek it from the party responsible for the breach, such as the insurance company, adjuster, or brokerage firm that held the data.

SENATOR KIEHL responded that, in that case, this provision appears to differ from standard practice.

MS. WING-HEIER agreed and clarified her answer, confirming that it does differ. She noted that is why the court rule change is necessary and why it requires a two-thirds vote for adoption of the change.

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SENATOR TOBIN expressed her understanding that SB 134 exempts small brokerage firms with fewer than ten employees. She assumed this exemption was intended to avoid placing an undue burden on smaller firms. She asked how the exemption would apply to brokerage firms operating under a franchise model. She explained that her own insurance provider, for example, operates under the auspices of New York Life but may only have one or two employees in the local office. She asked whether such franchised offices would be required to meet the stipulations of the legislation or would fall under its exemption.

MS. WING-HEIER replied, in that example of a franchise, the Division expects firms such as Marsh McLennan Agency, State Farm, or Allstate to comply. However, under SB 134, small independent businesses with ten employees or fewer would be eligible for a compliance waiver.

SENATOR TOBIN requested a better understanding of the court rule change.

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CHAIR CLAMAN invited Ms. Meade from the Alaska Court System to put herself on the record to answer questions.

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NANCY MEADE, General Counsel, Administrative Offices, Alaska Court System, Anchorage, Alaska, answered questions during the discussion of SB 134.

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SENATOR TOBIN referenced the indirect court rule amendments on page 15 of SB 134. She noted that the language essentially establishes a change in court rules and creates new privileges for the Division of Insurance. She expressed interest in hearing the Alaska Court System interpretation of and input on these provisions, noting that court rule changes should be made judiciously.

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MS. MEADE said SB 134 proposes fairly routine court rule changes, which the legislature makes when it establishes statutory provisions that are part of substantive legislation.

MS. MEADE referred to page 10, line 22, which outlines specific and unique confidentiality provisions that would be privileged and not subject to discovery. These provisions are directly linked to the first indirect court rule amendment, Rule 26, the discovery rule, found on page 15, line 15. She stated that, in general, the discovery rule allows parties in a civil case to obtain any relevant information that would help them in preparing their case unless an exception applies. SB 134 creates such an exemption on page 10, starting on line 22. It is a discovery rule exception and because it affects Rule 26, a corresponding amendment is required in the indirect court rule amendment section on page 15.

MS. MEADE continued explaining proposed changes to Alaska Rules of Evidence 402 and 501 on page 15, line 21. These changes pertain to admissible evidence and recognized privileges, such as spousal or psychotherapist-patient privilege. Alaska Rules of Evidence 402 and 501 must recognize these special privilege changes in law, which is the basis for these indirect court rule amendments.

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CHAIR CLAMAN observed that one of the challenges in highly accessible internet environments, such as insurance, is balancing access and privacy. He said that as a consumer, people

want to find information about their coverage, whether it be medical, auto, or otherwise. Consumers want to find information quickly and easily without navigating numerous layers. By the same token, consumers want their personal data to remain inaccessible to others. He praised SB 134 for addressing this complex dynamic. The legislation enables consumer access while preventing unauthorized access, a balance that is difficult to achieve.

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SENATOR KAUFMAN agreed, noting that achieving this balance has been central to the legislation. He stated that SB 134 affects many components and must be implemented carefully to avoid loopholes. He remarked that the bill reflects the broader challenge of updating statutes in a rapidly evolving technological environment. Gaps in statute occur when the speed of technology outpaces lawmaking, and making these changes is not easy, often causing updates to languish. He emphasized the importance of crafting legislation that not only protects data but also facilitates commerce by allowing consumers controlled access to their information through secure portals.

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CHAIR CLAMAN opened public testimony on SB 134; finding none, he closed public testimony.

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CHAIR CLAMAN held SB 134 in committee.

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There being no further business to come before the committee, Chair Claman adjourned the Senate Judiciary Standing Committee meeting at 2:47 p.m.