



May 24, 2023

Hon. Andrea Stewart-Cousins
Majority Leader
New York State Senate
Capitol Building
Room 330
Albany, New York 12247

Hon. Carl Heastie
Speaker
New York State Assembly
Legislative Office Building
Room 932
Albany, New York 12248

RE: S.365-A (Thomas) / A.7423 (Rozić)

Dear Majority Leader Stewart-Cousins and Speaker Heastie:

On behalf of the undersigned organizations, representing thousands of employers in New York State, we write to express our concerns with the captioned legislation. The implications of the requirements would present real and significant challenges to main street businesses at a critical time for the state's economic recovery.

The proposal as currently drafted would divert significantly from privacy laws in many other states, including Connecticut. Businesses and consumers alike would be forced to understand – and implement – a very complex set of unique privacy standards that differ from one state to the next. This would dilute the effectiveness of the public policy, which should be transparent for the resident and implemented reasonably and successfully by regulated businesses. There are also specific and prescriptive requirements in the referenced bill that would provide minimal, if any, benefits to New Yorkers, while placing an extraordinary burden on businesses throughout the state.

To be clear, our organizations take very seriously issues related to consumer data and privacy, and our concerns with this legislation do not detract from ongoing efforts in this space. Many of us have prioritized a national solution and have supported efforts at the federal level, as a single, national consumer privacy law is ideal. In the absence of an agreement in Washington, D.C., we understand state lawmakers are inclined to act, but the current language is not a workable model for a variety of reasons.

New York policymakers are in a unique position to establish a privacy standard that meets the expectations of consumers, while ensuring businesses that invest in the state are not at a competitive disadvantage nor subject to conflicting laws in the region.

Each stakeholder listed recognizes the importance of protecting consumer data and the value of maintaining trust between the businesses and customers we serve. While we will remain a constructive part of the conversation on these issues, we respectfully ask that you take our thoughts into consideration before acting expeditiously to approve a comprehensive privacy bill in New York State.

Respectfully submitted,

Retail Council of New York State

Partnership for New York City

The Business Council of New York State

Brooklyn Chamber of Commerce

Bronx Chamber of Commerce

Business Council of Westchester

Capital Region Chamber

Food Industry Alliance of New York State

Long Island Association

Manhattan Chamber of Commerce

New York Association of Convenience Stores

New York State Restaurant Association

Queens Chamber of Commerce

Staten Island Chamber of Commerce

Upstate United