



March 27, 2023

Representative Fiona McFarland  
212 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Representative Tyler Sirois  
303 House Office Building  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Representative Lauren Melo  
308 House Office Building  
402 South Monroe Street  
Tallahassee, FL 32399-1300

Representative Joe Casello  
1401 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399-1300

**RE: HB 1547 — Oppose**

Dear Representative McFarland, Chair Sirois, Vice Chair Melo, and Ranking Member Casello:

On behalf of the advertising industry, we write to respectfully ask you to decline to advance Florida HB 1547.<sup>1</sup> We and the companies we represent, many of whom do substantial business in Florida, strongly believe consumers deserve meaningful privacy protections supported by reasonable laws and responsible industry policies. However, HB 1547's provisions are out-of-step with existing state privacy laws in ways that would have a devastating impact on the Florida economy and the businesses that support it. HB 1547 would make Florida less friendly to small businesses than California.

HB 1547 contains provisions that would significantly impede Florida businesses and the Florida residents who own them from reaching existing and potential customers with advertisements. SB HB 1547's definition of "controller" attempts to regulate entities that make in excess of \$1 billion in gross revenues and satisfy certain other thresholds.<sup>2</sup> However, HB 1547 fails to account for the fact that Florida businesses rely on these covered entities — platforms, social media companies, e-commerce marketplaces, and other services that bring businesses and customers together. Regulating "controllers" in the manner proposed by HB 1547 would decimate small business growth and make small businesses less competitive, thus diminishing the vibrancy of offerings available to consumers in the American economy. A significant percentage of small businesses (77%) report that they would "struggle to survive" without access to the technology platforms that drive their ability to engage with customers.<sup>3</sup> Moreover, approximately 80% of small businesses state that technology platforms have

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<sup>1</sup> Florida HB 1547, Reg. Sess. (2023), located [here](#) (hereinafter, "HB 1547").

<sup>2</sup> *Id.* at Section 2, § 501.173(2)(e).

<sup>3</sup> U.S. Chamber of Commerce Technology Engagement Center, *Empowering Small Business: The Impact of Technology on U.S. Small Business* at 16 (2022), located [here](#) (hereinafter, "U.S. Chamber of Commerce 2022").

helped them better cope with staffing issues and access high quality talent.<sup>4</sup> If enacted, HB 1547 would destroy small businesses' ability to operate, leverage the platforms and other marketplaces that power their ability to do business, and provide value in the modern digital economy.

Florida businesses, and in particular small businesses, depend on the covered entities under HB 1547 to reach audiences for their products and services. Studies also show that small businesses rely on digital advertising—much of which is provided through social media, search engines, voice recognition devices, and other offerings and platforms supported by covered entities—to reach consumers at scale and efficiently.<sup>5</sup> The bill's onerous provisions would have a ripple effect throughout the Florida economy, severely limiting Florida companies' ability to advertise and market their offerings to reach interested potential customers. According to one study, 93% of small businesses use at least one technology platform for digital advertising, and when they use such platforms, they contribute \$17.7 trillion to the economy.<sup>6</sup> Instead of enacting a bill that would create catastrophic impacts for the Florida marketplace, the state should harmonize its approach with existing state privacy laws to minimize compliance costs, ensure businesses can continue to thrive in Florida, and enable Floridians to continue to access the Internet for free or at a very low cost, as described in more detail in the sections that follow below.

As the nation's leading advertising and marketing trade associations, we collectively represent thousands of companies across the country. These companies range from small businesses to household brands, long-standing and emerging publishers, advertising agencies, and technology providers. Our combined membership includes more than 2,500 companies that power the commercial Internet, which accounted for 12 percent of total U.S. gross domestic product ("GDP") in 2020.<sup>7</sup> By one estimate, over 370,000 jobs in Florida are derived from the ad-subsidized Internet.<sup>8</sup> Our group has more than a decade's worth of hands-on experience it can bring to bear on matters related to consumer privacy and controls. We provide below our comments on a non-exhaustive list of concerns with HB 1547. We would welcome the opportunity to engage with you further on our suggested amendments to HB 1547 outlined here.

## **I. Florida Should Take Steps to Harmonize Its Approach to Privacy with Other State Laws**

In the current absence of a national standard for data privacy at the federal level, it is critical for Florida legislators to seriously consider the costs to both consumers and businesses that will accrue from a patchwork of differing privacy standards across the states. Harmonization with existing privacy laws is essential for creating an environment where consumers in Florida and other states have a consistent set of expectations, while minimizing compliance costs for businesses. Moreover, as drafted, HB 1547 would take effect on July 1, 2023, giving covered entities and the Florida businesses that would be impacted by the bill's provisions mere months to adjust to new requirements and limitations. The short ramp-up period before HB 1547's proposed effective date would exacerbate the already significant compliance challenges associated with the bill and its unique terms. Furthermore,

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<sup>4</sup> *Id.* at 14.

<sup>5</sup> See SBE Council, *Online Advertising Delivers BIG Benefits for Small Businesses* (Sept. 10, 2019), <https://sbecouncil.org/2019/09/10/online-advertising-delivers-big-benefits-for-small-businesses/>; DELOITTE, DYNAMIC MARKETS: UNLOCKING SMALL BUSINESS INNOVATION AND GROWTH THROUGH THE RISE OF THE PERSONALIZED ECONOMY at 27 (May 2021), <https://istasyon.fb.com/tr/wp-content/uploads/sites/56/2022/09/dynamic-markets-deloitte-report.pdf>.

<sup>6</sup> U.S. Chamber of Commerce (2022) at 10.

<sup>7</sup> John Deighton and Leora Kornfeld, *The Economic Impact of the Market-Making Internet*, INTERACTIVE ADVERTISING BUREAU, 124-125 (Oct. 2021), located at [https://www.iab.com/wp-content/uploads/2021/10/IAB\\_Economic\\_Impact\\_of\\_the\\_Market-Making\\_Internet\\_Study\\_2021-10.pdf](https://www.iab.com/wp-content/uploads/2021/10/IAB_Economic_Impact_of_the_Market-Making_Internet_Study_2021-10.pdf) (hereinafter, "Deighton & Kornfeld 2021").

<sup>8</sup> *Id.* at 132.

as currently drafted, HB 1547 would be out of step with all other state privacy laws, making Florida more restrictive than even California. For example, HB 1547 would subject personal information shared with a third party to a double opt out.<sup>9</sup> First, a controller would be required to provide consumers an opportunity to opt out from sharing personal information with third parties. Then, a third party that receives personal information from a controller must provide that same consumer the opportunity to opt out of sharing or sale of personal information *before* themselves selling or sharing the personal information. This double opt out should be removed as it is duplicative and therefore unnecessary.

Compliance costs associated with divergent privacy laws are significant. To make the point: a regulatory impact assessment of the California Consumer Privacy Act of 2018 (“CCPA”) concluded that the initial compliance costs to California firms for the CCPA *alone* would be \$55 billion.<sup>10</sup> Additionally, a study on proposed privacy bill in Florida in 2021 that was similar to HB 1547 found that the proposal would have generated a direct initial compliance cost of between \$6.2 billion to \$21 billion, and an ongoing annual compliance cost of between \$4.6 billion to \$12.7 billion for companies.<sup>11</sup> Coupled with those estimated costs, HB 1547 proposes to impose massive penalties of up to \$150,000 per violation on covered entities that run afoul of its provisions.<sup>12</sup> Such potential penalties would only add to the significant cost burden businesses would be forced to shoulder under HB 1547.

Other studies confirm the staggering costs associated with different state privacy standards. One report found that state privacy laws could impose out-of-state costs of between \$98 billion and \$112 billion annually, with costs exceeding \$1 trillion dollars over a 10-year period and small businesses shouldering a significant portion of the compliance cost burden.<sup>13</sup> Florida should not add to this compliance burden for businesses and should instead opt for an approach to data privacy that is in harmony with already existing state privacy laws.

## **II. HB 1547’s Exclusions and Rights Are Unclear, and Its Definitions Could Have Disastrous Impacts for Florida Businesses**

Several exclusions and definitions in HB 1547 are misaligned with other state privacy laws in ways that could severely hinder Florida companies from reaching new and existing audiences for their products and services. For instance, the bill *exempts* “[p]ersonal information collected through *the controller’s* direct interactions with the consumer... which is used *by the controller*... to advertise or market products or services that are *produced or offered directly by the controller*.”<sup>14</sup> This exemption appears to allow “controllers”—companies making in excess of \$1 billion dollars—to use personal information collected through direct interactions with consumers to engage in advertising and marketing for their own products and services. However, HB 1547 would not permit that data to be

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<sup>9</sup> HB 1547, Section 2, § 501.173(9)(c)(1).

<sup>10</sup> See State of California Department of Justice Office of the Attorney General, *Standardized Regulatory Impact Assessment: California Consumer Privacy Act of 2018 Regulations* at 11 (Aug. 2019), located at <https://www.oag.ca.gov/sites/all/files/agweb/pdfs/privacy/ccpa-isor-appendices.pdf>.

<sup>11</sup> See Florida Tax Watch, *Who Knows What? An Independent Analysis of the Potential Effects of Consumer Data Privacy Legislation in Florida* at 2 (Oct. 2021), located at <https://floridatxwatch.org/DesktopModules/EasyDNNNews/DocumentDownload.ashx?portalid=210&moduleid=34407&articleid=19090&documentid=986>.

<sup>12</sup> HB 1547, Section 2, § 501.173(11)(a).

<sup>13</sup> Daniel Castro, Luke Dascoli, and Gillian Diebold, *The Looming Cost of a Patchwork of State Privacy Laws* (Jan. 24, 2022), located at <https://itif.org/publications/2022/01/24/looming-cost-patchwork-state-privacy-laws> (finding that small businesses would bear approximately \$20-23 billion of the out-of-state cost burden associated with state privacy law compliance annually).

<sup>14</sup> HB 1547, Section 2, § 501.173(1)(g) (emphasis added).

used for advertising by other parties. Small businesses rely on covered entities to reach new audiences with advertising for products and services. In this way, the bill's unique definition of "controller," coupled with its ambiguous exclusions, could have the unintended effect of severely limiting other Florida businesses from engaging in lawful and responsible advertising and marketing.

Similarly, the bill's definitions are out-of-step with existing privacy laws in ways that could unnecessarily impede advertising and business transactions. The bill's definition of "aggregate consumer information," for example, "does not include information about a group or category of consumers used to facilitate targeted advertising or the display of ads online."<sup>15</sup> The bill provides no principled reason for excluding advertising functionalities from the definition of "aggregate consumer information." Aggregate consumer information is exempt from every other omnibus state privacy law's definition of "personal information" or "personal data;" without the aforementioned qualifier, HB 1547 would add to the definition related to advertising. Consequently, HB 1547's divergent definition could result in significantly hindering Florida businesses from reaching consumers with advertising and marketing based on the processing of aggregate consumer information.

Finally, HB 1547's opt-out for "sharing" contrasts with the approach to that right in existing state privacy laws and is significantly unclear. The bill's definition of "sharing" includes transfers of personal identifying information for advertising or marketing.<sup>16</sup> "Advertising or marketing" is not defined under the bill, and thus could be interpreted to include first party advertising, contextual advertising, and myriad other advertising techniques that enable Florida businesses to thrive and connect consumers with products and services they may desire. To avoid severe potential impacts to the Florida economy, we encourage the legislature to take steps to unify HB 1547's approach, definitions, and exclusions with existing terms in other state privacy laws.

### **III. HB 1547's Data Retention Schedule Restrictions Would Impede Florida Businesses From Reaching Existing Customers Online**

HB 1547 would place strict data retention rules on controllers, prohibiting them from using or retaining personal information upon "satisfaction of the initial purpose for which such information was collected or obtained, after the expiration or termination of the contract pursuant to which the information was collected or obtained, or 2 years after the consumer's last interaction with the controller."<sup>17</sup> This requirement is not present in any other state privacy law and would needlessly hinder Florida businesses' ability to communicate with and advertise to consumers through social media, search engines, and other platforms. Consumers pause engagement with a business for numerous reasons. This provision would remove choice from consumers and risk deletion of data when that is not the intention of consumers.

HB 1547 would hinder businesses' ability to market to past consumers who have used their services. This impact could particularly affect small businesses and start-ups in Florida who may benefit from reaching out to consumers who have used their products in the past to market to them. Companies retain data in the regular course of business for multiple legitimate purposes, such as fraud prevention and back-up storage. In particular, data back-ups are an indispensable part of continuity and operations planning, as they allow for data protection and recovery in the event of cybersecurity incidents, natural disasters, or other unanticipated events. Requiring controllers to refrain from using or retaining personal information at an arbitrary time, with only limited exceptions, does not take into account the specific needs of businesses or benefits that accrue to consumers by controllers'

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<sup>15</sup> *Id.* at Section 2, § 501.173(2)(a).

<sup>16</sup> *Id.* at Section 2, § 501.173(2)(q).

<sup>17</sup> *Id.* at Section 2, § 501.173(3)(g).

maintenance of such information. This provision of the bill is shortsighted, overly burdensome, and unnecessary. We respectfully request that this requirement be removed from HB 1547.

#### **IV. HB 1547’s Third Party Disclosure Requirement Should Be Converted into A Requirement to Disclose the Categories of Third Parties**

As presently drafted, HB 1547 would, upon a Florida consumer’s request, require controllers to disclose “the third parties to which the personal information about the consumer was sold or shared”.<sup>18</sup> Other states that have enacted privacy laws do not include this impractical requirement. Instead, all other state privacy laws require companies to disclose the *categories* of third parties to whom they transfer personal information rather than the specific names of such third parties themselves.<sup>19</sup>

Requiring disclosure of names of entities would be operationally burdensome, as entities change customers, business partners, and vendors frequently, and companies regularly merge with others and change names. For instance, a controller may engage in a data exchange with a new business-customer on the same day it responds to a consumer disclosure request. The requirement to disclose the names of all third-party personal information recipients would either force the controller to refrain from engaging in commerce with the new business-customer—which could be a Florida business that is eager to enter into a contract or deal with a controller—until its consumer disclosures are updated, or risk violating the law. This is an unreasonable restraint, and the impact of such a requirement would likely have the ultimate impact of harming Florida businesses seeking to contract with controllers rather than implementing truly meaningful protections for Florida consumers.

International privacy standards like the European Union’s General Data Protection Regulation (“GDPR”) also do not require burdensome disclosures of specific third parties in response to data subject access requests, according to the text of the law. Mandating that controllers disclose the names of their third-party customers or partners could obligate them to abridge confidentiality clauses they maintain in their contracts and expose proprietary business information to their competitors. Finally, the consumer benefit that would accrue from receipt of a list of third-party partners to whom a controller discloses data would be minimal at best. For these reasons, we encourage you to reconsider this onerous requirement, which severely diverges from the approach to required disclosures taken in existing state privacy laws. To align HB 1547 with other state privacy laws, the bill should require disclosures of the categories of third parties rather than the names of such third parties themselves.

#### **V. HB 1547’s Proposed Amendments to the State’s Data Breach Notification Statute Are Unnecessary and Misaligned with Other State Requirements**

HB 1547 would make Florida a significant outlier in comparison to breach notification requirements in other states without providing helpful data breach protections for consumers. As drafted, the bill would add biometric information, genetic information, and “[a]ny information regarding an individual’s geolocation” as data elements subject to the state’s data breach notification statute.<sup>20</sup> Breach notification statutes serve to provide consumers and regulators with information about an unauthorized access to or acquisition of specific kinds of information, such as financial information, in combination with identifiable personal data, so they can take action to mitigate the potential impacts of such an event including identity theft or fraud. By contrast, disclosures of geolocation data, biometric information, and genetic information do not carry the same potential

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<sup>18</sup> *Id.* at Section 2, § 501.173(4)(a)(4).

<sup>19</sup> *See, e.g.*, Cal. Civ. Code § 1798.110; Va. Code Ann. § 59.1-578(C); Colo. Rev. Stat. § 6-1-1301(1)(a) (effective Jul. 1, 2023); Connecticut Act Concerning Personal Data Privacy and Online Monitoring, Sec. 6(c) (effective Jul. 1, 2023); Utah Rev. Stat. § 16-61-302(1)(a) (effective Dec. 31, 2023).

<sup>20</sup> HB 1547, Section 3.

consequences for consumers. Moreover, geolocation data is frequently shared by users, with permission, to companies for common uses including mapping, locating nearby gas stations, and other online personalization.

HB 1547's proposed amendment to state breach notification requirements is unnecessary and impractical. Because geolocation data, biometric information, and genetic information do not carry inherent risks of identity theft or fraud, and because including those data elements in the state's data breach notification law could have a chilling effect on the provision of products and services, we ask you to amend HB 1547 to remove the proposed changes to the breach notification statute.

## **VI. The Data-Driven and Ad-Supported Online Ecosystem Benefits Floridians and Fuels Economic Growth**

Over the past several decades, data-driven advertising has created a platform for innovation and tremendous growth opportunities. A recent study found that the Internet economy's contribution to the United States' GDP grew 22 percent per year since 2016, in a national economy that grows between two to three percent per year.<sup>21</sup> In 2020 alone, it contributed \$2.45 trillion to the U.S.'s \$21.18 trillion GDP, which marks an eightfold growth from the Internet's contribution to GDP in 2008 of \$300 billion.<sup>22</sup> Additionally, more than 17 million jobs in the U.S. were generated by the commercial Internet in 2020, 7 million more than four years prior.<sup>23</sup> More Internet jobs, 38 percent, were created by small firms and self-employed individuals than by the largest Internet companies, which generated 34 percent.<sup>24</sup> The same study found that the ad-supported Internet supported 370,122 full-time jobs across Florida, more than double the number of Internet-driven jobs from 2016.<sup>25</sup>

### **A. Advertising Fuels Economic Growth**

Data-driven advertising supports a competitive online marketplace and contributes to tremendous economic growth. Overly restrictive legislation that significantly hinders certain advertising practices, such as third-party tracking, could yield tens of billions of dollars in losses for the U.S. economy—and, importantly, not just in the advertising sector.<sup>26</sup> One recent study found that “[t]he U.S. open web’s independent publishers and companies reliant on open web tech would lose between \$32 and \$39 billion in annual revenue by 2025” if third-party tracking were to end “without mitigation.”<sup>27</sup> That same study found that the lost revenue would become absorbed by “walled gardens,” or entrenched market players, thereby consolidating power and revenue in a small group of powerful entities.<sup>28</sup> Smaller news and information publishers, multi-genre content publishers, and specialized research and user-generated content would lose more than an estimated \$15.5 billion in revenue.<sup>29</sup> According to one study, “[b]y the numbers, small advertisers dominate digital advertising, precisely because online advertising offers the opportunity for low cost outreach to potential customers.”<sup>30</sup> Absent cost-effective avenues for these smaller advertisers to reach the public,

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<sup>21</sup> Deighton & Kornfeld 2021 at 5.

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at 6.

<sup>25</sup> Compare *id.* at 129 (Oct. 2021), located [here](#) with John Deighton, Leora Kornfeld, and Marlon Gerra, *Economic Value of the Advertising-Supported Internet Ecosystem*, INTERACTIVE ADVERTISING BUREAU, 106 (2017), located [here](#) (finding that Internet employment contributed 181,349 full-time jobs to the Florida workforce in 2016 and 370,122 jobs in 2020).

<sup>26</sup> See John Deighton, *The Socioeconomic Impact of Internet Tracking* 4 (Feb. 2020), located at <https://www.iab.com/wp-content/uploads/2020/02/The-Socio-Economic-Impact-of-Internet-Tracking.pdf>.

<sup>27</sup> *Id.* at 34.

<sup>28</sup> *Id.* at 15-16.

<sup>29</sup> *Id.* at 28.

<sup>30</sup> J. Howard Beales & Andrew Stivers, *An Information Economy Without Data*, 9 (2022), located [here](#).



businesses focused on digital or online-only strategies would suffer immensely in a world where digital advertising is unnecessarily encumbered by overly-broad regulations.<sup>31</sup> Data-driven advertising has thus helped to stratify economic market power and foster competition, ensuring that smaller online publishers can remain competitive with large global technology companies.

## **B. Advertising Supports Floridians' Access to Online Services and Content**

In addition to providing economic benefits, data-driven advertising subsidizes the vast and varied free and low-cost content publishers offer consumers through the Internet, including public health announcements, news, and cutting-edge information. Advertising revenue is an important source of funds for digital publishers,<sup>32</sup> and decreased advertising spends directly translate into lost profits for those outlets. Revenues from online advertising based on the responsible use of data support the cost of content that publishers provide and consumers value and expect.<sup>33</sup> And, consumers tell us that. In fact, consumers valued the benefit they receive from digital advertising-subsidized online content at \$1,404 per year in 2020—a 17% increase from 2016.<sup>34</sup> Another study found that the free and low-cost goods and services consumers receive via the ad-supported Internet amount to approximately \$30,000 of value per year, measured in 2017 dollars.<sup>35</sup> Legislative frameworks that inhibit or restrict digital advertising can cripple news sites, blogs, online encyclopedias, and other vital information repositories, and these unintended consequences also translate into a new tax on consumers. The effects of such legislative frameworks ultimately harm consumers by reducing the availability of free or low-cost educational content that is available online.

## **C. Consumers Prefer Personalized Ads & Ad-Supported Digital Content and Media**

Consumers, across income levels and geography, embrace the ad-supported Internet and use it to create value in all areas of life. Importantly, research demonstrates that consumers are generally not reluctant to participate online due to data-driven advertising and marketing practices. One study found more than half of consumers (53 percent) desire relevant ads, and a significant majority (86 percent) desire tailored discounts for online products and services.<sup>36</sup> Additionally, in a recent Zogby survey conducted by the Digital Advertising Alliance, 90 percent of consumers stated that free content was important to the overall value of the Internet and 85 percent surveyed stated they prefer the existing ad-supported model, where most content is free, rather than a non-ad supported Internet where consumers must pay for most content.<sup>37</sup> Indeed, as the Federal Trade Commission noted in its comments to the National Telecommunications and Information Administration, if a subscription-based model replaced the ad-based model, many consumers likely would not be able to afford access to, or would be

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<sup>31</sup> See *id.* at 8.

<sup>32</sup> See Howard Beales, *The Value of Behavioral Targeting* 3 (2010), located at

[https://www.researchgate.net/profile/Howard-Beales/publication/265266107\\_The\\_Value\\_of\\_Behavioral\\_Targeting/links/599ecee6fdcc500355d5af/The-Value-of-Behavioral-Targeting.pdf](https://www.researchgate.net/profile/Howard-Beales/publication/265266107_The_Value_of_Behavioral_Targeting/links/599ecee6fdcc500355d5af/The-Value-of-Behavioral-Targeting.pdf).

<sup>33</sup> See John Deighton & Peter A. Johnson, *The Value of Data: Consequences for Insight, Innovation & Efficiency in the US Economy* (2015), located at <https://www.ipc.be/~media/documents/public/markets/the-value-of-data-consequences-for-insight-innovation-and-efficiency-in-the-us-economy.pdf>.

<sup>34</sup> Digital Advertising Alliance, *Americans Value Free Ad-Supported Online Services at \$1,400/Year; Annual Value Jumps More Than \$200 Since 2016* (Sept. 28, 2020), located [here](#).

<sup>35</sup> J. Howard Beales & Andrew Stivers, *An Information Economy Without Data*, 2 (2022), located [here](#).

<sup>36</sup> Mark Sableman, Heather Shoenberger & Esther Thorson, *Consumer Attitudes Toward Relevant Online Behavioral Advertising: Crucial Evidence in the Data Privacy Debates* (2013), located at [https://www.thompsoncoburn.com/docs/default-source/Blog-documents/consumer-attitudes-toward-relevant-online-behavioral-advertising-crucial-evidence-in-the-data-privacy-debates.pdf?sfvrsn=86d44cea\\_0](https://www.thompsoncoburn.com/docs/default-source/Blog-documents/consumer-attitudes-toward-relevant-online-behavioral-advertising-crucial-evidence-in-the-data-privacy-debates.pdf?sfvrsn=86d44cea_0).

<sup>37</sup> Digital Advertising Alliance, *Zogby Analytics Public Opinion Survey on Value of the Ad-Supported Internet Summary Report* (May 2016), located at [https://digitaladvertisingalliance.org/sites/aboutads/files/DAA\\_files/ZogbyAnalyticsConsumerValueStudy2016.pdf](https://digitaladvertisingalliance.org/sites/aboutads/files/DAA_files/ZogbyAnalyticsConsumerValueStudy2016.pdf).

reluctant to utilize, all of the information, products, and services they rely on today and that will become available in the future.<sup>38</sup>

Laws that restrict access to information and economic growth can have lasting and damaging effects. The ability of consumers to provide, and companies to responsibly collect and use, consumer data has been an integral part of the dissemination of information and the fabric of our economy for decades. The collection and use of data are vital to our daily lives, as much of the content we consume over the Internet is powered by open flows of information that are supported by advertising. We therefore respectfully ask you to carefully consider the potential impact of HB 1547 on advertising, the consumers who reap the benefits of such advertising, and the overall economy before advancing it through the legislative process.

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We and our members support protecting consumer privacy. We believe, however, that HB 1547 would impose particularly onerous requirements on entities doing business in the state and would unnecessarily impede Florida residents from receiving helpful services and accessing useful information online. In particular, the bill would diminish small businesses' ability to continue to operate and provide value to the Florida economy. We therefore respectfully ask you to reconsider HB 1547 or amend it to reflect the recommendations set forth in this letter. Again, we would welcome the opportunity to discuss these comments with you in greater detail.

Thank you in advance for your consideration of this letter.

Sincerely,

Christopher Oswald  
EVP for Law, Ethics & Govt. Relations  
Association of National Advertisers  
202-296-1883

Alison Pepper  
Executive Vice President, Government Relations  
American Association of Advertising Agencies, 4A's  
202-355-4564

Lartase Tiffith  
Executive Vice President for Public Policy  
Interactive Advertising Bureau  
212-380-4700

Clark Rector  
Executive VP-Government Affairs  
American Advertising Federation  
202-898-0089

Lou Mastria, CIPP, CISSP  
Executive Director  
Digital Advertising Alliance  
347-770-0322

CC: Mike Signorelli, Venable LLP  
Allie Monticollo, Venable LLP

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<sup>38</sup> Federal Trade Commission, *In re Developing the Administration's Approach to Consumer Privacy*, 15 (Nov. 13, 2018), located at [https://www.ftc.gov/system/files/documents/advocacy\\_documents/ftc-staff-comment-ntia-developing-administrations-approach-consumer-privacy/p195400\\_ftc\\_comment\\_to\\_ntia\\_112018.pdf](https://www.ftc.gov/system/files/documents/advocacy_documents/ftc-staff-comment-ntia-developing-administrations-approach-consumer-privacy/p195400_ftc_comment_to_ntia_112018.pdf).