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September 1, 2023

Senator Josh Becker
1201 O St. Ste. 7250
Sacramento, CA 95833

Re: OPPOSE – Senate Bill 362: An act to amend the Civil Code relating to data brokers

Dear Senator Becker,

The ability of California's start-up businesses to market and grow their businesses is being threatened by SB 362, which would allow consumer data that reaches potential customers to be completely swept away with click of a button. Access to this data is particularly critical to many of our 14,000 members in California who rely on it as an affordable way to conduct cost-effective, targeted marketing to key audiences. Without access to this data our members could be relegated to the sidelines, giving large corporations a massive competitive advantage.

SB 362, if enacted, would also harm consumers. Much of the data that would be impacted by the mass deletion called for in the bill is used for anti-fraud efforts and for identity verification services, both of which are important consumer protections. It would also wipe out data used in consumer loyalty programs and many other services that benefit consumers.

Not only would SB 362 create an unequal playing field for our members, but also completely unnecessary. Under the California Consumer Privacy Act (CCPA) consumers already have the right to request that businesses delete their personal information. Adding the referenced provisions of SB 362 into the mix would cause unnecessary confusion and create regulatory redundancy.

For these reasons, NFIB is opposed to SB 362.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Taylor", written over a light grey dotted background.

Tim Taylor
California Chief Legislative Advocate
National Federation of Independent Business (NFIB)