



General Assembly

Amendment

January Session, 2025

LCO No. 8310



Offered by:
SEN. SOMERS, 18th Dist.

To: Subst. Senate Bill No. **1356**

File No. 609

Cal. No. 334

(As Amended)

***"AN ACT CONCERNING DATA PRIVACY, ONLINE MONITORING,
SOCIAL MEDIA, DATA BROKERS AND CONNECTED VEHICLE
SERVICES."***

1 Strike section 4 in its entirety and substitute the following in lieu
2 thereof:

3 "Sec. 4. Subsections (a) and (b) of section 42-517 of the general statutes
4 are repealed and the following is substituted in lieu thereof (*Effective*
5 *February 1, 2026*):

6 (a) The provisions of sections 42-515 to 42-525, inclusive, as amended
7 by this act, do not apply to any: (1) Body, authority, board, bureau,
8 commission, district or agency of this state or of any political
9 subdivision of this state; (2) person who has entered into a contract with
10 any body, authority, board, bureau, commission, district or agency
11 described in subdivision (1) of this subsection while such person is
12 processing consumer health data on behalf of such body, authority,

13 board, bureau, commission, district or agency pursuant to such contract;
14 (3) nonprofit organization; (4) candidate committee, national committee,
15 party committee or political committee, as such terms are defined in
16 section 9-601; (5) institution of higher education; [(5)] (6) national
17 securities association that is registered under 15 USC 78o-3 of the
18 Securities Exchange Act of 1934, as amended from time to time; [(6)
19 financial institution or data subject to Title V of the Gramm-Leach-Bliley
20 Act, 15 USC 6801 et seq.]; (7) covered entity or business associate, as
21 defined in 45 CFR 160.103; (8) tribal nation government organization;
22 [or] (9) air carrier, as defined in 49 USC 40102, as amended from time to
23 time, and regulated under the Federal Aviation Act of 1958, 49 USC
24 40101 et seq., and the Airline Deregulation Act of 1978, 49 USC 41713, as
25 said acts may be amended from time to time; (10) insurer, as defined in
26 section 38a-1, or its affiliate, fraternal benefit society, within the meaning
27 of section 38a-595, health carrier, as defined in section 38a-591a,
28 insurance-support organization, as defined in section 38a-976, or
29 insurance agent or insurance producer, as such terms are defined in
30 section 38a-702a; (11) bank, Connecticut credit union, federal credit
31 union, out-of-state bank or out-of-state credit union, or any affiliate or
32 subsidiary thereof, as such terms are defined in section 36a-2, that is
33 regulated by the Department of Banking and in compliance with all
34 applicable requirements established by the Banking Commissioner
35 concerning personal data; or (12) agent, broker-dealer, investment
36 adviser or investment adviser agent, as such terms are defined in section
37 36b-3, who is regulated by the Department of Banking or the Securities
38 and Exchange Commission and is in compliance with all applicable
39 requirements established by the Banking Commissioner or the
40 Securities and Exchange Commission concerning personal data.

41 (b) The following information and data [is] are exempt from the
42 provisions of sections 42-515 to 42-526, inclusive, as amended by this
43 act: (1) Protected health information under HIPAA; (2) patient-
44 identifying information for purposes of 42 USC 290dd-2; (3) identifiable
45 private information for purposes of the federal policy for the protection
46 of human subjects under 45 CFR 46; (4) identifiable private information

47 that is otherwise information collected as part of human subjects
48 research pursuant to the good clinical practice guidelines issued by the
49 International Council for Harmonization of Technical Requirements for
50 Pharmaceuticals for Human Use; (5) personal data for purposes of the
51 protection of human subjects under 21 CFR Parts 6, 50 and 56, or
52 personal data used or shared in research, as defined in 45 CFR 164.501,
53 that is conducted in accordance with the standards set forth in this
54 subdivision and subdivisions (3) and (4) of this subsection, or other
55 research conducted in accordance with applicable law; (6) information
56 and documents created for purposes of the Health Care Quality
57 Improvement Act of 1986, 42 USC 11101 et seq.; (7) patient safety work
58 product for purposes of section 19a-127o and the Patient Safety and
59 Quality Improvement Act, 42 USC 299b-21 et seq., as amended from
60 time to time; (8) information derived from any of the health care-related
61 information listed in this subsection that is de-identified in accordance
62 with the requirements for de-identification pursuant to HIPAA; (9)
63 information originating from and intermingled to be indistinguishable
64 with, or information treated in the same manner as, information exempt
65 under this subsection that is maintained by a covered entity or business
66 associate, program or qualified service organization, as specified in 42
67 USC 290dd-2, as amended from time to time; (10) information used for
68 public health activities and purposes as authorized by HIPAA,
69 community health activities and population health activities; (11) the
70 collection, maintenance, disclosure, sale, communication or use of any
71 personal information bearing on a consumer's credit worthiness, credit
72 standing, credit capacity, character, general reputation, personal
73 characteristics or mode of living by a consumer reporting agency,
74 furnisher or user that provides information for use in a consumer report,
75 and by a user of a consumer report, but only to the extent that such
76 activity is regulated by and authorized under the Fair Credit Reporting
77 Act, 15 USC 1681 et seq., as amended from time to time; (12) personal
78 data collected, processed, sold or disclosed in compliance with the
79 Driver's Privacy Protection Act of 1994, 18 USC 2721 et seq., as amended
80 from time to time; (13) personal data regulated by the Family
81 Educational Rights and Privacy Act, 20 USC 1232g et seq., as amended

82 from time to time; (14) personal data collected, processed, sold or
83 disclosed in compliance with the Farm Credit Act, 12 USC 2001 et seq.,
84 as amended from time to time; (15) data processed or maintained (A) in
85 the course of an individual applying to, employed by or acting as an
86 agent or independent contractor of a controller, processor, consumer
87 health data controller or third party, to the extent that the data [is] are
88 collected and used within the context of that role, (B) as the emergency
89 contact information of an individual under sections 42-515 to 42-526,
90 inclusive, as amended by this act, used for emergency contact purposes,
91 or (C) that [is] are necessary to retain to administer benefits for another
92 individual relating to the individual who is the subject of the
93 information under subdivision (1) of this subsection and used for the
94 purposes of administering such benefits; [and] (16) personal data
95 collected, processed, sold or disclosed in relation to price, route or
96 service, as such terms are used in the Federal Aviation Act of 1958, 49
97 USC 40101 et seq., and the Airline Deregulation Act of 1978, 49 USC
98 41713, as said acts may be amended from time to time; (17) data subject
99 to Title V of the Gramm-Leach-Bliley Act, 15 USC 6801 et seq., as
100 amended from time to time; and (18) information included in a limited
101 data set, as described in 45 CFR 164.514(e), as amended from time to
102 time, to the extent such information is used, disclosed and maintained
103 in the manner specified in 45 CFR 164.514(e), as amended from time to
104 time."