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*Testimony of Representative Tiffany Roberts presenting*

## **LD 1224, An Act to Comprehensively Protect Consumer Privacy**

*Before the Joint Standing Committee on Judiciary*

Good morning, Senator Carney, Representative Kuhn and members of the Judiciary Committee. I'm Representative Tiffany Roberts, and I represent House District 149, which includes parts of North Berwick and South Berwick. Thank you for the opportunity to present **LD 1224, An Act to Comprehensively Protect Consumer Privacy**.

As a marketing specialist and small business owner, I've seen just how vital it is that we get this right. Protecting consumer data isn't just a legal box to check. It's how we build trust. And without trust, businesses lose their footing. Over the past 15 years, I've worked with local businesses to help them grow responsibly. That experience taught me something fundamental: *privacy and innovation are not at odds. They depend on each other.*

This bill is about one thing: putting Mainers in control of their personal information. And in today's digital world, that's not a partisan issue. It's not a tech industry issue. It's a Maine issue. States across the country are stepping up to protect consumer privacy, and we should be one of them. LD 1224 gives us the opportunity to join this effort thoughtfully and with balance.

At the heart of LD 1224 is a basic set of rights every Mainer should have:

- The right to know what data is being collected about them
- The right to correct inaccuracies
- The right to delete their personal data
- The right to move that data to another provider
- And the right to opt out of the sale of their data, targeted advertising or profiling

Critically, it also requires affirmative, opt-in consent before businesses can collect or use sensitive data such as biometric or health information, immigration status, children's data or precise geolocation.

The standard here is clear, strong and in line with national and international frameworks—like California's CCPA or the EU's GDPR. The bill also prohibits "dark patterns"—manipulative designs meant to nudge people into giving consent they didn't intend to give. That's not real consent. This bill makes that distinction.

LD 1224 also makes sure businesses collect only what they actually need, and only for the purposes they disclose. That's just common sense. Consumers deserve to be active participants in decisions about their data—not silent bystanders reading the fine print.

This bill isn't just about protecting individuals. It is also about providing certainty for businesses. Especially businesses like those in my district, which borders New Hampshire. Every day, people in my community work, shop and do business across state lines. Increasingly, they do that online—in a digital economy that doesn't stop at the Maine border.

That's why this bill follows a widely adopted model. One that's already been enacted in 18 other states, including New Hampshire, Connecticut, Rhode Island, Minnesota and Virginia. These laws collectively cover over 100 million Americans and hundreds of millions globally.

Maine can't afford to carve out a one-off system that's out of step with the rest of the country. That would leave our small and mid-sized businesses juggling different rules and compliance frameworks, and they may not have the staff or legal resources to manage.

This bill gives us an interoperable path, one that aligns with regional and national momentum. LD 1224 is built with small and mid-sized businesses in mind. There are clear thresholds that determine which businesses are subject to the law, and many smaller businesses simply won't meet them.

For those that do—particularly those serving as processors—the bill lays out expectations that are already becoming the norm: help controllers respond to consumer data requests, include security in contracts, assist with assessments and make sure subcontractors follow suit.

These are reasonable, achievable practices. This bill doesn't ban advertising or penalize customer outreach, it just makes sure that consumers can opt-out if they choose. That's a fair and balanced approach, and it meets people where they are.

LD 1224 is modeled after the Connecticut framework, which is widely considered one of the most balanced and effective in the country. It includes:

- Strong protections for consumers
- A careful approach to handling sensitive data
- Smart, scalable obligations for business
- And clear enforcement standards

Groups like the ACLU and Consumer Reports have supported similar models in other states. Because this is a structure that works for people and businesses, it's also easier to implement, readable, and clear, and it allows companies to build compliance systems that work across multiple states.

LD 1224 takes a thoughtful, measured approach to data privacy. It reflects our values as a state — fairness, consent, transparency—while acknowledging the reality of how business operates today.

This is Maine's opportunity to lead, not by going it alone, but by joining a growing, nationwide effort that puts people back in control of their own data.

I respectfully urge the committee to support LD 1224. Thank you for your time, and I'd be happy to answer any questions.