

**NetChoice** *Promoting Convenience, Choice, and Commerce on the Net*

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The Honorable Jack Markell  
Office of the Governor - Dover  
150 Martin Luther King Jr. Blvd. South  
2nd Floor  
Dover, DE 19901

July 9, 2015

**RE: Veto Request of SB 68 – Amending Title 6 of the Delaware Code**

Dear Governor Markell:

We respectfully ask that you veto SB 68 as it would discourage smaller Delaware stores from taking their businesses online.

SB 68 will require every Delaware business with a website to post a privacy policy if that website collects certain information (like a customer's email address or phone number). Of course the large websites already post privacy policies, so the law will not affect them. So SB 68's new requirements really only applies to the small businesses.

For the smaller businesses, SB 68 creates a complicated and expensive process as privacy policies cost around \$5,000 for an off-the-shelf version. Moreover, privacy policies become affirmative statement that can be used against small businesses. Meaning if a business' privacy policy has one mistake, or forgets to adjust for the collection of data from web ads or plug-ins, the business has just broken state and federal law and can be sued.

In essence, SB 68 creates additional roadblocks that keep Delaware stores offline.

We understand and support the idea behind this bill, increasing transparency about online data practices. But this bill fails to achieve its goals as few people ever read these privacy policies.

SB 68 provides no real benefit to consumers, makes it harder for Delaware businesses to go online, and mostly moves money away from small businesses.

For these reasons we ask that you veto SB 68. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl Szabo', is written over a light blue horizontal line.

Carl Szabo  
Policy Counsel, NetChoice