



General Assembly

January Session, 2023

Committee Bill No. 3

LCO No. 5796



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Referred to Committee on JUDICIARY

Introduced by:
(JUD)

AN ACT CONCERNING ONLINE PRIVACY, DATA AND SAFETY PROTECTIONS AND AN EMPLOYER'S DUTY TO DISCLOSE KNOWN INSTANCES OF SEXUAL HARASSMENT OR ASSAULT COMMITTED BY AN EMPLOYEE WHEN MAKING EMPLOYMENT RECOMMENDATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2025*) (a) For the purposes of this
2 section, unless the context otherwise requires:

3 (1) "Abortion" means terminating a pregnancy for any purpose
4 other than producing a live birth;

5 (2) "Affiliate" means any legal entity that (A) shares common
6 branding with another legal entity, and (B) controls, is controlled by or
7 is under common control with another legal entity through (i)
8 ownership of, or the power to vote, more than fifty per cent of the
9 outstanding shares of any class of voting securities in either legal
10 entity, (ii) control over the election of a majority of the directors of
11 either legal entity or individuals exercising similar functions of the
12 directors of either legal entity, or (iii) the power to exercise a
13 controlling influence over the management of either legal entity;

14 (3) "Biometric data" has the same meaning as provided in section 42-
15 515 of the general statutes;

16 (4) "Collect" means to buy, rent, access, retain, receive, acquire, infer,
17 derive or otherwise process consumer health data in any manner;

18 (5) "Consent" has the same meaning as provided in section 42-515 of
19 the general statutes;

20 (6) "Consumer" has the same meaning as provided in section 42-515
21 of the general statutes;

22 (7) "Consumer health data" (A) means any personal information that
23 is linked, or reasonably linkable, to a consumer and identifies the
24 consumer's past, present or future physical or mental health,
25 including, but not limited to, any (i) individual health conditions,
26 treatment, statuses, diseases or diagnoses, (ii) social, psychological,
27 behavioral and medical interventions, (iii) health-related surgeries or
28 procedures, (iv) use or purchase of medications, (v) bodily functions,
29 vital signs or symptoms or measurements of such functions, signs or
30 symptoms, (vi) diagnoses or diagnostic testing, treatment or
31 medication, (vii) gender-affirming care information, (viii) reproductive
32 or sexual health information, (ix) biometric data concerning the
33 information described in subparagraph (A) of this subdivision, (x)
34 genetic data concerning information described in subparagraph (A) of
35 this subdivision, (xi) precise location information that could reasonably
36 indicate such consumer's attempt to acquire or receive health services
37 or supplies, or (xii) any information described in subparagraphs (A)(i)
38 to (A)(xi), inclusive, of this subdivision that is derived or extrapolated
39 from non-health information such as proxy, derivative, inferred or
40 emergent data derived or extrapolated by any means, including, but
41 not limited to, algorithms or machine learning, and (B) does not
42 include any personal information that is used to engage in any public
43 or peer-reviewed scientific, historical or statistical research, provided
44 such research (i) is in the public interest, (ii) adheres to all other
45 applicable ethics and privacy laws, and (iii) is approved, monitored

46 and governed by an institutional review board, human subjects
47 research ethics review board or another similar independent oversight
48 entity that determines that the regulated entity has implemented
49 reasonable safeguards to mitigate privacy risks associated with such
50 research, including, but not limited to, any risks associated with re-
51 identification;

52 (8) "Dark patterns" has the same meaning as provided in section 42-
53 515 of the general statutes;

54 (9) "De-identified data" has the same meaning as provided in section
55 42-515 of the general statutes;

56 (10) "Gender-affirming care information" means any personal
57 information concerning seeking or obtaining past, present or future
58 gender-affirming care services, including, but not limited to, (A) any
59 precise location information that could reasonably indicate a
60 consumer's attempt to seek or obtain gender-affirming care services,
61 (B) any personal information concerning any effort made to research or
62 obtain gender-affirming care services, or (C) any gender-affirming care
63 information that is derived, extrapolated or inferred, including, but not
64 limited to, any such information that is derived, extrapolated or
65 inferred from non-health information such as proxy, derivative,
66 inferred, emergent or algorithmic data;

67 (11) "Gender-affirming care services" (A) means health services or
68 products that support and affirm any consumer's gender identity,
69 including, but not limited to, social, psychological, behavioral,
70 cosmetic, medical or surgical interventions, and (B) includes, but is not
71 limited to, treatments for gender dysphoria, gender-affirming
72 hormone therapy and gender-affirming surgical procedures;

73 (12) "Genetic data" means any data, regardless of format, concerning
74 a consumer's genetic characteristics and includes, but is not limited to,
75 (A) raw sequence data that result from the sequencing of a consumer's
76 complete extracted DNA or a portion of such extracted DNA, (B)

77 genotypic and phenotypic information that results from analyzing
78 such raw sequence data, and (C) self-reported health data that a
79 consumer submits to a regulated entity and is analyzed in connection
80 with such raw sequence data;

81 (13) "Geofence" means any technology that uses global positioning
82 coordinates, cell tower connectivity, cellular data, radio frequency
83 identification, wireless fidelity technology data or any other form of
84 location detection, or any combination of such coordinates,
85 connectivity, data, identification or other form of location detection, to
86 establish a virtual boundary that is within two thousand feet of the
87 perimeter around any physical location;

88 (14) "Health care service" means any service provided to any
89 consumer to assess, measure, improve or learn about such consumer's
90 health, including, but not limited to, any service provided to assess,
91 measure, improve or learn about (A) individual health conditions,
92 statuses, diseases or diagnoses, (B) social, psychological, behavioral
93 and medical interventions, (C) health-related surgeries or procedures,
94 (D) use or purchase of medication, (E) bodily functions, vital signs or
95 symptoms or measurements of such functions, signs or symptoms, (F)
96 diagnoses or diagnostic testing, treatment or medication, (G)
97 reproductive health care services, and (H) gender-affirming care
98 services;

99 (15) "Person" means any individual, corporation, trust,
100 unincorporated association or partnership, but does not include any
101 government agency, tribal nation government organization or
102 contracted service provider when such service provider is processing
103 consumer health data on behalf of a government agency;

104 (16) "Personal information" (A) means any information that
105 identifies, or is reasonably capable of being associated or linked,
106 directly or indirectly, with any consumer, (B) includes, but is not
107 limited to, any data associated with a persistent unique identifier such
108 as an Internet browser cookie, Internet protocol address, device

109 identifier or any other form of persistent unique identifier, and (C)
110 does not include any publicly available information or de-identified
111 data;

112 (17) "Precise location information" has the same meaning as
113 provided in section 42-515 of the general statutes;

114 (18) "Process" and "processing" mean any operation or set of
115 operations performed on consumer health data;

116 (19) "Processor" has the same meaning as provided in section 42-515
117 of the general statutes;

118 (20) "Publicly available information" has the same meaning as
119 provided in section 42-515 of the general statutes;

120 (21) "Regulated entity" (A) means any legal entity that (i) does
121 business in this state or produces or provides goods or services that are
122 targeted to consumers in this state, and (ii) alone or jointly with others,
123 determines the purpose and means of collecting, processing, sharing or
124 selling consumer health data, and (B) does not mean any government
125 agency, tribal nation government organization or contracted service
126 provider when such service provider is processing consumer health
127 data on behalf of a government agency;

128 (22) "Reproductive or sexual health information" (A) means any
129 personal information concerning seeking or obtaining past, present or
130 future reproductive or sexual health services, and (B) includes, but is
131 not limited to, (i) any precise location information that could
132 reasonably indicate a consumer's attempt to acquire or receive
133 reproductive or sexual health services, (ii) any personal information
134 concerning any effort made to research or obtain reproductive or
135 sexual health services, or (iii) any personal information or location
136 information described in this subdivision that is derived, extrapolated
137 or inferred, including, but not limited to, any such information that is
138 derived, extrapolated or inferred from any non-health information

139 such as proxy, derivative, inferred, emergent or algorithmic data;

140 (23) "Reproductive or sexual health service" means any health
141 service or product that supports or concerns any consumer's
142 reproductive system or sexual well-being, including, but not limited
143 to, any health service or product that supports or concerns (A)
144 individual health conditions, statuses, diseases or diagnoses, (B) social,
145 psychological, behavioral and medical interventions, (C) health-related
146 surgeries or procedures, including, but not limited to, abortions, (D)
147 use or purchase of medications, including, but not limited to,
148 medications for the purposes of abortion, (E) bodily functions, vital
149 signs or symptoms or measurements of such functions, signs or
150 symptoms, (F) diagnoses or diagnostic testing, treatment or
151 medication, and (G) medical or nonmedical services concerning and
152 provided in conjunction with an abortion, including, but not limited to,
153 diagnostics, counseling, supplies and follow-up services concerning
154 and provided in conjunction with an abortion;

155 (24) "Sale" or "sell" (A) means sharing consumer health data for
156 monetary or other valuable consideration, and (B) does not include
157 sharing consumer health data for monetary or other valuable
158 consideration (i) to a third party as an asset that is part of a merger,
159 acquisition, bankruptcy or other transaction in which the third party
160 assumes control of all or part of the regulated entity's assets and
161 complies with the requirements established in this section, or (ii) by a
162 regulated entity to a processor when sharing such consumer health
163 data is consistent with the purpose for which the consumer health data
164 was collected and disclosed to the consumer;

165 (25) "Service provider" means any person that processes consumer
166 health data on behalf of a regulated entity;

167 (26) "Share" and "sharing" (A) mean any release, disclosure,
168 dissemination, divulsion, making available, provision of access to,
169 licensing or communication, orally, in writing or by electronic or any
170 other means, of consumer health data by a regulated entity to a third

171 party or affiliate, and (B) do not include (i) any disclosure of consumer
172 health data by a regulated entity to a processor if such disclosure is to
173 provide goods or services in a manner that is consistent with the
174 purpose for which such data was collected and disclosed to the
175 consumer, (ii) any disclosure of consumer health data made to a third
176 party with whom the consumer has a direct relationship when (I) such
177 disclosure is made for the purpose of providing a product or service
178 requested by such consumer, (II) the regulated entity maintains control
179 and ownership of such data, and (III) the third party exclusively uses
180 such data at the regulated entity's direction and in a manner that is
181 consistent with the purpose for which such data was collected and
182 disclosed to the consumer, or (iii) any disclosure or transfer of
183 consumer health data made to a third party as an asset that is part of a
184 merger, acquisition, bankruptcy or other transaction in which the third
185 party assumes control of all or part of the regulated entity's assets and
186 complies with the requirements established in this section; and

187 (27) "Third party" means any entity other than a consumer,
188 regulated entity or affiliate of a regulated entity.

189 (b) Notwithstanding any provision of the general statutes, each
190 regulated entity shall:

191 (1) Restrict access to consumer health data by the employees,
192 processors and contractors of such regulated entity:

193 (A) To those employees, processors and contractors for which the
194 consumer to whom such data relates has provided consent; or

195 (B) Where such access is necessary to provide to the consumer to
196 whom such data relates a product or service that such consumer has
197 requested from such regulated entity;

198 (2) Establish, implement and maintain administrative, technical and
199 physical data security practices that, at a minimum, satisfy a
200 reasonable standard of care within such regulated entity's industry to

201 protect the confidentiality, integrity and accessibility of consumer
202 health data in a manner that is appropriate for the volume and nature
203 of such consumer health data; and

204 (3) (A) Not collect or share consumer health data concerning any
205 consumer (i) without having first obtained such consumer's consent to
206 collect or share such consumer health data for a specified purpose, (ii)
207 beyond what is reasonably necessary, proportionate and limited to
208 provide or maintain (I) a specific product or service requested by such
209 consumer, or (II) any communication by such regulated entity to such
210 consumer that is reasonably anticipated within the context of their
211 relationship, or (iii) for any purpose that is not expressly permitted
212 under the provisions of this section.

213 (B) The consent required under subparagraph (A) of this
214 subdivision shall (i) be separately and distinctly obtained for collecting
215 and sharing consumer health data, and (ii) clearly and conspicuously
216 disclose (I) the categories of consumer health data collected or shared,
217 (II) the purpose of collecting or sharing of the consumer health data,
218 including, but not limited to, the specific ways in which such
219 consumer health data will be used, (III) the categories of entities with
220 which the consumer health data will be shared, and (IV) how the
221 consumer may withdraw consent from any future collection or sharing
222 of such consumer's consumer health data.

223 (c) (1) Notwithstanding any provision of the general statutes, no
224 person shall:

225 (A) Sell, or offer to sell, consumer health data without first obtaining
226 the consumer's signed, written consent on a form described in
227 subdivision (2) of this subsection; or

228 (B) Implement a geofence to identify, track, collect data from or send
229 notifications or messages to a consumer that enters the virtual
230 perimeter around a health care provider or health care facility
231 providing health care services on an in-person basis.

232 (2) Prior to selling, or offering to sell, a consumer's health data, the
233 person who intends to sell, or offer to sell, such consumer health data
234 shall provide to the consumer a form containing:

235 (A) A description of the consumer health data to be offered or sold;

236 (B) The name of, and contact information for, the person who
237 collected and intends to sell, or offer to sell, such consumer health data;

238 (C) The name of, and contact information for, the person who
239 intends to purchase such consumer health data from the person
240 described in subparagraph (B) of this subdivision;

241 (D) A description of the purpose of such proposed offer or sale,
242 including, but not limited to, a description of how such consumer
243 health data will be gathered and how the person described in
244 subparagraph (C) of this subdivision intends to use such consumer
245 health data;

246 (E) A statement disclosing that the provision of goods or services
247 shall not be made conditional on such consumer signing such form;

248 (F) A statement disclosing that such consumer has a right to revoke
249 such consumer's consent at any time and a description of how such
250 consumer may revoke such consent;

251 (G) A statement disclosing that any consumer health data sold
252 pursuant to this subsection may be subject to redisclosure by the
253 person described in subparagraph (C) of this subdivision and may no
254 longer be protected under this section following such redisclosure;

255 (H) An expiration date for such consent, which date shall be not
256 later than one year after such consumer signs such form; and

257 (I) Such consumer's signature and the date on which such consumer
258 signs such form.

259 (3) No form required under subparagraph (A) of subdivision (1) of

260 this subsection shall be valid if:

261 (A) The expiration date on such form has passed;

262 (B) Such form does not satisfy the requirements established in
263 subdivision (2) of this subsection;

264 (C) The consumer has revoked such consumer's consent;

265 (D) Such form has been combined with any other document for the
266 purpose of obtaining consent concerning multiple sales, or offers to
267 sell, consumer health data; or

268 (E) The provision of goods or services is conditioned on the
269 consumer signing such form.

270 (4) Each person who provides a form to a consumer pursuant to
271 subdivision (2) of this subsection shall provide a signed copy of such
272 form to the consumer who signed such form.

273 (5) Each person who sells or purchases consumer health data in the
274 manner described in this subsection shall retain a copy of each form
275 required under subdivision (2) of this subsection for a period of at least
276 six years beginning on the date the consumer signed such form or the
277 last date such form was effective, whichever is later.

278 (d) A processor may process consumer health data only pursuant to
279 a binding contract between the processor and a regulated entity, which
280 contract shall set forth the processing instructions for, and limit the
281 actions which the processor may take with respect to, the consumer
282 health data such processor processes on behalf of the regulated entity.
283 The processor shall not process consumer health data in a manner that
284 is inconsistent with the terms of such contract. The processor shall
285 assist the regulated entity by taking all appropriate and possible
286 technical and organizational measures that are necessary for such
287 regulated entity to perform such regulated entity's duties under this
288 section. If the processor fails to adhere to the regulated entity's

289 processing instructions or processes consumer health data in a manner
290 that is outside the scope of such contract, such processor shall be
291 deemed to constitute a regulated entity and shall be subject to all
292 provisions of this section concerning regulated entities.

293 (e) Any violation of the provisions of this section shall constitute an
294 unfair trade practice under subsection (a) of section 42-110b of the
295 general statutes and shall be enforced solely by the Attorney General.
296 Nothing in this section shall be construed to create a private right of
297 action or to provide grounds for an action under section 42-110g of the
298 general statutes.

299 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) For the purposes of this
300 section:

301 (1) "Consumer" has the same meaning as provided in section 42-515
302 of the general statutes;

303 (2) "Minor" means any consumer who is younger than eighteen
304 years of age;

305 (3) "Personal data" has the same meaning as provided in section 42-
306 515 of the general statutes; and

307 (4) "Social media platform" (A) means a public or semi-public
308 Internet-based service or application that (i) is used by a consumer in
309 this state, (ii) is primarily intended to connect and allow users to
310 socially interact within such service or application, and (iii) enables a
311 user to (I) construct a public or semi-public profile for the purposes of
312 signing into and using such service or application, (II) populate a
313 public list of other users with whom the user shares a social connection
314 within such service or application, and (III) create or post content that
315 is viewable by other users, including, but not limited to, on message
316 boards, in chat rooms, or through a landing page or main feed that
317 presents the user with content generated by other users, and (B) does
318 not include a public or semi-public Internet-based service or

319 application that (i) exclusively provides electronic mail or direct
320 messaging services, or (ii) primarily consists of news, sports,
321 entertainment, electronic commerce or content that is preselected by
322 the provider or for which any chat, comments or interactive
323 functionality is incidental to, directly related to, or dependent on the
324 provision of such content.

325 (b) Not later than ten days after a social media platform receives a
326 request to delete a social media platform account from a minor or, if
327 the minor is younger than sixteen years of age, from a minor's parent
328 or legal guardian, the social media platform shall delete the minor's
329 social media platform account and cease processing such minor's
330 personal data. A social media platform shall establish, and shall
331 describe in a privacy notice, one or more secure and reliable means for
332 submitting a request pursuant to this subsection.

333 (c) No social media platform shall establish an account for a minor
334 who is younger than sixteen years of age unless the social media
335 platform has obtained consent from the minor's parent or legal
336 guardian to establish such account.

337 (d) Any violation of the provisions of this section shall constitute an
338 unfair trade practice under subsection (a) of section 42-110b of the
339 general statutes and shall be enforced solely by the Attorney General.
340 Nothing in this section shall be construed to create a private right of
341 action or to provide grounds for an action under section 42-110g of the
342 general statutes.

343 Sec. 3. (NEW) (*Effective July 1, 2025*) For the purposes of this section
344 and sections 4 to 8, inclusive, of this act:

345 (1) "Adult" means any individual who is at least eighteen years of
346 age;

347 (2) "Algorithm" means any computerized procedure consisting of a
348 set of steps used to accomplish a predetermined objective;

349 (3) "Consent" has the same meaning as provided in section 42-515 of
350 the general statutes;

351 (4) "Consumer" has the same meaning as provided in section 42-515
352 of the general statutes;

353 (5) "Controller" means any person that, alone or jointly with others,
354 determines the purpose and means of processing personal data;

355 (6) "Heightened risk of harm to minors" means processing minors'
356 personal data, including, but not limited to, through use of any
357 algorithm, in a manner that presents any reasonably foreseeable risk of
358 (A) any unfair or deceptive treatment of, or any unlawful disparate
359 impact on, minors, (B) any financial, physical or reputational injury to
360 minors, (C) any physical or other intrusion upon the solitude or
361 seclusion, or the private affairs or concerns, of minors if such intrusion
362 would be offensive to a reasonable person, or (D) any other substantial
363 injury to minors;

364 (7) "HIPAA" has the same meaning as provided in section 42-515 of
365 the general statutes;

366 (8) "Minor" means any consumer who is younger than eighteen
367 years of age;

368 (9) "Online service, product or feature" means any service, product
369 or feature that is provided online. "Online service, product or feature"
370 does not include any (A) telecommunications service, as defined in 47
371 USC 153, as amended from time to time, or (ii) delivery or use of a
372 physical product;

373 (10) "Person" means an individual, association, company, limited
374 liability company, corporation, partnership, sole proprietorship or
375 trust;

376 (11) "Personal data" has the same meaning as provided in section 42-
377 515 of the general statutes;

378 (12) "Precise geolocation data" has the same meaning as provided in
379 section 42-515 of the general statutes;

380 (13) "Process" and "processing" have the same meaning as provided
381 in section 42-515 of the general statutes;

382 (14) "Processor" means any person that, on behalf of a controller,
383 processes personal data;

384 (15) "Profiling" has the same meaning as provided in section 42-515
385 of the general statutes;

386 (16) "Protected health information" has the same meaning as
387 provided in section 42-515 of the general statutes;

388 (17) "Sale of personal data" has the same meaning as provided in
389 section 42-515 of the general statutes;

390 (18) "Targeted advertising" (A) means displaying an advertisement
391 to a minor based on profiling, and (B) does not include (i) an
392 advertisement that is (I) based on the context of a minor's current
393 search query, visit to an Internet web site or online application, or (II)
394 directed to a minor in response to the minor's current request for
395 information or feedback, or (ii) processing personal data solely to
396 measure or report advertising frequency, performance or reach; and

397 (19) "Third party" has the same meaning as provided in section 42-
398 515 of the general statutes.

399 Sec. 4. (NEW) (*Effective July 1, 2025*) (a) Each controller that offers
400 any online service, product or feature to consumers whom such
401 controller has actual knowledge, or wilfully disregards, are minors
402 shall use reasonable care to avoid any heightened risk of harm to
403 minors proximately caused by such online service, product or feature.

404 (b) (1) Subject to the consent requirement established in subdivision
405 (3) of this subsection, no controller that offers any online service,

406 product or feature to consumers whom such controller has actual
407 knowledge, or wilfully disregards, are minors shall process any
408 minor's personal data: (A) For the purposes of (i) targeted advertising,
409 (ii) any sale of personal data, or (iii) profiling in furtherance of any
410 decision made by such controller that results in the provision or denial
411 by such controller of any financial or lending services, housing,
412 insurance, education enrollment or opportunity, criminal justice,
413 employment opportunities, health care services or access to essential
414 goods or services; (B) that is not reasonably necessary to provide such
415 online service, product or feature; (C) for any processing purpose other
416 than the purpose that the controller disclosed at the time such
417 controller collected such personal data; (D) for longer than is
418 reasonably necessary to provide such online service, product or
419 feature; or (E) in any circumstances in which such minor's personal
420 data is accessible by, or visible to, any other user of such online service,
421 product or feature.

422 (2) Subject to the consent requirement established in subdivision (3)
423 of this subsection, no controller that offers an online service, product or
424 feature to consumers whom such controller has actual knowledge, or
425 wilfully disregards, are minors shall collect a minor's precise
426 geolocation data unless: (A) Such precise geolocation data is necessary
427 for the controller to provide such online service, product or feature
428 and, if such data is necessary to provide such online service, product
429 or feature, such controller may only collect such data for the time
430 necessary to provide such online service, product or feature; and (B)
431 the controller provides to the minor a signal indicating that such
432 controller is collecting such precise geolocation data, which signal shall
433 be conspicuous to such minor for the entire duration of such collection.

434 (3) No controller shall engage in the activities described in
435 subdivisions (1) and (2) of this subsection unless the controller obtains
436 the minor's consent or, if the minor is younger than thirteen years of
437 age, the consent of such minor's parent or legal guardian. A controller
438 that complies with the verifiable parental consent requirements

439 established in the Children's Online Privacy Protection Act of 1998, 15
440 USC 6501 et seq., and the regulations, rules, guidance and exemptions
441 adopted pursuant to said act, as said act and such regulations, rules,
442 guidance and exemptions may be amended from time to time, shall be
443 deemed to have satisfied any requirement to obtain parental consent
444 under this subdivision.

445 (c) No controller that offers any online service, product or feature to
446 consumers whom such controller has actual knowledge, or wilfully
447 disregards, are minors shall: (1) Use any user interface designed or
448 manipulated with the substantial effect of subverting or impairing user
449 autonomy, decision-making or choice, including, but not limited to,
450 any practice the Federal Trade Commission refers to as a "dark
451 pattern", to lead or encourage any minor to provide any personal data
452 that is not reasonably necessary to provide such online service,
453 product or feature; (2) by default use any system design feature to
454 increase, sustain or extend any minor's use of such online service,
455 product or feature by, among other things, automatically playing any
456 media, offering any reward to encourage such minor to spend time
457 using such online service, product or feature or sending notifications
458 to such minor; (3) allow any minor's parent, legal guardian or any
459 other consumer to monitor such minor's online activity unless such
460 controller provides to such minor a signal, which is obvious to such
461 minor, indicating that such minor is being monitored; or (4) allow any
462 adult to contact any minor through any messaging apparatus unless
463 such adult previously established and maintains an ongoing lawful
464 relationship with such minor.

465 Sec. 5. (NEW) (*Effective July 1, 2025*) (a) Each controller that, on or
466 after July 1, 2025, offers any online service, product or feature to
467 consumers whom such controller has actual knowledge, or wilfully
468 disregards, are minors shall conduct a data protection assessment for
469 such online service, product or feature: (1) In a manner that is
470 consistent with the requirements established in section 42-522 of the
471 general statutes; and (2) that addresses (A) the purpose of such online

472 service, product or feature, (B) the categories of minors' personal data
473 that such online service, product or feature processes, (C) the purposes
474 for which such controller processes minors' personal data with respect
475 to such online service, product or feature, and (D) any heightened risk
476 of harm to minors that is a reasonably foreseeable result of offering
477 such online service, product or feature to minors.

478 (b) Each controller that conducts a data protection assessment
479 pursuant to subsection (a) of this section shall: (1) Review such data
480 protection assessment at least biennially; and (2) maintain
481 documentation concerning such data protection assessment as long as
482 such controller offers the online service, product or feature that is the
483 subject of such assessment to minors.

484 (c) If any controller conducts a data protection assessment pursuant
485 to subsection (a) of this section and determines that the online service,
486 product or feature that is the subject of such assessment poses a
487 heightened risk of harm to minors, such controller shall establish and
488 implement a plan to mitigate or eliminate such risk before such
489 controller offers such online service, product or feature to consumers
490 whom such controller has actual knowledge, or wilfully disregards,
491 are minors.

492 Sec. 6. (NEW) (*Effective July 1, 2025*) (a) A processor shall adhere to
493 the instructions of a controller and shall assist the controller in meeting
494 the controller's obligations under sections 3 to 8, inclusive, of this act.
495 Such assistance shall include providing necessary information to
496 enable the controller to conduct and document data protection
497 assessments.

498 (b) A contract between a controller and a processor shall govern the
499 processor's data processing procedures with respect to processing
500 performed on behalf of the controller. The contract shall be binding
501 and clearly set forth instructions for processing data, the nature and
502 purpose of processing, the type of data subject to processing, the
503 duration of processing and the rights and obligations of both parties.

504 The contract shall also require that the processor: (1) Ensure that each
505 person processing personal data is subject to a duty of confidentiality
506 with respect to the data; (2) at the controller's direction, delete or
507 return all personal data to the controller as requested at the end of the
508 provision of services, unless retention of the personal data is required
509 by law; (3) upon the reasonable request of the controller, make
510 available to the controller all information in its possession necessary to
511 demonstrate the processor's compliance with the obligations in
512 sections 3 to 8, inclusive, of this act; (4) after providing the controller
513 an opportunity to object, engage any subcontractor pursuant to a
514 written contract that requires the subcontractor to meet the obligations
515 of the processor with respect to the personal data; and (5) allow, and
516 cooperate with, reasonable assessments by the controller or the
517 controller's designated assessor, or the processor may arrange for a
518 qualified and independent assessor to conduct an assessment of the
519 processor's policies and technical and organizational measures in
520 support of the obligations under sections 3 to 8, inclusive, of this act,
521 using an appropriate and accepted control standard or framework and
522 assessment procedure for such assessments. The processor shall
523 provide a report of such assessment to the controller upon request.

524 (c) Nothing in this section shall be construed to relieve a controller
525 or processor from the liabilities imposed on the controller or processor
526 by virtue of such controller's or processor's role in the processing
527 relationship, as described in sections 3 to 8, inclusive, of this act.

528 (d) Determining whether a person is acting as a controller or
529 processor with respect to a specific processing of data is a fact-based
530 determination that depends upon the context in which personal data is
531 to be processed. A person who is not limited in such person's
532 processing of personal data pursuant to a controller's instructions, or
533 who fails to adhere to such instructions, is a controller and not a
534 processor with respect to a specific processing of data. A processor that
535 continues to adhere to a controller's instructions with respect to a
536 specific processing of personal data remains a processor. If a processor

537 begins, alone or jointly with others, determining the purposes and
538 means of the processing of personal data, the processor is a controller
539 with respect to such processing and may be subject to an enforcement
540 action under section 8 of this act.

541 Sec. 7. (NEW) (*Effective July 1, 2025*) (a) The provisions of sections 1,
542 3 to 6, inclusive, and 8 of this act shall not apply to any: (1) Body,
543 authority, board, bureau, commission, district or agency of this state or
544 of any political subdivision of this state; (2) organization that is exempt
545 from taxation under Section 501(c)(3), 501(c)(4), 501(c)(6) or 501(c)(12)
546 of the Internal Revenue Code of 1986, or any subsequent
547 corresponding internal revenue code of the United States, as amended
548 from time to time; (3) individual who, or school, board, association,
549 limited liability company or corporation that, is licensed or accredited
550 to offer one or more programs of higher learning leading to one or
551 more degrees; (4) national securities association that is registered
552 under 15 USC 78o-3, as amended from time to time; (5) financial
553 institution or data that is subject to Title V of the Gramm-Leach-Bliley
554 Act, 15 USC 6801 et seq., as amended from time to time; (6) covered
555 entity or business associate, as defined in 45 CFR 160.103, as amended
556 from time to time; or (7) air carrier, as defined in 49 USC 40102, as
557 amended from time to time, and regulated under the Federal Aviation
558 Act of 1958, 49 USC 40101 et seq., and the Airline Deregulation Act, 49
559 USC 41713, as said acts may be amended from time to time.

560 (b) The following information and data is exempt from the
561 provisions of sections 1, 3 to 6, inclusive, and 8 of this act: (1) Protected
562 health information; (2) patient-identifying information for the
563 purposes of 42 USC 290dd-2, as amended from time to time; (3)
564 identifiable private information for the purposes of the federal policy
565 for the protection of human subjects under 45 CFR 46, as amended
566 from time to time; (4) identifiable private information that is otherwise
567 information collected as part of human subjects research pursuant to
568 the good clinical practice guidelines issued by the International
569 Council for Harmonisation of Technical Requirements for

570 Pharmaceuticals for Human Use, as amended from time to time; (5) the
571 protection of human subjects under 21 CFR Parts 6, 50 and 56, as
572 amended from time to time, or personal data used or shared in
573 research, as defined in 45 CFR 164.501, as amended from time to time,
574 that is conducted in accordance with the standards set forth in this
575 subdivision and subdivisions (3) and (4) of this subsection, or other
576 research conducted in accordance with applicable law; (6) information
577 and documents created for the purposes of the Health Care Quality
578 Improvement Act of 1986, 42 USC 11101 et seq., as amended from time
579 to time; (7) patient safety work products for the purposes of section
580 19a-127o of the general statutes and the Patient Safety and Quality
581 Improvement Act, 42 USC 299b-21 et seq., as amended from time to
582 time; (8) information derived from any of the health care related
583 information listed in this subsection that is de-identified in accordance
584 with the requirements for de-identification under HIPAA; (9)
585 information originating from and intermingled so as to be
586 indistinguishable from, or information treated in the same manner as,
587 information that is exempt under this subsection and maintained by a
588 covered entity or business associate, program or qualified service
589 organization, as specified in 42 USC 290dd-2, as amended from time to
590 time; (10) information used for public health activities and purposes as
591 authorized by HIPAA, community health activities and population
592 health activities; (11) the collection, maintenance, disclosure, sale,
593 communication or use of any personal information bearing on a
594 consumer's credit worthiness, credit standing, credit capacity,
595 character, general reputation, personal characteristics or mode of living
596 by a consumer reporting agency, furnisher or user that provides
597 information for use in a consumer report, and by a user of a consumer
598 report, but only to the extent that such activity is regulated by and
599 authorized under the Fair Credit Reporting Act, 15 USC 1681 et seq., as
600 amended from time to time; (12) personal data collected, processed,
601 sold or disclosed in compliance with the Driver's Privacy Protection
602 Act of 1994, 18 USC 2721 et seq., as amended from time to time; (13)
603 personal data regulated by the Family Educational Rights and Privacy

604 Act, 20 USC 1232g et seq., as amended from time to time; (14) personal
605 data collected, processed, sold or disclosed in compliance with the
606 Farm Credit Act, 12 USC 2001 et seq., as amended from time to time;
607 (15) data processed or maintained (A) in the course of an individual
608 applying to, employed by or acting as an agent or independent
609 contractor of a controller, processor or third party, to the extent that
610 the data is collected and used within the context of that role, (B) as the
611 emergency contact information of an individual under sections 1, 3 to
612 6, inclusive, and 8 of this act used for emergency contact purposes, or
613 (C) that is necessary to retain to administer benefits for another
614 individual relating to the individual who is the subject of the
615 information under subdivision (1) of this subsection and used for the
616 purposes of administering such benefits; and (16) personal data
617 collected, processed, sold or disclosed in relation to price, route or
618 service, as such terms are used in the Airline Deregulation Act, 49 USC
619 40101 et seq., as amended from time to time, by an air carrier subject to
620 said act, to the extent sections 1, 3 to 6, inclusive, and 8 of this act are
621 preempted by 49 USC 41713, as amended from time to time.

622 (c) No provision of this section or section 1, 3 to 6, inclusive, or 8 of
623 this act shall be construed to restrict a controller's or processor's ability
624 to: (1) Comply with federal, state or municipal ordinances or
625 regulations; (2) comply with a civil, criminal or regulatory inquiry,
626 investigation, subpoena or summons by federal, state, municipal or
627 other governmental authorities; (3) cooperate with law enforcement
628 agencies concerning conduct or activity that the controller or processor
629 reasonably and in good faith believes may violate federal, state or
630 municipal ordinances or regulations; (4) investigate, establish, exercise,
631 prepare for or defend legal claims; (5) take immediate steps to protect
632 an interest that is essential for the life or physical safety of the minor or
633 another individual, and where the processing cannot be manifestly
634 based on another legal basis; (6) prevent, detect, protect against or
635 respond to security incidents, identity theft, fraud, harassment,
636 malicious or deceptive activities or any illegal activity, preserve the
637 integrity or security of systems or investigate, report or prosecute

638 those responsible for any such action; (7) engage in public or peer-
639 reviewed scientific or statistical research in the public interest that
640 adheres to all other applicable ethics and privacy laws and is
641 approved, monitored and governed by an institutional review board
642 that determines, or similar independent oversight entities that
643 determine, (A) whether the deletion of the information is likely to
644 provide substantial benefits that do not exclusively accrue to the
645 controller or processor, (B) the expected benefits of the research
646 outweigh the privacy risks, and (C) whether the controller or processor
647 has implemented reasonable safeguards to mitigate privacy risks
648 associated with research, including, but not limited to, any risks
649 associated with re-identification; (8) assist another controller, processor
650 or third party with any obligation under section 1, 3 to 6, inclusive, or 8
651 of this act; or (9) process personal data for reasons of public interest in
652 the area of public health, community health or population health, but
653 solely to the extent that such processing is (A) subject to suitable and
654 specific measures to safeguard the rights of the minor whose personal
655 data is being processed, and (B) under the responsibility of a
656 professional subject to confidentiality obligations under federal, state
657 or local law.

658 (d) No obligation imposed on a controller or processor under any
659 provision of section 1, 3 to 6, inclusive, or 8 of this act shall be
660 construed to restrict a controller's or processor's ability to collect, use
661 or retain data for internal use to: (1) Conduct internal research to
662 develop, improve or repair products, services or technology; (2)
663 effectuate a product recall; (3) identify and repair technical errors that
664 impair existing or intended functionality; or (4) perform internal
665 operations that are (A) reasonably aligned with the expectations of a
666 minor or reasonably anticipated based on the minor's existing
667 relationship with the controller or processor, or (B) otherwise
668 compatible with processing data in furtherance of the provision of a
669 product or service specifically requested by a minor.

670 (e) No controller or processor shall be required to comply with any

671 provision of section 1, 3 to 6, inclusive, or 8 of this act if compliance
672 with such provision would violate an evidentiary privilege under the
673 laws of this state, and no such provision shall be construed to prevent
674 a controller or processor from providing, as part of a privileged
675 communication, any personal data concerning a minor to any other
676 person who is covered by such evidentiary privilege.

677 (f) No provision of section 1, 3 to 6, inclusive, or 8 of this act shall be
678 construed to: (1) Impose any obligation on a controller that adversely
679 affects the rights or freedoms of any person, including, but not limited
680 to, the rights of any person (A) to freedom of speech or freedom of the
681 press guaranteed in the First Amendment to the United States
682 Constitution, or (B) under section 52-146t of the general statutes; or (2)
683 apply to any individual's processing of personal data in the course of
684 such individual's purely personal or household activities.

685 (g) (1) Any personal data processed by a controller pursuant to this
686 section may be processed to the extent that such processing is: (A)
687 Reasonably necessary and proportionate to the purposes listed in this
688 section; and (B) adequate, relevant and limited to what is necessary in
689 relation to the specific purposes listed in this section.

690 (2) Any controller that collects, uses or retains data pursuant to
691 subsection (d) of this section shall, where applicable, take into account
692 the nature and purpose or purposes of such collection, use or
693 retention. Such data shall be subject to reasonable administrative,
694 technical and physical measures to protect the confidentiality, integrity
695 and accessibility of the personal data and to reduce reasonably
696 foreseeable risks of harm to minors concerning such collection, use or
697 retention of personal data.

698 (h) If any controller or processor processes personal data pursuant
699 to an exemption established in subsections (a) to (g), inclusive, of this
700 section, such controller or processor bears the burden of demonstrating
701 that such processing qualifies for such exemption and complies with
702 the requirements established in subsection (g) of this section.

703 Sec. 8. (NEW) (*Effective July 1, 2025*) (a) Any violation of the
704 provisions of sections 3 to 7, inclusive, of this act shall constitute an
705 unfair trade practice under subsection (a) of section 42-110b of the
706 general statutes and shall be enforced solely by the Attorney General.
707 Nothing in this section or sections 3 to 7, inclusive, of this act shall be
708 construed to create a private right of action or to provide grounds for
709 an action under section 42-110g of the general statutes.

710 (b) (1) During the period beginning July 1, 2025, and ending
711 December 31, 2027, if the Attorney General, in the Attorney General's
712 discretion, determines that a controller or processor has violated any
713 provision of sections 3 to 7, inclusive, of this act but may cure such
714 alleged violation, the Attorney General shall provide written notice to
715 such controller or processor, in a form and manner prescribed by the
716 Attorney General and before the Attorney General commences any
717 action to enforce such provision, disclosing such alleged violation and
718 such provision.

719 (2) (A) Not later than thirty days after a controller or processor
720 receives a notice under subdivision (1) of this subsection, the controller
721 or processor may send a notice to the Attorney General, in a form and
722 manner prescribed by the Attorney General, disclosing that such
723 controller or processor has: (i) Determined that such controller or
724 processor did not commit the alleged violation of sections 3 to 7,
725 inclusive, of this act; or (ii) cured such violation and taken measures
726 that are sufficient to prevent further such violations.

727 (B) If the Attorney General receives a notice described in
728 subparagraph (A) of this subdivision and determines, in the Attorney
729 General's discretion, that the controller or processor that sent such
730 notice did not commit the alleged violation or has cured such violation
731 and taken the measures described in subparagraph (A)(ii) of this
732 subdivision, such controller or processor shall not be liable for any civil
733 penalty under subsection (a) of this section.

734 (C) Not later than February 1, 2027, the Attorney General shall

735 submit a report, in accordance with section 11-4a of the general
736 statutes, to the joint standing committee of the General Assembly
737 having cognizance of matters relating to general law. Such report shall
738 disclose: (i) The number of notices the Attorney General has issued
739 pursuant to subdivision (1) of this subsection; (ii) the nature of each
740 violation that was the subject of a notice issued by the Attorney
741 General pursuant to subdivision (1) of this subsection; (iii) the number
742 of violations that were cured pursuant to subparagraphs (A) and (B) of
743 this subdivision; and (iv) any other matter the Attorney General deems
744 relevant for the purposes of such report.

745 (c) Beginning on January 1, 2027, the Attorney General may, in the
746 Attorney General's discretion, provide to a controller or processor an
747 opportunity to cure any alleged violation of the provisions of sections
748 3 to 7, inclusive, of this act in the manner described in subdivisions (1)
749 and (2) of section (b) of this section. In determining whether to grant
750 the controller or processor an opportunity to cure such alleged
751 violation, the Attorney General may consider: (1) The number of such
752 violations that such controller or processor is alleged to have
753 committed; (2) the size and complexity of such controller or processor;
754 (3) the nature and extent of such controller's or processor's processing
755 activities; (4) whether there exists a substantial likelihood that such
756 alleged violation has caused or will cause public injury; (5) the safety
757 of persons or property; and (6) whether such alleged violation was
758 likely caused by a human or technical error.

759 Sec. 9. Section 54-33c of the general statutes is repealed and the
760 following is substituted in lieu thereof (*Effective October 1, 2023*):

761 (a) The applicant for a search warrant shall file the application for
762 the warrant and all affidavits upon which the warrant is based with
763 the clerk of the court for the geographical area within which any
764 person who may be arrested in connection with or subsequent to the
765 execution of the search warrant would be presented with the return of
766 the warrant. Upon the arrest of any person in connection with or

767 subsequent to the execution of the search warrant, the law enforcement
768 agency that arrested the person shall notify the clerk of such court of
769 the return of the warrant by completing a form prescribed by the Chief
770 Court Administrator and filing such form with the clerk together with
771 any applicable uniform arrest report or misdemeanor summons.

772 (b) Except for a warrant for the installation and use of a tracking
773 device: (1) The warrant shall be executed within ten days and returned
774 with reasonable promptness consistent with due process of law and
775 shall be accompanied by a written inventory of all property seized; (2)
776 a copy of such warrant shall be given to the owner or occupant of the
777 dwelling, structure, motor vehicle or place designated in the warrant,
778 or the person named in the warrant; and (3) within forty-eight hours of
779 such search, a copy of the application for the warrant and a copy of all
780 affidavits upon which the warrant is based shall be given to such
781 owner, occupant or person. The judge or judge trial referee may, by
782 order, dispense with the requirement of giving a copy of the affidavits
783 to such owner, occupant or person at such time if the applicant for the
784 warrant files a detailed affidavit with the judge or judge trial referee
785 which demonstrates to the judge or judge trial referee that (A) the
786 personal safety of a confidential informant would be jeopardized by
787 the giving of a copy of the affidavits at such time, or (B) the search is
788 part of a continuing investigation which would be adversely affected
789 by the giving of a copy of the affidavits at such time, or (C) the giving
790 of a copy of the affidavits at such time would require disclosure of
791 information or material prohibited from being disclosed by chapter
792 959a. If a warrant is directed to a provider of an electronic
793 communications service as defined in subdivision (4) of subsection (a)
794 of section 54-47aa, or a remote computing service in subdivision (8) of
795 subsection (a) of section 54-47aa, for records of a subscriber or
796 customer of such provider, the court shall order that the provider not
797 disclose the existence of such warrant to such subscriber or customer
798 or any other person or entity for a period of up to ninety days if the
799 court determines that there is reason to believe that notification of the
800 existence of the warrant may result in (i) endangering the life or

801 physical safety of an individual; (ii) flight from prosecution; (iii)
802 destruction of or tampering with evidence; (iv) intimidation of
803 potential witnesses; or (v) otherwise seriously jeopardizing the
804 investigation.

805 (c) A warrant for the installation and use of a tracking device shall
806 be returned with reasonable promptness consistent with due process
807 of law and after the period authorized for tracking, including any
808 extension period authorized under subsection (d) of section 54-33a, has
809 expired. Within ten days after the use of the tracking device has ended,
810 a copy of the application for the warrant and a copy of all affidavits
811 upon which the warrant is based shall be given to the person who was
812 tracked or the owner of the property to, in or on which the tracking
813 device was installed. The judge or judge trial referee may, by order,
814 dispense with the requirement of giving a copy of the affidavits to the
815 person who was tracked or the owner of the property to, in or on
816 which the tracking device was installed if the applicant for the warrant
817 files a detailed affidavit with the judge or judge trial referee which
818 demonstrates to the judge or judge trial referee that (1) the personal
819 safety of a confidential informant would be jeopardized by the giving
820 of a copy of the affidavits at such time, or (2) the search is part of a
821 continuing investigation which would be adversely affected by the
822 giving of a copy of the affidavits at such time, or (3) the giving of a
823 copy of the affidavits at such time would require disclosure of
824 information or material prohibited from being disclosed by chapter
825 959a.

826 (d) If the judge or judge trial referee dispenses with the requirement
827 of giving a copy of the affidavits at such time pursuant to subsection
828 (b) or (c) of this section, such order shall not affect the right of such
829 owner, occupant or person to obtain such copy at any subsequent time.
830 No such order shall limit the disclosure of such affidavits to the
831 attorney for a person arrested in connection with or subsequent to the
832 execution of a search warrant unless, upon motion of the prosecuting
833 authority within two weeks of such person's arraignment, the court

834 finds that the state's interest in continuing nondisclosure substantially
835 outweighs the defendant's right to disclosure.

836 (e) Any order entered pursuant to subsection (b) or (c) of this section
837 dispensing with the requirement of giving a copy of the affidavits to
838 such owner, occupant or person shall be for a specific period of time,
839 not to exceed (1) two weeks beyond the date the warrant is executed,
840 or (2) with respect to a warrant for the installation and use of a
841 tracking device, two weeks after any extension period authorized
842 under subsection (d) of section 54-33a has expired. Within the
843 applicable time period set forth in subdivision (1) or (2) of this
844 subsection, the prosecuting authority may seek an extension of such
845 period of time. Upon the execution and return of the warrant,
846 affidavits which have been the subject of such an order shall remain in
847 the custody of the clerk's office in a secure location apart from the
848 remainder of the court file.

849 Sec. 10. Section 21a-435 of the general statutes is repealed and the
850 following is substituted in lieu thereof (*Effective October 1, 2023*):

851 As used in this section, [and] sections 21a-436 to 21a-439, inclusive,
852 and section 11 of this act:

853 (1) "Connecticut user" means a user who provides a Connecticut
854 home address or zip code when registering with an online dating
855 operator or a user who is known or determined by an online dating
856 operator or its online dating platform to be in Connecticut at the time
857 of registration;

858 (2) "Criminal background screening" means a name search for an
859 individual's history of criminal convictions that is conducted by
860 searching an (A) available and regularly updated government public
861 record database that in the aggregate provides national coverage for
862 searching an individual's history of criminal convictions; or (B) a
863 regularly updated database maintained by a private vendor that
864 provides national coverage for searching an individual's history of

865 criminal convictions and sexual offender registries;

866 (3) "Criminal conviction" means a conviction for a crime in this state,
867 another state, or under federal law;

868 (4) "Online dating" means the act of using a digital service to initiate
869 relationships with other individuals for the purpose of romance, sex or
870 marriage;

871 (5) "Online dating operator" means a person who operates a
872 software application designed to facilitate online dating;

873 (6) "Online dating platform" means a digital service designed to
874 allow users to interact through the Internet to participate in online
875 dating; and

876 (7) "User" means an individual who uses the online dating services
877 of an online dating operator.

878 Sec. 11. (NEW) (*Effective October 1, 2023*) An online dating operator
879 shall owe a duty of care to any user of its online dating platform to
880 protect against potential criminal activity of other users, including a
881 duty to notify users if the online dating operator has had a
882 communication with another user determined by the online dating
883 operator to have a higher propensity to commit a crime against
884 individuals.

885 Sec. 12. Section 29-7b of the general statutes is repealed and the
886 following is substituted in lieu thereof (*Effective July 1, 2023*):

887 (a) There shall be within the Department of Emergency Services and
888 Public Protection a Division of Scientific Services. The Commissioner
889 of Emergency Services and Public Protection shall serve as
890 administrative head of such division, and may delegate jurisdiction
891 over the affairs of such division to a deputy commissioner.

892 (b) The Division of Scientific Services shall provide technical

893 assistance to law enforcement agencies in the various areas of scientific
894 investigation. The division shall maintain facilities and services for the
895 examination and analysis of evidentiary materials in areas including,
896 but not limited to, chemistry, arson, firearms, questioned documents,
897 microscopy, serology, toxicology, trace evidence, latent fingerprints,
898 impressions and other similar technology. The facilities, services and
899 personnel of the division shall be available, without charge, to the
900 Office of the Chief Medical Examiner and all duly constituted
901 prosecuting, police and investigating agencies of the state.

902 (c) The Division of Scientific Services: (1) May investigate any
903 physical evidence or evidentiary material related to a crime upon the
904 request of any federal, state or local agency, (2) may conduct or assist
905 in the scientific field investigation at the scene of a crime and provide
906 other technical assistance and training in the various fields of scientific
907 criminal investigation upon request, (3) shall assure the safe custody of
908 evidence during examination, (4) shall forward a written report of the
909 results of an examination of evidence to the agency submitting such
910 evidence, (5) shall render expert court testimony when requested, and
911 (6) shall conduct ongoing research in the areas of the forensic sciences.
912 The Commissioner of Emergency Services and Public Protection or a
913 director designated by the commissioner shall be in charge of the
914 Division of Scientific Services operations and shall establish and
915 maintain a system of case priorities and a procedure for submission of
916 evidence and evidentiary security. The director of the Division of
917 Scientific Services shall be in the unclassified service and shall serve at
918 the pleasure of the commissioner.

919 (d) In accordance with the provisions of sections 4-38d, 4-38e and 4-
920 39, all powers and duties of the Department of Public Health under the
921 provisions of sections 14-227a, 14-227c, 15-140u and 21a-283 shall be
922 transferred to the Division of Scientific Services within the Department
923 of Emergency Services and Public Protection.

924 (e) There is established within the Division of Scientific Services the

925 Connecticut Internet Crimes Against Children Task Force, which shall
926 consist of affiliate law enforcement agencies in the state. The task force
927 shall use state and federal moneys appropriated to it in a manner that
928 is consistent with the duties prescribed in 34 USC 21114.

929 Sec. 13. (NEW) (*Effective October 1, 2023*) (a) As used in this section:

930 (1) "Employee" means any person engaged in service to an employer
931 in a business of his or her employer;

932 (2) "Employer" means a person engaged in business who has
933 employees, including the state and any political subdivision of the
934 state;

935 (3) "Occurring in the workplace" includes attendance at an off-
936 premises work-related event that is coordinated by or through the
937 employer, between employees or between an employer and an
938 employee;

939 (4) "Sexual assault" means any act that would constitute a violation
940 of section 53a-70, 53a-70a, 53a-70c, 53a-71, 53a-72a, 53a-72b or 53a-73a
941 of the general statutes; and

942 (5) "Sexual harassment" has the same meaning as provided in
943 subdivision (8) of subsection (b) of section 46a-60 of the general
944 statutes, and includes any act constituting sexual harassment under 29
945 CFR 1604.11(a).

946 (b) Notwithstanding the provisions of section 31-128f of the general
947 statutes, if an employer knows that a person is evaluating the
948 candidacy of a current or former employee of the employer, and the
949 employer provides such person with a recommendation or positive
950 commentary relating to the current or former employee's work
951 performance, such employer has a duty to timely disclose to such
952 person any known act of sexual harassment or sexual assault
953 committed by the employee occurring in the workplace of the
954 employer. For purposes of this section, an employer knows about an

955 act of sexual assault when the individual who provides the
956 recommendation or positive commentary is an employee or agent of
957 the employer and has actual knowledge of such act. For purposes of
958 this section, an employer knows about an act of sexual harassment
959 when the individual who provides the recommendation or positive
960 commentary is the employer, or an employee or agent of the employer
961 and has actual knowledge of such act, and a complaint alleging the
962 sexual harassment was filed with the Commission on Human Rights
963 and Opportunities, the Equal Employment Opportunity Commission
964 or a court of competent jurisdiction. An employer's duty to timely
965 disclose any known act of sexual harassment or sexual assault shall
966 terminate one year following the date on which the employer, or an
967 employee or agent of the employer, has actual knowledge of an act of
968 sexual harassment or sexual assault committed by an employee.
969 Notwithstanding the provisions of this subsection, a former employer's
970 duty to timely disclose known acts of sexual harassment or sexual
971 assault under this subsection shall terminate prior to the expiration of
972 such one-year period, if during such period: (1) A criminal prosecution
973 involving the sexual assault (A) is dismissed, (B) results in the entry of
974 a nolle prosequi of the sexual assault charges, or (C) results in the
975 acquittal of the former employee; or (2) in a proceeding before the
976 Commission on Human Rights and Opportunities involving a
977 complaint of sexual harassment, (A) the complainant withdraws the
978 complaint, or (B) said commission enters a finding that there is no
979 reasonable cause for the complaint.

980 (c) If an employer owes a duty to disclose to a person who is
981 evaluating the candidacy of a current or former employee of the
982 employer under subsection (b) of this section, and such person hires
983 the current or former employee in reliance on, in whole or in part, the
984 former employer's recommendation or positive commentary, then for
985 such time that the former employee is employed by the person, the
986 former employer shall be liable to any employee of the person who
987 relied on such recommendation or positive commentary for the
988 following acts committed by the former employee occurring in the

989 workplace of the person: (1) Any act of sexual harassment committed
 990 by the former employee, if the former employer breached its duty to
 991 disclose sexual harassment, and (2) any act of sexual harassment and
 992 sexual assault committed by the former employee, if the former
 993 employer breached its duty to disclose sexual assault.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2025</i>	New section
Sec. 4	<i>July 1, 2025</i>	New section
Sec. 5	<i>July 1, 2025</i>	New section
Sec. 6	<i>July 1, 2025</i>	New section
Sec. 7	<i>July 1, 2025</i>	New section
Sec. 8	<i>July 1, 2025</i>	New section
Sec. 9	<i>October 1, 2023</i>	54-33c
Sec. 10	<i>October 1, 2023</i>	21a-435
Sec. 11	<i>October 1, 2023</i>	New section
Sec. 12	<i>July 1, 2023</i>	29-7b
Sec. 13	<i>October 1, 2023</i>	New section

Statement of Purpose:

To (1) Establish standards concerning the provision of access to, and sharing of, consumer health data; (2) prohibit geofencing of certain health data; (3) establish additional requirements concerning minors' personal data and social media platform accounts; (4) revise disclosure requirements relating to warrants directed to providers of electronic communication services and remote computing services; (5) establish a duty of care owed by online dating operators to users relating to potential criminal activity of other users; (6) codify in statute the existence and prescribed duties of the Connecticut Internet Crimes Against Children Task Force; and (7) require employers to disclose known instances of sexual harassment and assault when making employment recommendations relating to former employees.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.; SEN. DUFF, 25th Dist.
SEN. ANWAR, 3rd Dist.; SEN. CABRERA, 17th Dist.
SEN. COHEN, 12th Dist.; SEN. FLEXER, 29th Dist.
SEN. FONFARA, 1st Dist.; SEN. GASTON, 23rd Dist.
SEN. HOCHADEL, 13th Dist.; SEN. KUSHNER, 24th Dist.
SEN. LESSER, 9th Dist.; SEN. LOPES, 6th Dist.
SEN. MAHER, 26th Dist.; SEN. MARONEY, 14th Dist.
SEN. MARX, 20th Dist.; SEN. MCCRORY, 2nd Dist.
SEN. MILLER P., 27th Dist.; SEN. MOORE, 22nd Dist.
SEN. RAHMAN, 4th Dist.; SEN. SLAP, 5th Dist.
SEN. WINFIELD, 10th Dist.; REP. DELANY, 144th Dist.

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