

Senate Commerce Committee

Aaron Jones 271-2609

HB 77-FN, prohibiting certain licensees from electronically recording or storing personal information obtained from an identification card.

Hearing Date: April 29, 2025

Time Opened: 10:25 a.m.

Time Closed: 10:33 a.m.

Members of the Committee Present: Senators Innis, Ricciardi, Murphy, McGough, Fenton and Reardon

Members of the Committee Absent : None

Bill Analysis: This bill prohibits certain licensees from electronically recording or storing personal information obtained from an identification card.

Sponsors:

Rep. Verville

Rep. Ammon

Who supports the bill: Representative Kevin Verville, Representative Keith Ammon, Debra Johnson, Mark Armaganian (NHLA), Julie Smith, Simon Berrio, Daniel Richardson

Who opposes the bill: Nancy Jerault

Who is neutral on the bill: No one

Summary of testimony presented in support:

Representative Keith Ammon, on behalf of Representative Kevin Verville

- Merchants that serve alcohol are required to scan licenses to ensure a purchaser is of legal age.
- On Line 6, it states “Nothing in this paragraph shall authorize the licensee to record, retain, or store, in any electronic form or format...”.
- The original bill was a prohibition whereas the amended version states it is not explicitly authorized.
- **Senator Ricciardi** asked if they had thought about expanding it. She has had similar issues when buying a gift card or returning something at Walgreens or CVS. She has been working with stakeholders to clarify what should not be allowed.

- **Representative Ammon** said he would, but he did not know if there was enough time for it this session. Hotel providers, for example, have a limited window where they can store data before records are destroyed. This seemed to be a consistent approach, and he believed this was a good idea for future legislation.
- **Senator Ricciardi** said Walgreens was not storing the data themselves; instead, it was a third party. She said it was the number one cause of identity theft.

Debra Johnson

- Ms. Johnson supported the bill, but not the amendment.
- Information from drivers' licenses is stored in a database, including pictures, signatures, height, weight, and eye color. Ms. Johnson said there was a federal law against this.
- Unlike gas pumps, Ms. Johnson did not see anything that monitored these systems to see if people were bringing in information they should not be.
- This bill did not ensure stores were not keeping this information or selling it.
- Ms. Johnson said there is always a question of balancing safety against privacy. A celebrity, for example, was stalked and murdered due to their driver's license being accessed.
- Ms. Johnson said selling information was a big business, and it was why individuals received junk mail.
- Ms. Johnson said it was fair that stores would not be held responsible if they did their due diligence.

Summary of testimony presented in opposition: None

Neutral Information Presented: None