

Brownback Small Business Safe Harbor Amendment to Hollings Substitute to S.2201

Purpose: The Internet is an empowerment tool for small businesses. This amendment seeks to ensure that online privacy requirements do not burden small businesses who do not use PII or sensitive PII they may happen to collect in the course of doing business.

Amend SEC. 203 to include new subparagraph(A):

(A) SMALL BUSINESS SAFE HARBOR.—This Act does not apply to any entity that—

- (1) has annual gross revenue under \$1,000,000 (based on the value of such amount in fiscal year 2000, adjusted for current dollars);
- (2) has fewer than 25 employees;
- (3) collects or uses personally identifiable information from fewer than 1,000 consumers per year for a purpose unrelated to a transaction with the consumer;
- (4) does not process personally identifiable information or sensitive personally identifiable information of consumers; and
- (5) does not sell or disclose for consideration such information to another person.