



Alaska State Legislature

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House Bill 328 Sponsor Statement

“An Act relating to biometric information and to the collection, use, storage, and disclosure of geolocation information; and establishing an unfair trade practice under the Alaska Unfair Trade Practices and Consumer Protection Act.”

Increasingly, geolocation data, information about a person’s whereabouts generated as a byproduct of their use of a mobile device, and biometric data, information based on biometric identifiers like finger prints and facial scans, are being collected and used for commercial applications ranging from security to tailored advertising. While some of these applications may be welcome, especially to the companies that collect and use the data, others can be harmful to the individual whose data is collected.

Biometric identifiers, unlike a password or an email address, cannot be changed. If compromised, they are compromised for good. Biometric information, when used in a commercial setting, has the potential to allow for discriminatory practices based on appearance. Knowing where a person is located often means knowing what that individual is doing. Geolocation data may not always be information a person wants available to private companies, ranging from advertisers to potential employers. Unregulated geolocation data and biometric information not only threaten an individual’s privacy, but also threaten freedom of expression and association. House Bill 328 seeks to ensure that geolocation and biometric information are collected, disseminated, and stored in a responsible, transparent way.

House Bill 328 will require private entities collecting biometric data to inform subjects that the information is being collected, and the specific purpose and length of time for which the data will be used. Private entities will be required to obtain a written release from the individual before collecting this information. They may not profit from a person’s biometric information or share this information, except at the subject’s request or in an instance where a warrant has been issued. In the case of geolocation data collection, companies will be required to inform individuals that the data will be collected, the specific purpose for which the data will be used, and where they can view this information. Through these measures, House Bill 328 will give Alaskans greater control over the way their personal digital information is being collected and used.

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