

S05879 • New York

Relates to prohibiting private entities from using biometric data for any advertising, detailing, marketing, promotion, or any other activity that is intended to be used to influence business volume, sales or market share or to evaluate the effectiveness of marketing practices or marketing...

Introduced

Risk: Medium

Comprehensive

Effective: Apr 18, 2021 | Last Action (Jan 05, 2022): REFERRED TO CONSUMER PROTECTION

Summary

This bill prohibits private entities from using biometric data for marketing purposes, including evaluating marketing effectiveness, to influence business metrics.

Business Impact

If you use biometric data for marketing in New York, you must cease such practices by the effective date or face penalties.

Key Provisions

- Prohibits private entities from using biometric data for marketing purposes, including evaluating marketing effectiveness.
- Defines 'private entity' and 'biometric identifier' for clarity.
- Excludes state or local government agencies from the definition of private entities.
- Specifies that biometric identifiers do not include certain health-related data.
- Establishes that the bill will take effect 30 days after becoming law.

Compliance Checklist

- Cease using biometric data for marketing activities | Who: All private entities in New York | Penalty: Potential penalties as defined in future regulations

Industries Affected

Topics

AI Privacy

Bill Sponsors

Name	Party	Role
SANDERS		Primary
RANZENHOFER		Primary
LIU		Primary
James Skoufis	Democratic	Primary
Andrew J. Lanza	Republican/Conservative/Independence/Reform	Primary

Related Bills

- S02390 (NY)
- A10794 (NY)
- A00488 (NY)

Official Source

<https://www.nysenate.gov/legislation/bills/2021/S5879>

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