BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	**HB 3009**
Version:	**PCS**
Request Number:	**10453**
Author:	**Walke**
Date:	**2/22/2022**
Impact: Please see previous summary of this measure	

Research Analysis

The PCS for HB 3009 creates the Voice Recognition Privacy Act of 2022 and places it in a new title in the Oklahoma Statutes, Title 75A Technology. The measure requires that any person, entity, or business that:

> • operates an online business;
> • operates a website that collects personal information; or
> • provides the operation of a voice-recognition feature
>
> Must prominently label the web page or device with:
> • the categories of personal information that are collected;
> • the categories of personal information that are sold;
> • the categories of personal information that will be shared for a business purpose
> • the purpose for collection;
> • the categories of third parties that buy or acquire the personal data;
> • the specific personal information that is collected;
> • the process for a consumer to review the collected data and request changes; and
> • that, in the case of voice recognition-enabled devices, the device contains a voice-recognition feature and the actions or commands that activate the feature to record or transcribe audio.

The measure prohibits recordings or transcripts collected through voice-recognition technology from being:
> • used for any advertising purpose;
> • shared with or sold to a third party, unless the user has consented or unless sharing is necessary to execute a function or provide a user-requested service; or
> • retained electronically, unless the user has consented.

If a user consents to the electronic retention of recordings:
> • Consent can be revoked at any time and cannot be solicited more than once per 12 months.
> • The user must be able to review and delete the recordings from an easily accessible interface or opt to delete the recordings automatically.
> • But the recording was the result of an incorrect activation, then the entity must not use the audio.
> • The business or entity can use recording captured with incorrect activation to improve the accuracy of the voice recognition.

In addition, the measure prohibits the manufacturer from being compelled to build specific features into devices that would facilitate law enforcement's ability to monitor private activity.

Lastly, the measure creates opportunities for court actions and civil penalties and authorizes the Office of the Attorney General to promulgate rules to effectuate the provisions of the act.

Prepared By: Tricia Hines

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.