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Florida House Passes Expansive Privacy Bill by a Landslide

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Last week, the Florida House of Representatives passed a new privacy bill, [House Bill 969](#), by a vote of 118-1. The bill is now before the Florida Senate for consideration. If the current version of the bill becomes law, Florida will join California and Virginia as a frontrunner in comprehensive privacy regulation.

The House's privacy bill features expansive consumer rights and strict compliance requirements for businesses. The bill would provide consumer rights similar to those provided by California and Virginia's privacy laws, including the right to request that data be disclosed, deleted, or corrected, the right to opt-out of the sale or sharing of data, and a right to nondiscrimination. Notably, the bill would also create an expansive private right of action, allowing consumers to sue companies for failing to comply with deletion, opt-out, and correction requests, in addition to a private right of action for data breaches. California's private right of action only allows consumers to sue for data breaches, while Virginia's new privacy law does not provide a private right of action at all. Florida's bill also features a provision for attorney's fees, which may provoke a flurry of lawsuits and class actions.

Despite the overwhelming vote in the Florida House, the bill may stall in the Florida Senate. The Florida Senate is still considering a similar bill that does not feature a private right of action, giving enforcement authority solely to Florida's Attorney General. Like the [Washington Privacy Act](#), disagreement over the proper method of enforcement may stall the legislation.

The privacy bill is now in the hands of the Senate Rules Committee, where the current legislative session ends on April 30.

For further information about Florida's privacy bill or privacy laws in general, please contact John Landolfi, Christopher Ingram, Christopher LaRocco, Sarah Boudouris, Gretchen Rutz, Joe Jakubowski, or your Vorys attorney.