

May 27, 2025

The Honorable Robert E. Craven, Sr.  
Chair, House Municipal Judiciary Committee  
Rhode Island House of Representatives  
82 Smith Street  
Providence, RI 02903

RE: BILL NUMBER H-6346 – A N A C T RELATING TO CRIMINAL OFFENSES -- IDENTITY THEFT PROTECTION ACT OF 2015

Dear Chairman Craven and Honorable Committee Members,

On behalf of Rhode Island's 39 cities and towns, we write to express concern regarding House Bill 6346, which seeks to amend the Identity Theft Protection Act of 2015. While we strongly support the intent to strengthen data security and improve breach notification procedures, the proposed changes present several challenges and ambiguities for municipal governments that warrant careful consideration.

**1. Definition Changes May Create Uncertainty for Municipal Compliance**

The bill removes the current definitions of "classified data" and "personal information" and introduces a new, undefined term, "personally identifiable information." Municipal IT systems and policies are currently aligned with the existing statutory definitions. Abruptly shifting to a new term without clearly articulating its scope may introduce confusion and increase compliance risk, especially if the new definition is broader or inconsistent with federal or industry standards.

**2. Additional Notification Requirements Lack Clarity**

The bill adds the Division of Enterprise Technology Strategy and Services (ETSS), or its successor, to the list of entities that must be notified in the event of a breach. While coordination with ETSS may improve statewide cybersecurity response, the roles and expectations of municipalities in this process are not clearly defined. Cities and towns need clear, accessible procedures and points of contact, particularly those without in-house IT departments.

**3. Increased Penalties Without Municipal Support May Be Counterproductive**

House Bill 6346 increases penalty provisions for violations. Municipal governments take data privacy seriously and strive to comply with security laws, but many operate with limited technical and financial resources. Without additional support—such as training, funding, or access to centralized cybersecurity infrastructure, penalty increases may disproportionately burden smaller communities despite their good-faith efforts to comply.

**4. Safe Harbor Language Needs Greater Clarity**

The bill allows for deemed compliance if an agency maintains its own security breach procedures as part of an information security policy that meets or exceeds the chapter's requirements. However, this safe harbor lacks detailed benchmarks and may be interpreted inconsistently across jurisdictions. Municipalities would benefit from clearer criteria or model policy templates developed by the state.

We appreciate the General Assembly's continued focus on improving cybersecurity protections for Rhode Islanders and stand ready to work with lawmakers and state agencies to ensure municipalities can implement these changes effectively and equitably.

Sincerely,



Randy R. Rossi  
Executive Director

Cc: Honorable Members of House Judiciary Committee