



December 9, 2021

Before the Ohio House Government Oversight Committee

H.B. No. 376

Chairman Wilkin, Vice-Chair White, Ranking Member Brown, Members of the House Government Oversight Committee, thank you for the opportunity to speak to you today regarding H.B. No. 376, the Ohio Personal Privacy Act.

My name is Lewis Dolezal and I am here today representing two organizations. The first is my employer, The Scotts Miracle-Gro Company, where I am corporate counsel. Headquartered in Marysville for the last 150 years, Scotts is the world's largest marketer of branded consumer products for the home, lawn, and garden. Our brands – Scotts, Miracle-Gro, Tomcat, Ortho, and others - are market leaders and among the most recognized in the industry. Scotts' subsidiary, The Hawthorne Gardening Company, is a leader in hydroponic growing systems and applications and a transformative force in that industry's emerging technology.

I am also here today on behalf of its trade association, The Ohio Manufacturers' Association (OMA), to provide comments for all of its members related to this legislation. The OMA was created in 1910 to advocate for Ohio's manufacturers; today, it has nearly 1,300 members with a mission to protect and grow Ohio manufacturing.

First, let me offer my sincere thanks to Representatives Carfagna and Hall for their leadership on this issue. Further, we are also very much appreciate the work of Governor Dewine, Lt. Governor Husted, and the CyberOhio Initiative for its vision to take up this innovative approach to privacy, much like its successful initiative in positing the Ohio Data Protection Act as a signature piece of cybersecurity legislation that has provided a model for other forward-thinking states and regulators.

We have spent countless hours working with all of these parties and other colleagues across industry to provide specific, technical expertise to enhance H.B. No. 376 and appreciate their inclusive approach focused on striking a proper balance among all stakeholders in a rapidly evolving area of the law.

Privacy is at the forefront of innovation and the digitization of many aspects of our lives, and there is no debate that companies committed to innovation are committed to

privacy. What is at debate is the disparate regimes offered by several governmental authorities across federal and state levels.

Ohio has a meaningful opportunity to help shape the direction of that conversation with H.B. No. 376, which features novel aspects that incentivize businesses to adopt strong privacy standards while offering a model that could provide unique efficiency through an optional common privacy framework. These central concepts are worthy of support and we look forward to working with all stakeholders to improve and enhance additional aspects of the bill as it moves forward that will position Ohio as a leader in legislative solutions that drive the speed of business while protecting our common privacy interests.

Thank you again for the opportunity to testify here today. I am happy to answer any questions that the committee may have.