



VERMONT LEGISLATIVE
Joint Fiscal Office

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Fiscal Note

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H.211 (Act 138) – An act relating to data brokers and personal information

As enacted ^{1,i}

Bill Summary

This bill would add various statutory provisions to protect the personal information of the residents. It would also require data brokers to provide notice of security breaches, certify that the information they collect is used for legitimate purposes, and delete personal information upon request.

Fiscal Impact

This bill would change the annual registration fee of a data broker from \$100 to \$900.

Background and Details

The following sections have a fiscal impact.

Section 1

This section would update 9 V.S.A. § 2446 to change the annual data broker registration fee from \$100 to \$900. Data brokers are required to register annually on or before January 31 following the year in which they meet the definition of data broker. Currently there is a \$50 per day civil penalty to a data broker that fails to register, capped at \$10,000 a year. This bill would increase that penalty to \$200 per day, with no cap.

Data brokers that fail to provide all registration information needed would need to file an amendment to their registration not later than 30 days after the discovery or notification of this omission. Data brokers are liable for a \$1,000 per day civil penalty thereafter that they do not file the amendment.

Any data broker found to have filed materially incorrect information in its registration would be liable for a civil penalty of \$25,000. Data brokers that fail to file an amendment to their registration to correct this information not later than 30 days after the discovery or notification, are liable for an additional \$1,000 per day civil penalty thereafter that they do not file the amendment.

¹ *The Joint Fiscal Office (JFO) is a nonpartisan legislative office dedicated to producing unbiased fiscal analysis – this fiscal note is meant to provide information for legislative consideration, not to provide policy recommendations.*

The bill as introduced can be found here: <https://legislature.vermont.gov/Documents/2026/Docs/BILLS/H-0211/H-0211%20As%20Introduced.pdf>

Data brokers would be required to maintain a bond in the amount of \$20,000 for any liability raised in this subchapter.

There are currently 283 data brokers registered with the Secretary of State.² The increase in registration fee would result in approximately \$254,700 in annual fee income.

Section 3

This section would update 20 V.S.A. § 4662 to add three members to the Cybersecurity Advisory Council.

Those three members would be:

- the Chair of the House Committee on Energy and Digital Infrastructure
- the Chair of the Senate Committee on Institutions
- a representative from the Judiciary, appointed by the Chief Justice of the Supreme Court.

Members of the Council who are not otherwise compensated or reimbursed for their attendance shall be entitled to per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010.

This would be a de minimis increase to State expenditures

² *This information can be found on the Data Broker Search page of the Secretary of State's Business Services Division.*
<https://bizfilings.vermont.gov/databrokersearch/Search>

ⁱ *The full fiscal note history is available on the fiscal tab of the bill page on the General Assembly website and can be pulled up through a bill number search on the JFO page.*