



Highlights this week include a Court decision on net neutrality, continuing activity in the states regarding privacy, and a major court case in Europe.

## In this issue:

### Federal Affairs

- [Court Upholds Most of the FCC Net Neutrality Repeal](#)
- [Two New Noteworthy Bills Introduced in the Senate](#)

### State Affairs

- [Nevada Privacy Law Takes Effect](#)
- [MacTaggart Asks for Input on Proposed Privacy Ballot Initiative](#)
- [New York Schedules Privacy Hearing](#)
- [State Legislative Weekly Tracker](#)

### News of Interest

- [Facebook, Google, Amazon to face questions about competition on Capitol Hill](#): report, *The Hill*, October 1, 2019
- [U.S. online privacy rules unlikely this year, hurting big tech](#), *Reuters*, September 30, 2019

- [E.U.'s Top Court Rules Against Facebook in Global Takedown Case](#), *NY Times*, October 3, 2019
- [Google Draws House Antitrust Scrutiny of Internet Protocol](#), *WSJ*, September 29, 2019

## Word on the Street

- 3,000 of the advertising industry's greatest minds have descended on Orlando to discuss everything advertising at the Masters of Marketing Conference. Follow [@ANAmarketers](#) on Twitter for updates from the conference!

## Upcoming ANA Events

- [Legal Affairs Committee Meeting](#) – October 16, 2019, New York, N.Y.
- [Brand Activation Legal Committee Webinar](#) - October 17, 2019
- [ANA/BAA Marketing Law Conference](#) – November 4 – 6, 2019, San Diego, Ca.

## Federal Affairs

### [Court Upholds Most of the FCC Net Neutrality Repeal](#)

The DC Circuit Court of Appeals upheld the Federal Communications Commission's (FCC) repeal of net neutrality rules promulgated during the Obama Administration. While the Court upheld the FCC's decision to repeal the rules, it ruled that the FCC cannot prevent individual states from passing their own net neutrality laws which could result in an inconsistent patchwork.

Following the Court's decision, Senator Ed Markey (D-MA) urged the consideration of his [Save the Internet Act](#) which would restore nationwide net neutrality rules. The bill passed the House of Representatives in April, but Senate Majority Leader Mitch McConnell (R-KY) has refused to allow a vote on the bill in the Senate.

### [Two New Noteworthy Bills Introduced in the Senate](#)

Two new bills of note were introduced in the Senate last week.

Sen. Jeanne Shaheen (D-NH) introduced [S. 2550](#) which would amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for tobacco products and electronic nicotine delivery systems.

Sen. Ed Markey (D-MA) also introduced [S. 2577](#) which would require data brokers to establish procedures to ensure the accuracy of collected personal information and for other purposes.

## State Affairs

### [Nevada Privacy Law Takes Effect](#)

On Tuesday October 1st, [Senate Bill 220](#) went into effect in Nevada. The bill requires that companies that collect data on consumers must give those consumers the ability to opt-out of having their personal information sold to third-party vendors among other requirements.

The bill gives the Nevada Attorney General the ability to seek fines of up to \$5,000 per violations against companies that violate the opt-out requirement. However, the bill DOES NOT contain a "private right of action" which would have allowed consumers to personally sue companies in the instance of a violation.

### [MacTaggart Asks for Input on Proposed Privacy Ballot Initiative](#)

Alastair MacTaggart, the real estate developer and investor behind the CCPA, recently released

another [proposed ballot initiative](#) which he hopes to get on the 2020 ballot in California.

MacTaggart has reached out to industry and is asking for input on his proposed initiative while it undergoes a 30-day amendment period. **It is critical that we hear from our members on how this bill would impact them.**

Please reach out to [djaffe@ana.net](mailto:djaffe@ana.net) or by calling the our Washington D.C. office at 202.296.1883.

## New York Schedules Privacy Hearing

The New York Senate has announced that a joint hearing will be held by the Senate Standing Committee on Consumer and the Senate Standing Committee on Internet and Technology entitled “Protecting Consumer Data and Privacy on Online Platforms.”

The hearing will take place October 25th at 10:00 AM ET in New York City. Oral testimony is by invitation only.

## State Legislative Weekly Tracker

Click [here](#) for a summary report of this week's legislative activity in the states.

## Contact Us

If you have questions on any of the issues mentioned in the ADviser, please feel free to contact ANA's Government Relations team in Washington, D.C.:

- Dan Jaffe, Group Executive Vice President, Government Relations ([djaffe@ana.net](mailto:djaffe@ana.net))
- Chris Oswald, Senior Vice President, Government Relations ([coswald@ana.net](mailto:coswald@ana.net))
- David Buzby, Senior Director, Government Relations ([dbuzby@ana.net](mailto:dbuzby@ana.net))
- Meghan Salome, Director, Government Relations ([msalome@ana.net](mailto:msalome@ana.net))
- Travis Frazier, Coordinator, Government Relations ([tfrazier@ana.net](mailto:tfrazier@ana.net))

You can also reach the D.C. office at any time at 202.296.1883

Stay tuned for our next newsletter and [visit us at our website](#) or [follow us on Twitter](#) for the latest updates.

You are receiving this email as part of your committee membership with the ANA (Association of National Advertisers). If you no longer wish to receive content related to your committee, or feel that you are getting this in error, please contact David Buzby ([dbuzby@ana.net](mailto:dbuzby@ana.net)) for removal.

Please send any comments about this email to [info@ana.net](mailto:info@ana.net).

**Let us know** what you think about our emails.

© Copyright 2019 Association of National Advertisers, Inc., 10 Grand Central, 155 East 44th Street, New York, NY 10017