



**Testimony submitted to the Joint Committee on Advanced Information,
Technology and Cybersecurity
In support of H.86 An Act to protect location privacy and
S.197 An Act to protect safety and privacy by stopping the sale of location data
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April 9, 2025**

The League of Women Voters of Massachusetts urges this joint committee to quickly and favorably report H.86 and S.197, commonly known as the Location Shield Act, out of committee and end the sale of cellphone location data in Massachusetts. Since there are no federal laws explicitly prohibiting the sale of this information, it is critical that our state takes steps to protect our citizens and prevent unregulated data brokers from buying and selling location data. Most cellphone users do not realize that data is being collected and have not given their permission for their cellphone provider to do so.

The Location Shield Act prohibits cellphone companies from selling location data, requires companies to obtain consent before collecting location data, and allows companies to collect location data with user consent to provide requested services such as weather information, to respond to emergencies and to comply with state and federal laws. Company requests to collect such data must be made separately from just checking “agree” and must be periodically renewed.

The League supports rights guaranteed to individuals in the Constitution, including the right to be free from unreasonable search and seizure. Collecting and selling private data without consent violates individual rights.

Making a person’s location data available to any buyer can put survivors of domestic violence particularly at risk. Abusers and stalkers can learn the location of safe houses and of homes where their victims live, the offices where they work and businesses they visit. The threat is real and dangerous. Protecting survivors of domestic violence is more than enough reason to pass the Location Shield Act as soon as possible.

Sale of location data also creates risks for people seeking reproductive and gender-affirming health care. Some states are already trying to track their residents who seek abortion care in a different state. Other states are putting restrictions on who can receive gender-affirming care. If those states can obtain location data, the risk for people needing these forms of health care increases.

Unfortunately, the current political climate can also impose risks from the sale of location data. We have seen threats and even physical attacks on people, especially public figures, from organized groups and “lone wolves” who disagree with statements or actions. Without laws to prevent such attackers from having access to their target’s physical location, the risk to those expressing almost any kind of political position increases.

Those are some of the people most likely to suffer serious consequences from the unrestricted sale of personal location data. But all of us deserve to have our private data protected. We all need to feel free to carry our cellphones with us and use them wherever we want without wondering if an unknown third party knows where we are, when we are there, and what we might be doing. Protect your own privacy and the privacy of all Massachusetts residents by passing the Location Shield Act.

The League of Women Voters of Massachusetts and our 44 local Leagues serving over 155 communities from Cape Cod to the Berkshires urge you to act quickly to bring H.86/S.197 to the floor for a vote. This bill should not languish in committee while people are put at risk when a third party purchases their location data. Please bring this bill up for consideration as soon as possible.

Thank you.