



Actionable Insight You Trust ®

MAY 2023 ARTICLES

STATE LEGISLATIONS

1. **Maine State Legislature Considering (Again) a BIPA-Like Statute**
2. **Florida Enacts Significant Amendment to Telephone Solicitation Act**
3. **50-State Noncompete Chart Updated (May 25, 2023: Kentucky, Minnesota, Maryland)**
4. **Minnesota about to be the 4th state banning noncompetes. Big news, bigger mistake?**
5. **Pay Transparency Bill Headed to Illinois Governor**
6. **Montana joins eight other states in enacting comprehensive privacy legislation**
7. **New York Enacts Material Healthcare Transactions Notice Requirements: Four Key Takeaways**
8. **San Francisco Planning Commission Recommends Approval of Legislation to Further Ambitious “Housing For All” Plans and Downtown Economic Revitalization**
9. **Florida Governor Signs FTSA Amendments Into Law**
10. **California AG Urges California Legislature to Ban Junk Fees**
11. **Texas Legislature Poised to Expand Access to Medical Patients as Texas Dispensing Organization License Round Closes**

BIG BRANDS

1. **FTC Announces Proposed Settlement with Premom Fertility Tracking App for Privacy Practices**
2. **EyeMed Pays Four State AGs \$2.5M for Data Breach**
3. **What’s Up With WhatsApp and Supervision Obligations?**
4. **What will the FTC do with recycling?**
5. **Companies Implementing ‘Super-Voting Preferred Stock’ as Stockholder Meeting Solution**
6. **Capital Markets Compass | Issue 6**

7. **SEC Adopts Amendments to Modernize Share Repurchase Disclosure**
8. **SEC Issues New Rules for Hedge Fund and Private Equity Disclosures**
9. **Massachusetts Federal Judge Finds That Joint Venture Between American Airlines and JetBlue Serving the Northeast Violates Antitrust Law**
10. **Endorsements and Actual Usage - A Deep Dive into the FTC and State Attorneys General Lawsuits Against Google**

CFPB

1. **A Circuit Split Emerges on the Constitutionality of the CFPB's Funding Structure, Months Before the Issue Comes Before the U.S. Supreme Court**
2. **A Circuit Split Emerges on the Constitutionality of the CFPB's Funding Structure, Months Before the Issue Comes Before the U.S. Supreme Court**
3. **CFPB Issues Compliance Guide for Small Business Lending Rule**
4. **Section 1071 Final Rule: An Overview**
5. **Housing Market Industry Group Urges Supreme Court to Preserve CFPB's Mortgage and Real-Estate Regulations Regardless of Constitutional Question's Outcome**
6. **What Should You Do About Someone Else's Enforcement Action? Five Things to Keep in Mind**
7. **Abusive Practices: CFPB Policy Statement Murky at Best**
8. **CFPB examines consumer overdraft experiences**
9. **UDAAP: You're at Risk - 10 Essential Tips for Protecting Your Business**
10. **7 Steps to Comply with the CCPA**

IN THE WORKPLACE

1. **Department of Labor Issues Guidance on New PUMP Act**
2. **Obesity as a Disability Under the Americans With Disabilities Act**

3. **CROWNING Moment: Implications for Employers as CROWN Act Expands**
4. **SMARTT: Essential Elements of a Policy for the Use of ChatGPT in the Workplace**
5. **Hiring Seasonal Workers This Summer? Here's Your Guide to Bringing Aboard Minors, Interns, and Volunteers**
6. **Evanston, Illinois Establishes a Fair Workweek Ordinance**
7. **How Your Employee Assistance Program Supports Mental Health**
8. **Generative AI Policies: Five Key Considerations for Companies to Weigh Before Using Generative AI Tools**
9. **Beginning January 2024, Washington Employers Can Get a Little More Information About an Employee's PFML Leave**
10. **New Era for Permanent Employment Certifications (PERM)**
11. **Maintaining a Harmonious Workplace...With One Hand Tied Behind Your Back**

CYBERSECURITY AND DATA PRIVACY

1. **[Event] 14th Advanced Forum on DCAA & DCMA Cost, Pricing, Compliance & Audits - June 14th - 15th, Arlington, VA**
2. **NIST Releases Initial Public Draft of NIST SP 800-171, Revision 3 for Protection of Sensitive Government Information**
3. **Another Vulnerability for Cybersecurity of Retirement Plan Data: Auto-Portability**
4. **NYSDFS Fines Lender and Mortgage Servicer \$4.25M for Cybersecurity Failures Including Vendor Management**
5. **FTC Policy Statement to Biometric Information and Technology**
6. **Patchwork of State Data Privacy Laws Adds Three New Patches**
7. **How has GDPR influenced the evolution of data protection in APAC?**
8. **FTC Seeks to Clarify Health Breach Notification Rule's Broad Applicability to Unauthorized App Disclosures**
9. **DOD Issues Final Rule Updating Supplier Performance Risk System (SPRS) Assessment Procedures for Federal Contractors**
10. **CISA and Partners Update the #StopRansomware Guide, Developed through the Joint Ransomware Task Force**

EMPLOYMENT AND BACKGROUND CHECKS

1. **SEC Off-Channel Communications Sweep**
2. **Use Of E-Verify To Become Mandatory In Florida On July 1, 2023**
3. **Fourth Circuit Allows Suit Alleging NCOSHA Citations Incentives to Proceed**
4. **ALERT: Change In Law – Retaliation Protection Now Given To Employees Complaining Of Known Violations**
5. **[Webinar] Human Capital Disclosures - June 21st, 2:00 pm - 2:30 pm EDT**
6. **DOJ's Enforcement and Compliance Changes: Weighing the Pros and Cons of Voluntary Disclosures**
7. **A Cautionary Tale: Inconsistent Reasoning In Employment Decision Can Lead To Trial**
8. **EEOC's Crosshairs Locked On Harassment of Teens In Restaurant Industry**
9. **GDPR Compliance in the U.S.: What to Know**
10. **Employers Beware: Slew of New Illinois Employment Laws Passed and Poised to Take Effect**
11. **Pre-Employment Testing Principles Apply to AI**

INTERNATIONAL

1. **Everything but the Kitchen Sink (and Maybe That Too!): New Export Controls on Russia Cover Whole Categories of Low-Level Commercial Electronic and Mechanical Equipment**
2. **Episode 276 -- Review of Phillips and Franks Int'l SEC FCPA Settlements**
3. **Key Developments for Employers in the UK - Issue 06**
4. **The Patent – A Caricature of Invention**
5. **Sanctions Against Russia: Recent Developments - May 2023**
6. **OFAC reaches \$3.3 million settlement with cosmetics company for Iranian sanctions violations**
7. **U.S. and EU enter bilateral sanctions partnership**
8. **International Trade, Enforcement & Compliance Recent Developments Update (May 24, 2023)**
9. **International Trade Enforcement Roundup – April 2023 Update**

10. **What the Irish DPC Meta Decision Means for International Data Transfers**

LAWSUITS

1. **Weekly Notable Ruling Roundup - May 2023 #4**
2. **Supreme Court Holds Forfeiture of Tax Sale Surplus Proceeds is a Governmental Taking**
3. **Does a Single Call to a Cellphone Meet the Concrete Injury Requirement? The Drazen Decision is Forthcoming**
4. **This Week in 340B: May 2023 #3**
5. **Conditional Certification of an FLSA Collective Action Is Not a Foregone Conclusion in the Fifth Circuit**
6. **Collective Action Plaintiffs in the Sixth Circuit Must Now Show Strong Likelihood They Are Similarly Situated**
7. **United States v. Elizabeth Holmes and Ramesh Balwani**
8. **PAGA Paraphrased – Gregg v. Uber Technologies, Inc., 89 Cal.App.5th 786 (2023)**
9. **Seventh Circuit Takes On Religious Discrimination**
10. **99 Cents Stores To Fork More Than A Dollar in 401(k) lawsuit**

MARIJUANA

1. **The Week in Weed: May 2023 # 4**
2. **Minnesota to Legalize Recreational Cannabis: What You Need To Know**
3. **High Times: Marijuana Positivity in Workplace Drug Tests Reaches 25-Year Record**
4. **What We Know From New York's Revised Cannabis Regulations**
5. **Cannabis Legal Report - May 2023 #2**
6. **Cannabis and Bankruptcy, Ep. 2: Considerations for Businesses [More with McGlinchey, Ep. 54]**
7. **Marijuana in the Manufacturing Workplace**
8. **Psychoactive Sanctuary: Religious Attempts to Circumvent the CSA**
9. **Mississippi Department of Health Revises Medical Cannabis Regulations: Feels Like I've Been Here Before**
10. **Putting the 'Green' in Renewable Energy at Cannabis Grow Facilities**

