2023 Data Privacy Legislation MauriceWutscher

LEGISLATION	STATUS 12/14/2023	THRESHOLDS/APPLEABILITY	RIGHT TO KNOW AND ACCESS	RIGHT TO CORRECT	RIGHT TO DELETE	RIGHT TO OPT OUT/ RESTRICT CERTAIN PROCESSING	OPT IN FOR PROCESSING SENSITIVE DATA	GLBA EXEMPTION	SPECIFIC CONTRACT REQUIREMENTS	SPECIFIC SECURITY STANDARDS	RISK ASSESSMENTS	PRIVATE RIGHT OF ACTION	RIGHT TO CURE	CIVIL PENALTY	RULEMAKING
CELAWARE HB 154 Releasers Personal Data Privacy Act	Enacted 9/11/23	Persons that conduct business in the State or persons that produce products or services that are targeted to residented the State and that during the perceiving control and the State and that during the speciality (1) Controlled or processed the persons date of the State 18, 5000 consumers, each office processed that persons date of the State 18, 5000 consumers, each office processed the persons date of the State 18, 5000 consumers, each office persons date of the State 18, 5000 consumers and persons date of the State 18, 5000 consumers and persons date of the State 18, 5000 consumers date of the	×	x	×	x	x	X Entity Level	×		If the controller controls or processes the data of not less than 100,000 consumers, and the processing involves: 1. The processing of personal data for the purposes of targeted advertising; 2. The sale of personal data; 3. The processing of personal data for the purposes of cartain profiling, or 4. The processing of services data;		x	Up to \$5,000 per violation.	
ELORGIA NE SALT	Failed.	controller. A rule projectioning, partnership, finance facility company, convocation, secondation of registering their reset facilities. 3. In organized or operated for the prifit of inhancial benefit of its sharmholders or secondary for the principle of the p	х	х	х	х		X Data Level; Entity Level if no targeted advertising and no selling or sharing unless covered by an exception.	x				х	Up to \$50,000 per violation.	х
FLORIDA SE 262	Enacted 6/6/23.	Controller A subproprietability garther thip, limited liability company, colororation, a subproprietability garther thip, limited liability company, colororation, and in the proprietability company, colororation and the subproprietability company, colorotation, and colorotation and colorotation and colorotation and colorotation and colorotation. Consideration and colorotation, and colorotation and colorotation and colorotation. A Determinent the purposes and measure of some colorotation, and colorotation. A Determinent the purposes and measure of some colorotation. A Determinent the purposes and measure of some colorotation. Some colorotation and colorotation. A Determinent the purposes and measure of some colorotation. A Determinent the purposes and colorotation and colorotation. A Seather colorotation colorotation and colorotation. A Seather colorotation colorotation and colorotation. A Seather colorotation and colorotation and colorotation. A Colorotation and colorotation and colorotation and colorotation and colorotation and colorotation. A Colorotation and	х	x	х	x	x	X Data & Entity Level	x		For the following processing activities immolning personal data: (3) The processing of personal data for processing of personal data for personal data. (3) The processing of personal data for personal data that precise a facilities data. (3) No processing activities insolving personal data that process a facilities making or data for the consumers.		x	Up to 550,000 per violation.	х
HAWAII HB 1497 [58 1110]	Did not pass; adjourned.	Persons that conduct business in the State or produce products or services that are targeted to readers of the State and: [1] During a calendar year, control or process personal data of at least 100,000 consumers; or [2] Control or process personal data of a text 5,000 consumers and derive over 50% of gross revenue from the sale of personal data.	×	x	×	×	х	X Data & Entity Level	x		(1) The processing of personal data for purposes of targeted advertising. (2) The state of personal data for purposes. (3) The personal data for purposes of profiling. (4) The processing of sensitive data. (5) Any processing activities innohing personal data that present a heightened risk of harm to consumers.	Damages sustained by the person, and, if the judgment is for the plaintiff, the plaintiff shall be awarded a sum not less than \$1,000 or threefold damages by the plaintiff sustained, whichever sum is the greater. Haw. Rev. Stat. Ann. § 480-13		Not less than \$500 nor more than \$10,000 for each violation. Haw. Rev. Stat. Ann. § 480- 3.1	х
HAWAII 58 974	Did not pass; adjourned.	Persons that conduct business in Hawaii or product products or services that are begreated to residents of Hawaii and. 1. During a calendary arc, control or process personal data of at least 100,000 consuments; or consuments; or Consuments; or Consuments and deriver over 25%, of gross revenue from the sale of personal data.	×	x	×	×	х	Nonpublic personal information, as defined in the Gramm-Leach- Billey Act.	x		(1) The processing of personal data for purposes of targeted advertising. (2) The sale of personal data for purposes. (3) The processing of personal data for purposes of profiling. (4) The processing of sensitive data. (5) Any processing activities innohing personal data that present a heightened risk of harm to consumers.		x	Civil penalties of up to \$7,500 for each violation	х
HAWAII SB 1110 (HB 1497)	Did not pass; adjourned.	Persons that conduct business in the State or produce products or services that are targeted for residents of the State and: (3) During a classified year, control or process personal data and at least 100,000 consumers; or (2) Control or process personal data of state 15,000 consumers and derive over 50% of gross revenue from the sale of personal data.	×	ж	×	x	×	X Data & Entity Level	x		(3) The processing of personal data for purposes of trageted advertishing, (2) The sale of personal data. (3) The processing of personal data for purposes of profiling, (4) The processing of sensitive data. (5) Any processing activities innohing personal data that present a heightened risk of harm to consumers.	Damages sustained by the person, and, if the judgment is for the plaintiff, the plaintiff shall be awarded a sum not less than \$1,000 or threefold damages by the plaintiff sustained, whichever sum is the greater. Haw. Rev. Stat. Ann. § 480-13		Not less than \$500 nor more than \$10,000 for each violation. Haw. Rev. Stat. Ann. § 480- 3.1	х
ILLINOIS HB 3385 Illinois Data Privacy and Protection Act	Did not pass; adjourned.	Any entity or any person, other than an individual acting in a non-commercial context, that alone or jointly with others determines the purposes and means of collecting, processing, or transferring covered data.	×	x	x	Opt in required for certain processing purposes.	x		×	×	Annual certification of compliance if a large data holder. Each covered entity that is not a small business must conduct a privacy impact assessment.	(1) an amount equal to the sum of any compensatory, liquidated, or punitive damages; (2) injunctive relief; (3) declaratory relief; and (4) reasonable attorney's fees and litigation costs.		Unspecified damages, civil penalties, restitution, or other compensation.	х
INDIANA HB 1554	Did not pass; adjourned.	Any person that conducts business in indiana or produces products or enrices that are targeted remissions and that during a calendar year: (1) control or processes personal data of at least 150,000 consumers; or control or processes personal data of at least 150,000 consumers; or control or processes personal data of a least 150,000 consumers; and the 1504 of gross reviews from the sale of personal data.	×	x	×	x	x	X Data & Entity Level	x	x	For processing activities involving: (1) The processing of personal data for purposes of targeted advertising, (2) The sale of personal data. (3) The processing of personal data for purposes of profiling, (4) The processing of sensitive data. (5) Avey processing activities involving personal data that present a heightened risk of harm to consumers.		x	Civil penalty not to exceed \$7,500 per violation.	
INDIANA SB 5	Enacted 5/1/2023.	Any person that conducts business in indiana or produces products or services that are trapeted to residents of indiana and that during a calendar year: (1) controls or processes personal date of all sold to 100,000 consumers or 100 controls or processes personal date of all sold. 2000 consumers and deviews more than 150 of orientatives and eviews more than 150 of gines revenue from the table of personal date.	x	х	x	х	x	X Data & Entity Level	x	x	For processing activities involving personal data. (1) The processing of personal data for purposes of targeted advertising. (2) The size of personal data for purposes of personal data for purposes of profiling. (3) The processing of personal data for purposes of profiling. (4) The processing of sensitive data. (5) Any processing activities involving personal data that present a heightened risk of him to consumer.		x	Civil penalty not to exceed \$7,500 per violation.	
(OWA HF 346 (formerly House Study Bill 12)	Withdrawn.	A person conducting business in the state or producing products or services that are targeted to residents of the state and that during a claimdar year does either of the following: a. Controls or processes personal data of at least 100,000 consumers. b. Controls or processes personal data of at least 150,000 consumers and derives over 50% of gross revenue from the sale of personal data.	×		×	x		X Data & Entity Level	x		of narm to consumers.		х	Up to \$7,500 for each violation under this chapter.	
IOWA SF 262 (formerly House Study Bill 1071)	Enacted 3/28/2023.	A person conducting business in the state or producing products or services that are targeted to residents of the state and that during a calendaryear does either of the following: a. Controls or processor personal data of at least 100,000 consumers. b. Controls or processor personal data of a text at 5,000 consumers and derives over 550% of groos revenue from the safe of personal data. Persons that conduct business is Netscript or produce product or ervices that are	×		x	×		X Data & Entity Level	x				х	Up to \$7,500 for each violation under this chapter.	
KENTUCKY HB 301	Failed; adjourned.	targeted to residents of this state and that during a calendar year control or process personal data of a least: (a) 100,000 consumers; or (b) 25,000 consumers and derive over 50% or gross revenue from the sale of personal data.	×		×	x		X Data & Entity Level	x				×	Up to \$7,500 for each violation.	
KENTUCKY SB 15	Failed; adjourned.	Persons that conduct business in Kartackly or produce products or services that are taggeded to residents of this state and that during a calendar year. (A) (II) the conduction of this state and that during a calendar year. (II) Service over 40% of gross revenue from the sale of personnel data.	x		x	x	x	X Data & Entity Level	x		The processing of benefits of the control of the co	X For violations related to consumer requests.	x	The Attorney General may initiate an action and seek damages for up to 57.500 for each continued violation	
LOUISIANA SE 199 Louisiana Consumer Privacy Act	Failed; adjourned.	Any controller or processor who conducts business in this state or produces a product or service that is targeted to consumers with one recidents of this state who satisfy both of the following. (1) His can sensual revenue or threshy five million distant or more. (2) During a Schedinker say of the following creative. (2) During a Schedinker say of the following creative. (3) During a Schedinker say of the following creative. (3) During a Schedinker say of the following creative and state of the sound of the same of the sound	×	х	x	×		X Data & Entity Level	x		presents a heightened risk of harm to consider the processing presents a heightened risk of harm, including: (1) Processing personal data for purposes of targeted advertising of for profiling; (2) Selling personal data; (3) Processing sensitive data.		x	An amount not to exceed \$7,500.	
MARIE LO 1972/SP 807 Mains Consumer Privacy Act	Work Session 10/17/2023.	Persons that conduct business is this State or persons that produce products or services that are targeted to molecular of this State and that during the proceding clinical year. A controlled or processed the personal date of not less that ISO(DIO Consumers. A controlled or processed the presonal date of not less that ISO(DIO Consumers.) B. Controlled or processed the personal date of not less than 25,000 consumers and derived more than 25% of gross revenue from the sale of personal date.	x	x	х		Opt in required if processing is for the purposes of trageted advertising, the sale of personal data or profiling in furtherance of solely automated decisions that produce legal command significant effects concerning it the processing involves sensitive personal data.	X Data & Entity Level	x		For processing activities involving: (1) The processing of personal data for (2) The sale of personal data, (3) The sales of personal data, (3) The processing of personal data for purpose of certain profiling; (4) The processing of sensible data.		х	Not more than \$10,000 for each intentional violation.	

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	Public	Covered entity" means a person, other than an individual actine in a non-commercial				General restrictions					Annually if the covered entity is not a small	X S5,000 per individual per violation or actual damages, whichever is			
MAINE LD 1977/HP1270 Maine Data Privacy and Protection Act	Hearing/Work Session 10/17/2023.	Covered entity" means a person, other than a individual acting in a non-commercial context, that alone or jointy with others determines the purposes and means of collecting, processing or transferring covered data.	x	x	х	on processing dependent on the purpose.			x	x	business, or if such a covered entity uses a "covered algorithm."	or actual damages, whichever is greater. Also allow for punitive damages, injunctive relief, declaratory relief and attorney's fees and costs.		Yes, amount unspecified.	
MARYLAND HB 807 (58 698)	Failed; adjourned.	A portion that (1) conduct the most multi-brighting CR (2) (3) Products can review to Manyland, CR (2) (3) Products can review to Manyland, CR (2) (3) Products can review or product that we to suppose for more form of the conduction of the CR (2) (3) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	x	x	x	×	x	X Entity Lovel	x		If processing presents a heightened risk of harm: (1) The processing of personal data for purposes of targeted advertising; (2) The sale of personal data; (3) The processing of sensitive data; (4) The processing of personal data for purposes of profiling; (5) Other substantial injury to a consumer.	х		A violation is an unfair, abusine, or deceptive trade practice that is subject to enforcement and penalties under the Maryland Consumer Protection Act.	
MARYLAND 58 698 (HB 807)	Failed; adjourned.	A person that: [1] Conduct Numbers Manylond, OR [2] I) Products services or product Numbers Manylond, OR [3] I) In the Conduction of production of the Conduction of Manyland, AND [4] During the immediately produced celester year. 1. Controlled or processes the personal data of at least 100,000 consumers, OR 1. Controlled or processes the personal data of at least 100,000 consumers and entire of the Controlled or processes the personal data of the US, 2000 consumers and entire of the Controlled or processes the personal data of the US, 2000 consumers and entire the Controlled or processes and the Controlled or processes.	×	×	х	x	x	X Entity Level	×		If processing presents a heightened risk of harm: (1) The processing of personal data for purposes of targeted advertising; (2) The sale of personal data; (3) The processing of sensitive data; (4) The processing of personal data for purposes of profiling; (5) Other substantial injury to a consumer.	х		A violation is an unfair, abusive, or deceptive trade practice that is subject to enforcement and penalties under the Maryland Consumer Protection Act.	
MASSACHUSTYS H 2281 Massachusetts Data Privacy Existencia has	Referred to Joint Committee.	Covered estim," any entire or any person, other than an individual straigh in a non- commercial context, that show priciple, with one of termine the proper of measure of collecting, processing, or transferring covered data. Any entire of the context of the co	х	х	х	х	х		х	x	For a large data holder that uses a convoid algorithm in a manner that poses a consequential risk of ham to an individual or group of individuals.	Liquidated damages of no lose, than 0.15% of the annual global of the control of the control of the \$15,000 per voicinos, whichever is greater.		Not less than 0.15% of the annual global revenue or \$15,000, whichever is greater, per violation; and not more than 4% of the annual global revenue of \$10,000,000, whichever is \$20,000,000, whichever is \$20,000,000, whichever is violations to multiple wideling the second of such action includes multiple wideliness.	х
MASSACHISETTS 1.25 Massachments Data Privacy Protection Act	Referred to Joint Committee.	"Covered entry," says entire or any person, when the an include setting in a pos- cession of the control of the	x	x	х	x	x		x	×	For a large data halder that uses a covered agreement and amount that poses a consequential risk of harm to an individual or group of individuals.	Liquidated damages of not less than 0.15% of the annual global resource of the Cored eithy or 615,000 per violence, whichever is greater.		Not less than 0.15% of the annual global revenue or 51.500, whichever is 51.500, whichever is parter, per violation; and not most than 4% of the annual global revenue of the covered entity, data processor, or the party per processor, or the party per particular fraction includes making particular per action in scules making violations to multiple individuals.	х
MASSACHUSETTS 5 227 Massachusetts information Phinacy and Sessivity Act	Referred to Joint Committee 11/2/2023	(1) a controller or processor that conducts business in the commonwealth, and (2) the precessing of personal information by a controller or processor and physically (1) the processor and physically (1) the differing organized entering the processor and physically (1) the differing organized entering the state trappet to individuality (1) the continuous organized entering entering the processor and processor and the commonwealth or supper to produce and (1) an existing the controller processor and (1) and existing the controller processor and (1) and existing the controller processor and (1)	x	x	x	х	x	X Data Level	x		It) processing persons of the sale of the purpose of (i) (the sale of the personal reformation, (ii) targeted cross-contestual advertisting; or (ii) processing personal information for the advertisting; (iii) processing personal information for the other information for the contest of the				
MICHIGAN SR 659 Michigan Personal Data Philasty Act S	First chamber; in committee.	A person that does both of the following: (a) Conducts business in this state or produces products or services that are targeted to (b) Conducts or services that are targeted to (b) Control or processes personal state of a fact of the following: (b) Control or processes personal state of a fact set 10,000 consumers. (c) Control or processes personal state of a fact set 10,000 consumers and derives any revenue from the state of personal state.) (c) Control or processes personal state of a fact set 10,000 consumers and derives any revenue from the state of personal state. (c) The control of set set sections only apply and a control or fact set sections only apply and a control or fact set sections of set	x	x	x	x	Consent required to process any personal data.	X Data & Entity Level	x		For processing artificities that involve: (a) the processing of personal data for purpose of registed advertising. (b) The processing of personal data for the purpose of restrict profiling. (d) The processing of sensitive data.	A consumer may bring a civil action seeking. (a) Actual demages. (b) injunctive or desturatory relative (c) Any other electratory relative consumers of the court deems appropriate.	х	Not more than \$7,500 for each violation.	
MINNESOTA HE 1367	Did not pass; adjourned.	A business that: [1] has infinitely great revenues in excess of \$25,000,000; [2] anneally buy or self-stee personal information of \$0,000 or more insolivable, households, device information in the solid personal information.	х		x	х						Any person hylyned by a violation of which challer may hard go call action to necessive and residence of recover. [3] damages not less than \$5100 and not more than \$7500 per consumer, per violation, or the consumer's actual damages, whichever is greated in the consumer's actual damages, whichever is greated in the consumer's actual damages, whichever is greated in the consumer's actual damages whichever person of the consumer's actual damages awards of which actually actually a minute to the consumer actual damages awards of which actually actual		The Attorney General may enforce any provision in accordance with Minn. Stat. Ann. § 8.31.	
MINNESOTA HF 1892 (SF 950) MINNESOTA HF 2809 (SF 2815)	Did not pass; adjourned. Did not pass; adjourned.	businesses that conduct businesses for Momenta or produce products or services that are larged entities that conduct businesses Momenta are produced products or services that are targeted to residents of Administration or produced products or services that are targeted for residents of Momenta, and that satisfy one or more of the following. Theresholds: (1) during a calendary year, control or processes personal data and 100,000 consumes. (2) during a calendary year, control or processes personal data and processes or (2) devices over 250 of good reviewed from the sale of personal data and processes or controls personal data of 35,000 consumen or more.	×	×	x	×	Opt in required for any collection, use or disclosure.	X Data Level	x	×	A controller must conduct, document, and maintain a data privacy and protection assessment that describes the policies and procedures it has adopted to comply with the provisions of the act. Data privacy and protection assessments conducted for the or upurpose of compliance with other laws or regulations may qualify if they have a similar scope and effect.		x	Not more than \$7,500 for each violation. Not more than \$7,500 for each violation.	
MINNESOTA SF 950 MINNESOTA SE 2915 (HF 2302) Minnesota Consumer Data Privacy Act	Did not pass; adjourned. Did not pass; adjourned.	Businesses that conduct business in Monescian or produce products or services that are largered for inclinate of Monescian . Legal entities that conduct business in Monescian or produce products or services that Legal entities that conduct business in Monescian or produce products or services that the services of the services of the services of the following Dental Conference on the services of the services of the following Conference on the Service of the Services of	х	х	x	х	Opt in required for any collection, use or disclosure.	X Data Level	х	x	A controller must conduct, document, and maintain a data privacy and protection assessment that discribes the policie and protection for the act. Data privacy and protection of the act. Data privacy and protection accessments conducted for the purpose of complained with other laws or regulations may qualify if they have a similar scope and effect.		х	Not more than \$7,500 for each violation. Not more than \$7,500 for each violation.	
MISSISSIPPI SB 2080 Mississippi Consumer Data Privacy Act	Died in Committee 1/31/23.	A liquil entity that is organized or operated for the profit or financial benefit of its inhankelines or other owners, that collects consumery general information, or on the other owners, that collects consumery general information from the other owners, and the collects of the other owners of the other owners, that close business in Mississips, and that startifies one or more of the last starting of the other owners owners of the owners owners of the other owners	x		x	x						For breach resulting from failure to implement reasonable security mesoures. Not less than \$100 and not greater than \$750 per consumer per incident or actual damages, whichever is greater.	x	Up to \$7,500 for each violation.	x
MONTANA SB 384	Enacted 5/19/2023.	Persons that conduct business in Montana or persons that produce products or services that are targeted to residents of Montana and (1) control or process the personal data or foreis than ±10,000 consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction. (2) control or process the personal data of not less than 35,000 consumers and derive more than 55% or given revenue from the called generated data.	x	x	x	x	×	X Data & Entity Level	x		For processing that presents a heightened risk of harm, including: (a) The processing of personal data for the purposes of targeted advertising; (b) The aled of personal data; (c) The processing of personal data for the purpose of profiling; and (d) The processing of sensible data.		х		
NEW HAMPSHIRE S8 255	Second Chamber; held for second year action.	Persons that conduct business in New Hempshite or persons that produce products or services that are targeted for residents of New Hampshite.	х	х	х	х	x	X Data & Entity Level	×		For processing that presents a heightened risk of harm, including: (a) The processing of personal data for the purposes of targeted advertising: (b) The sale of personal data; (c) The processing of personal data for the purposes of profiling; and (d) The processing of sensitive data.		х	A violation shall be constituted as an unfair method of competition or any unfair or deceptive act or practice in the conduct of any trade or commerce within this state under FSA 358-A12; civil penalties up to \$10,000 for each violation.	

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NEW JERSEY A 505 (S 3714) New Jersey Disclosure and Accountability Transparency Act (2022)	First Chamber; In Committee; No movement since January 2022.	A controller that collects the personally identifiable information of a consumer. "Controller" means a person or legal entity that collects, maintains, and determines the purposes and means of processing personally identifiable information.	×	×	×	×		X Entity Level	×	×	A data protection impact statement is required prior to processing any personally identifiable information.			Any violation shall be an unlawful practice and violation of P.L.1960, c.39 (C.56:8-1 et seq.)	х
NEW JERSEY A 1971 (S 332) (2022)	First Chamber; Second Reading.	Any operator that collects a consumer's personally identifiable information through its commercial Internet website or online service and discloses or selfs the consumer's personally identifiable information.	х			х		X Entity Level							х
NEW JERSEY S 332 (A 1971) (2022)	Second Chamber; Amended;	An operator that collects the personally identifiable information of a consumer through a commercial internet website or online service.	x			x		X Entity Level							х
(2022) NEW YORK A 3308 (\$ 2277) Digital Fairness Act	Second Reading. First Chamber; adjourned.	"Operator" means a person or entity that operates a commercial internet website or an online service. A legal entity that conducts business in New York state and as part of such business, processes and maintains the personal information of five hundred or more unique individuals.	×		x	Opt in generally required unless processing is necessary for the completion of the		Linky Laren	x			\$10,000 or actual damages, whichever is greater.		Up to \$25,000 per violation or up to 4% of annual revenue.	х
		ITOVICUAIS.				requested transaction.						-		revenue.	
NEW YORK A 3593 New York Privacy Act	First Chamber; adjourned.	galgaperous that conduct business in New York or produce products or services that are targeted to residents of New York, and that staffy one or more or the following the Production of the Pro	х	х	x	x	Opt in generally required unless the processing is necessary to provide the services or goods requested by a consumer; perform a construct to which the consumer is a party, or take steps at the request of the consumer prior to entering into a contract.	X Data Level							
NEW YORK A 4374 (5 3162)	First Chamber; adjourned.	And preferencing partnership, balled balls; remains, corporation, searchizes, searchizes, or other legal entity that is organized or operated to the polit of manufal lements of its absorbed or or other owners, that collects consumer personal information, that observes in the state, and the statifice one or ore of its bibliosis prevaleds: (A) that among pass remains in execut of 5004.0 (A) prevaled of the state of 500,000 or more of the state of 500,000 or more of 5	x			x			x			A violation of this section shall be deemed to constitute an injury in fact to the consumer who has suffered the violation, and the consumer who has custlered the violation, and the consumer need not suffer a loss of money or property as a result of the violation in order to bring a action for a violation of this section. A consumer shall recover statutory damages in the amount of one thousand dollars or actual damages, whichever is greater,		Up to \$7,500 for each violation.	
NEW YORK A 7423 [S 365A] New York Privacy Act	First Chamber; adjourned.	Legal persons that conduct business in New York or produce product or services that are targeted to residents of New York, and that utually one or more of the following: (a) New Annual gross reviews of \$255Mor more, (b) comotive or processes personal data of \$255Mor more, (c) derives over \$266.0 of gross reviews from the sale of personal data.	×	×	х	x	×	X Data Level	x		For processing that presents a heightened risk of harm to a consumer, including. (A) the processing of personal data for the purposes of targeting advertising, (B) the also of personal data for the processing of personal data, (C) the processing of personal data for the purposes of certain profilling.			Not more than \$20,000 per violation	x
NEW YORK 5 158A Health Information Privacy Act	Second Chamber; adjourned.	"Cowered organization" means an entity, including a data broker, that offers an electronic health product or service. "Electronic health product or service means any obstace of nethrows, including a mobile application, website, or other resided product or service, that is designed an obstacles approximate historisation, designed and designed and feed application, website, or other resided product or service, that is designed under the product of the service of the s	x			Consent required to collect, use, disclose, retain or process personal haziration information.						X Actual damages and statutory damages of 5500 per violation.			
NEW YORK \$ 365.A New York Privacy Act	Second Chamber; adjourned.	tagal persons that conduct business is here "for the product products or services that are targeted to resident of their You's, and that startly one or more of the following theretokine." [2] have aimsuffigors reviewed #25MM or many. [3] how aimsuffigors reviewed #25MM or many. [4] how aimsuffigors reviewed #25MM or many. [5] controll or processes personal data #25MM or many. [6] derives over \$70% of great reviews from the site of personal data.	×	×	х	x	×	X Data Level	×		For processing that presents a heightened risk of harm to a consumer, including; (A) the processing of personal data for the purposes of targeting advertising, (B) the also of personal data, (C) the processing of personal data for the purposes of certain profilial and (D) the processing of sensitive data.			Not more than \$20,000 per violation	x
NEW YORK 5 2277 (A 3308) Digital Fairness Act	First Chamber; adjourned.	A legal entity that conducts business in New York state and as part of such business, processes and maintains the personal information of five hundred or more unique individuals.	×		×	Opt in generally required unless processing is necessary for the completion of the requested transaction.			×			\$10,000 or actual damages, whichever is greater.		Up to \$25,000 per violation or up to 4% of annual revenue.	х
NEW YORK \$3162	First Chamber; adjourned.	Auth propriet and to genthrothis, finited labels; company, corporates, association, or other legal entity that is organized or operated for the grid of francial law-entit of its studenties or other owners, that colects consumer's personal information, that otherwise the latest and that settlines one or of this following the reduction. (A) that among pass reviews in execut of 5004c or propriet (A) and among pass reviews in the cost of 5004c or propriet (A) and a simple pass reviews in the cost of 5004c or propriet (A) and a simple pass reviews in the cost of 5004c or propriet (A) and a simple pass reviews in the cost of 5004c or propriet (A) and a simple pass review (A) and a	x			x			x			A violation of this section shall be deemed to constitute an injury in fact to the consumer who has suffered the violation, and the consumer who has cuffered the violation, and the consumer need not suffer a loss of money or property as a result of the violation in order to bring a action for a violation of this section. A consumer shall recover statutory damages in the amount of one thousand dollars or actual damages, whichever is greater.		Up to \$7,500 for each violation.	
INTEN YORK 5 5555 ICS YORK Data Act	First Chamber; adjourned.	A cole proprietorship, partnership, finited lability company, corporation, association, or other legisle printsythat is opposed or operated for the profit or financial beards of the sheekeleter or risk more, the collects construct prices and formation from the collect of the sheekeleter or their conservations, the collect companies and mans of the processing of consumer's primad discrements, the purposes and means of the processing of consumer's primad information, the date does less in the tast of their host, and that statistics one or more primade in the state of the state of the processing of consumer's primade primade in the state of the state	x		x	Opt in required unless reasonably necessary to provide a service or conduct an activity that a consumer has requested or its reasonably necessary for security or fraud prevention.		X Data Level				Damages not to exceed \$750 per consume per violation or actual damage, whichever is gratter. A violation of this article shall be deemed to constitute an injury in fact to the consumer who has suffered south violation, and the consumer need not suffer monetary or properly too as a result of such violation in order to bring an action.		Up to \$7,500 for each intentional violation and up to \$2,500 for each unintentional violation.	х
NORTH CAROLINA 5 525 North Carolina Consumer Privacy Act	First Chamber; In Committee.	Any controller or processor who: (1) Conducts business in this State or processor product to cervice that is targeted to confident business of the State or produces a product to cervice that is targeted to (2) tast sexual removed or feeting-from feeti	×		×	×		X Data & Entity Level	×				х	Not to exceed \$7,500.	
ONIO HE 345 Ohio Personal Privacy Act	Introduced 11/29/2023; in committee.	bullenses AN conject bullenses in this state, or profuse profuse its service. Surprise to commerce the bullense that that state the same or first flowboard profuse (1) The bullenses's amount gross revenues generated in this state acceed \$25M (2) During a calendar year (the bullenses control or processes personal data of (3) During a calendar year, the bullenses devices over \$500 for this gross revenues from the sale of personal data and processes or controls personal data of \$3,000 or more commerces.	×	x	х	x		X Data & Entity Level	x				x	Up to 55,000 for each violation.	
OKLAHOMA HB 1030 Oklahoma Data Privacy Act	Second Chamber; adjourned.	Absolute 11th deep laurieus is Oblination, callest cardinates proposal othermore. Absolute 11th deep laurieus is cellented in 11th deep laurieus in 11th	×		х	x		X Data & Entity Level						Not to exceed \$2,500 for each violation, or \$7,500 for each intentional violation.	
QREGON SB 512	Enacted 7/18/23	Any person the conducts below in this past, or the proods product or announced in the conduct of the state, and the during a clearlar person conduct operations are considered processed. (If the personal date of \$10,000 or more compared, other than personal date controlled or processed collect for the purpose of completing a purpose transaction; or (II) The personal date, \$50,000 or more compared, which will be proved to account the personal date. (II) The personal date are considered to the personal date of	x	x	x	x	x	X Data Level Also, a financial institution, as defined in ORS 706.008 that is only and directly engaged in financial activities, as described in 12 U.S.C. 1843(k).	x	x	for processing that presents a heightened risk of ham, lectuling. 1. Processing persons dut for the purpose of Largeted advertising. 2. Processing persons data; and 3. Selling personal data; and 4. Using the purson data for purposes of profiling.		х	Not more than \$7,500 for each violation.	

2023 Data Privacy Legislation

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											For the following processing activities:				
PENNSYLVANIA HB 708 Pennsylvania Consumer Data Protection Act	First Chamber; In Committee.	Persons that conduct business in Pennoyhania or produce goods, products or services that are add or offered for class to residents of Pennoyhania and that: (1) during a clearly way, control or pross, personal data of a less set 10,000 (2) control or process personal data of at least 75,000 consumers and derine over 50% of gross revenue from the sale of personal data.	×	×	x	×	×	X Data & Entity Level	x		(1) The processing of personal data for the purposes of targeted advertising; (2) The table of personal data; (3) The processing of personal data for the purposes of profiting data; (5) Any processing activity involving personal data that presents a heightened risk of harm too consumers.		×	UP to \$7,500 for each violation under this act.	
PENNSYLVANIA HB 1201 Consumer Data Protection Act	First Chamber; reported out of committee with amendment; laid on table.	A controller is any legal entity that meets all of the following critaria: (i) is opposed or operated for more controlled and of the following critaria: (ii) Collects consumery personal inferences on or behalf of which consumer's personal inferences or of the processing of consumer's personal inferences. (ii) Satisface any of the following thresholds: (iii) Assistation and the following thresholds: (iii) Assistation and the following thresholds: (iii) Devices at least 50% of annual revenues from salling consumer's personal inferences.	x	x	x	×	×	X Data & Entity Level	x		If the processing activities present a heightened risk of harm to a consumer, included risk of harm to a consumer, including a second response of personal state for the purpose of trapeted advertising. (3) The processing of personal state, a forth purpose of certain postling, (4) The processing of sensible data.		х	Violations of the provisions of this act shall constitute "unfair methods of competition" and "unfair or deceptive acts or practices" under the Unfair Trade Practices and Consumer Protection Law.	х
RHODE ISLAND HB 5745 Bhode Island Personal Data and Online Privacy Protection Act	First Chamber; Committee recommended measure be held for further study.	Persons that conduct business in Rhode Island or persons that produce products or services that are to greated to excident of Rhode Island and that during the preceding control of Rhode Island person. 11 Controlled or processed the security person of the Set No. 100,000 consumers. Activities of the Set No. 100,000 consumers and derived more than 25% of their group revenue from the sale of personal data.	×	×	х	x		X Data & Entity Level	×		For processing activities that present a heightened risk of harm. Processing that presents a heightened risk of harm includes: (1) The processing of personal data for the purposes of targeted advertising. (2) The sale of personal data (3). (3) The processing of personal data for the purposes of profiling; and (4) The processing of sensitive data.		×	A violation of the requirements of the provisions of this chapter shall constitute an unfair sales and deceptive trade practice for purposes of chapters 13 and 13.1 of title 6, and shall be enforced solely by the attorney general.	
TENNESSEE HB 1181 (SR 73) Tennessee Information Protection Act	Enacted 5/11/2023.	Persons that conduct business in the Tennessee of product products or services that are targeted to reduced in of Tennessee and that (1). (1) During a schedulery control of process parallel from lateral and a task to 100,000 commency or (2) Central or process personal information of a first \$1,000 consumers and derive more than 50% of great revenue from the sale of personal information.	x	x	x	×	×	X Data & Entity Level	×	×	For processing activities involving: (1) The processing of personal data for purposes of targeted advertising, (2) The sale of personal information. (3) The processing of personal data for purposes of certain profiling, (4) The processing of sensitive data. (5) Any processing activities involving personal data that present a heightened risk of harm to consumers.		x	Up to \$15,000 for each violation.	
TEAMESSEE SO 73 (NO 1181) TEAMESSEE SO 73 (NO 1181) TEAMESSEE SO 73 (NO 1181) TEAMESSEE ACT	Did not pass; adjourned.	Phrones that conduct business in this state or produce products or services that are taggeted to evalences of this state and that: (1) Suring a collective, control of process proposal information of at least one hundred thousand (100,000) consumers, or services and device the control (100,000) consumers, or consistent (55,000) (2) consumers and derive more than offsprocess (100,000) or give revenue from the sale of personal information.	х	х	x	х	x	X Data & Entity Level	x	x	(3) The processing of general information for purposes of trappeted advertisings. (3) The processing of personal information. (3) The processing of personal information. (3) The processing of personal information for processing of personal information of a contract of the contract of the contract of the contract of a contract of the contract of t		х	Up to \$15,000 for each violation.	
TEXAS HB 4	Enacted 6/18/2023.	Approximate [1] conducts business in this state or produces a product or service consumed by [2] processes or engages in the sake of personal data; and [3] is not a small business as defined by the blothest states Small Business Administration.	x	x	×	×		X Data & Entity Level	×		For: (1) the processing of personal data for purposes of trageted advertising. (2) the sale of personal data; (3) the processing of personal data for purposes of profiling; (4) the processing of sensitive data; and (5) any processing activities involving personal data that present a heightened risk of harm to consumers.		х	Not to exceed \$7,500 for each violation.	
TEXAS HR 1844 Texas Data Privacy and Socurity Act	Did not pass; adjourned.	Approx that: (1) conducts business in this state or produces a product or service consumed by (2) processes or images in the size of personal state; and (3) is not a ontall business as defined by the builded States Small Business Administration.	×	×	×	×	×	X Data & Entity Level	×		Yes, for: (1) the processing of personal data for purpose of targeted advertising: (2) the talk of personal data; (3) the processing of personal data for purposes of profiling; (4) the processing of sensitive data; and (5) any processing activatives invoking personal data that present a heightened risk of harm to consumer.		x	Not to exceed \$7,500 for each violation.	
WASHINGTON HR 1616 ISB 1616) People's Privacy Act	First Chamber; adjourned.	A person or ligal entity that is not a governmental entity and that conducts business in Washington state, processor captured personal effortunation, and (p) has entired in recently and extractions; or the conduction of the conduction of a calendar year.	x	x	x	x			x		For each of the following processing activities involving captured personal information: (a) The processing of captured personal information for purposes of suggested advertisely. (b) The processing of captured personal information for the purpose of the safe of captured personal information for the purposes of the safe of captured personal information for purposes of the safe of captured personal information for purposes of profitting and captured personal information for purposes of profitting captured personal information that present a height each of the formation that present a he	The greater of liquidated damages of \$2,000 per violation or actual damages, provided that the court may, in its discretion, increase the damages awarded up to an amount not to exceed three times the actual damages.		The groater of liquidated damages of \$2,000 per violation or actual damages provided that the court may, in its discretion, increase the damages awarded up to an amount not to exceed three times the actual damages.	
WASHINGTON 58 5643 People's Privacy Act	First Chamber; adjourned.	A person or legal entity that is not a governmental entity and that conducts budiess in Weahappen star, proteose captured personal effortunities, and If the service of necessary and the service through 300 or to restrict the processes and or mental through 200 or 100 processes and or maintains the captured information of 1,000 or more unique individuals during the course of a calendar year.	×	×	x	×			x		For each of the following processing articles: non-line; captured personal information: (a) The processing or captured personal information for purposes of suggested admittance of purposes of the safe of (b) The processing of captured personal information for the purposes of the safe of captured personal information; (f) The processing or captured personal (g) Any processing activities innolling (g) Any processing activities innolling (g) Any processing activities innolling captured personal information that present a heightened risk of harm to individuals.	The greater of Equidated damages of \$2,000 per violation or actual damages, provided that the court may, in its discretion, increase the damages amount of the exceed three times the actual damages.		The greater of liquidated damages of \$2,000 per violation or actual damages provided that the court may, in its discretion, increase the damages awarded up to an amount not to exceed three times the actual damages.	
WSST VIRGINIA HB 3453	First Chamber; adjourned.	A color provintensity, partnership, interest lability company, company, company, consistent, or legal existing that color and or legal existing that color and or legal existing the color and or legal existing the color and or legal existing the color and c	×	×	×	x						Damages in an amount not less than \$100 and not greater than \$150 per consumer par includer or acrad dramages, whichever it greater.	x	Not more than \$2,500 for each unintentional violation or \$7,500 for each intentional violation.	x
WEST VIRGINIA HB 3498	First Chamber; adjourned.	Persons that conduct business in West Virginia or produce products or exercise that are targeted for incidents of West Virginia and that (i) during a clientar year, control or process personal data of at least 10,000 con	×	×	×	x	×	X Data & Entity Level	×		For processing activities involving personal data: (1) The processing of personal data for purposes of targeted advertising; (2) The sale of personal data for purposes of targeted advertising; (3) The processing of personal data for processing of personal data; (3) The processing of terminal data for processing activates involving personal data that present a heightened risk of hims to consumers.		x	Up to \$7,500 for each violation.	
WINCORDIN AB 466 (58 642)	Second chamber; in committee.	Persons part croduct business o Maccours of product products is services that are products or services that are services of the state of persons to the Maccours of the Services of the Servic	×	×	x	×	×	X Data & Entity Level	×		For processing artificities involving personal data (at: 41) The processing of personal data for purposes of targetted advertising; (2) The sale of personal data for purposes of personal data for purposes of personal data for purposes of profiling; (4) The processing of sensitive data; and (5) Any processing artificiate involving personal data that present a heightened risk of harm to consumers.		x	Up to \$7,500 for each violation.	
WISCOREN SE 642 (AB 466).	First chamber; in committee.	Person that conduct business in Wilcomia or produce products or services that are targeted to residents of this state and who stafely either of the following: 1. During a selected regre, the press controls or processe personal data of at least 100,000 consumers. 2. The person controls or processes, personal data of at least 25,000 consumers and defines over 50 persons of grant events from the sale of personal data.	×	×	×	х	×	X Data & Entity Level	×		For processing activities involving personal data (a): (1) The processing of personal data for purposes of rargeted advertising (2) The sale of personal data; (3) The processing of personal data for purposes of profiling; (14) The processing of personal data fact of purposes of profiling; (15) Any processing activities involving personal data that processing activities involving personal data that processing activities involving of harm to consumers.		×	Up to \$7,500 for each violation.	