

State Comprehensive Consumer Data Privacy Laws



| | EFFECTIVE DATE | THRESHOLDS | RIGHT TO KNOW AND OBTAIN | RIGHT TO CORRECT | RIGHT TO DELETE | RIGHT TO OPT OUT/ RESTRICT PROCESSING | OPT IN FOR PROCESSING SENSITIVE DATA | GLBA EXEMPTION | CONTRACT REQUIREMENTS | SECURITY STANDARDS | RISK ASSESSMENTS | PRIVATE RIGHT OF ACTION | RIGHT TO CURE | ENFORCEMENT/ CIVIL PENALTY | RULEMAKING |
|---|----------------|---|--------------------------|------------------|-----------------|---------------------------------------|--------------------------------------|------------------------|-----------------------|--------------------|--|---|---------------|--|------------|
| CALIFORNIA CONSUMER PRIVACY ACT (As Amended by the California Privacy Rights Act) | 1/1/2023 | A business or other legal entity that is organized or operated for profit, that collects consumers' personal information, that does business in California, and that satisfies one or more of the following thresholds: 1. Annual gross revenue in excess of \$25,000,000; 2. Annually buys, sells, or shares the personal information of 100,000 or more consumers or households; or 3. Derives 50% or more of annual revenue from selling or sharing consumers' personal information. | X | X | X | X | | Data level. | X | General. | If processing presents a significant risk to consumers' privacy or security. | For a security breach, \$100 to \$750 per incident or actual damages, whichever is greater. | | No more than \$2,500 per violation, or \$7,500 for each intentional violation. | X |
| COLORADO PRIVACY ACT | 7/1/2023 | A controller that conducts business in Colorado or produces or delivers commercial products or services that are intentionally targeted to residents of Colorado and satisfies one or both of the following thresholds: 1. Controls or processes the personal data of 100,000 or more consumers per calendar year; or 2. Derives revenue from the sale of personal data and processes or controls the personal data of 25,000 or more consumers. | X | X | X | X | X | Data and entity level. | X | General. | If processing presents a heightened risk of harm, including: (a) Processing personal data for purposes of targeted advertising or for profiling; (b) Selling personal data; and (c) Processing sensitive data. | | X | Unfair or deceptive trade practice; up to \$20,000 per violation. | X |
| CONNECTICUT DATA PRIVACY ACT | 7/1/2023 | Persons that conduct business in Connecticut or persons that produce products or services that are targeted to residents of Connecticut and that during the preceding calendar year: 1. Controlled or processed the personal data of not less than 100,000 consumers; or 2. Controlled or processed the personal data of not less than 25,000 consumers and derived more than 25% of gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | If processing presents a heightened risk of harm, including: (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 profiling; and (4) The processing of sensitive data. | | X | Unfair trade practice; up to \$5,000 per willful violation. | |
| DELAWARE PERSONAL DATA PRIVACY ACT | 1/1/2025 | Persons that conduct business in Delaware or persons that produce products or services that are targeted to residents of Delaware and that during the preceding calendar year did any of the following: (1) Controlled or processed the personal data of not less than 35,000 consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction. (2) Controlled or processed the personal data of not less than 10,000 consumers and derived more than 20% of their gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | 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 certain profiling; or 4. The processing of sensitive data. | | X | Up to \$5,000 per violation. | |
| INDIANA PRIVACY ACT | 1/1/2026 | Any person that conducts business in Indiana or produces products or services that are targeted to residents of Indiana and that during a calendar year: 1. Controls or processes personal data of at least 100,000 consumers who are Indiana residents; or 2. Controls or processes personal data of at least 25,000 consumers who are Indiana residents and derives more than 50% of gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | 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) Any processing activities involving personal data that present a heightened risk of harm to consumers. | | X | Not to exceed \$7,500 per violation. | |
| IOWA DATA PRIVACY ACT | 1/1/2025 | Any person conducting business in Iowa or producing products or services that are targeted to Iowans and that during a calendar year does either of the following: 1. Controls or processes personal data of at least 100,000 consumers; or 2. Controls or processes personal data of at least 25,000 consumers and derives over 50% of gross revenue from the sale of personal data. | X | | X | X | | Data and entity level. | X | General. | | | X | Up to \$7,500 per violation. | |
| KENTUCKY CONSUMER DATA PROTECTION ACT | 1/1/2026 | Persons that conduct business in Kentucky or produce products or services that are targeted to residents and that during a calendar year control or process personal data of at least: (a) 100,000 consumers; or (b) 25,000 consumers and derive over 50% of gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | For: (a) The processing of personal data for the purposes of targeted advertising; (b) The processing of personal data for the purposes of selling of personal data; (c) The processing of personal data for the purposes of certain profiling; (d) The processing of sensitive data; and (e) Any processing of personal data that presents a heightened risk of harm to consumers. | | X | Up to \$7,500 per violation. | |
| MONTANA CONSUMER DATA PRIVACY ACT | 10/1/2024 | 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 of not less than 50,000 consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or 2. Control or process the personal data of not less than 25,000 consumers and derive more than 25% of gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | 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. | | X | Not to exceed \$7,500 per violation. | |
| NEW HAMPSHIRE SB 555 | 1/1/2025 | Persons that conduct business in New Hampshire or persons that produce products or services that are targeted to residents of New Hampshire that during a one year period: (a) Controlled or processed the personal data of not less than 35,000 unique consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or (b) Controlled or processed the personal data of not less than 10,000 unique consumers and derived more than 25 percent of their gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | 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 certain profiling; and (d) The processing of sensitive data. | | X | 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 RSA 384-A:2; civil penalties up to \$10,000 for each violation. | |
| NEW JERSEY DATA PRIVACY ACT | 1/1/2025 | Controllers that conduct business in New Jersey or produce products or services that are targeted to New Jersey residents, and that during a calendar year either: 1. Control or process the personal data of at least 100,000 consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or 2. Control or process the personal data of at least 25,000 consumers and the controller derives revenue, or receives a discount on the price of any goods or services, from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | For processing that presents a heightened risk of harm to a consumer, including: 1. Processing personal data for the purposes of targeted advertising or certain profiling; 2. Selling personal data; 3. Processing sensitive data. | | X | Unlawful practice under N.J. Stat. § 56:8-1, et seq; not more than \$10,000 for the first offense and not more than \$20,000 for the second and each subsequent offense. | X |

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| OREGON DATA PRIVACY ACT | 7/1/2024 | Any person that conducts business in this state, or that provides products or services to residents of Oregon, and that during a calendar year, controls or processes: (a) The personal data of 100,000 or more consumers, other than personal data controlled or processed solely for the purpose of completing a payment transaction; or (b) The personal data of 25,000 or more consumers, while deriving 25 percent or more of the person's annual gross revenue from selling personal data. | X | X | X | X | X | Data level, and financial institutions, as defined in ORS 706.008, that are only and directly engaged in financial activities, as described in 12 U.S.C. 184(i). | X | General. | For processing that presents a heightened risk of harm, including: 1. Processing personal data for the purpose of targeted advertising; 2. Processing sensitive data; 3. Selling personal data; and 4. Using the personal data for purposes of profiling. | X | Not more than \$7,500 for each violation. |
| TENNESSEE INFORMATION PROTECTION ACT | 7/1/2024 | Persons that conduct business in Tennessee or produce products or services that are targeted to residents of Tennessee and that: 1. During a calendar year, control or process personal information of at least 100,000 consumers; or 2. Control or process personal information of at least 25,000 consumers and derive more than 50% of gross revenue from the sale of personal information. | X | X | X | X | X | Data and entity level. | X | NIST Privacy Framework | If the processing involves: 1. Targeted advertising; 2. The sale of personal information; 3. Certain profiling; 4. Sensitive data; 5. Activities involving personal information that present a heightened risk of harm to consumers. | X | Up to \$15,000 for each violation. |
| TEXAS DATA PRIVACY AND SECURITY ACT | 7/1/2024 | A person that: (1) conducts business in this state or produces a product or service consumed by residents of this state; (2) processes or engages in the sale of personal data; and (3) is not a small business as defined by the United States Small Business Administration, except to the extent the person engages in the sale of sensitive data. | X | X | X | X | | Data and entity level. | X | General. | For: (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; and (5) any processing activities involving personal data that present a heightened risk of harm to consumers. | X | Not to exceed \$7,500 for each violation. |
| UTAH CONSUMER PRIVACY ACT | 12/31/2023 | Any controller or processor who conducts business in Utah or produces a product or service that is targeted to consumers who are residents of Utah, has annual revenue of \$25,000,000 or more, and satisfies one or more of the following thresholds: 1. Controls or process personal data of 100,000 or more consumers; or 2. Derives over 50% of gross revenue from the sale of personal data and controls or processes personal data of 25,000 or more consumers. | X | | X | X | | Data and entity level. | X | General. | | X | Not to exceed \$7,500 per violation. |
| VIRGINIA CONSUMER DATA PROTECTION ACT | 1/1/2023 | Persons that conduct business in Virginia or produce products or services that are targeted to residents of Virginia and that: 1. Control or process personal data of at least 100,000 consumers; or 2. Control or process personal data of at least 25,000 consumers and derive over 50% of gross revenue from the sale of personal data. | X | X | X | X | X | Data and entity level. | X | General. | 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; and 5. Any processing activities involving personal data that present a heightened risk of harm to consumers. | X | Up to \$7,500 per violation. |