



U.S. State Comprehensive Consumer Data Privacy Law Comparison

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Since the passage of the California Consumer Privacy Act (CCPA) in 2018, other U.S. states have followed suit by enacting comprehensive consumer data privacy laws in rapid succession. While these state consumer privacy laws tend to have similar themes and address comparable topics, there are also important differences among them — meaning a one-size-fits-all data privacy program will not suffice. Given that the federal government has yet to pass a comprehensive consumer data privacy law, organizations must ensure they comply with the law of each applicable state and monitor this rapidly evolving regulatory environment.

This chart provides a summary comparison of U.S. state comprehensive consumer data privacy laws enacted as of June 1, 2024. Because this chart does not cover every aspect of each state law, it should be used for informational purposes only.

Without limitation, this chart does not cover:

- State data privacy laws specific to only a particular type of data, such as the Washington My Health My Data Act
- All entity-level or data-level exemptions
- Contents of the privacy notice
- Procedures for responding to consumer rights requests
- Specific obligations when engaging service providers or other third parties
- Compliance obligations for service providers or other third parties
- Universal opt-out requirements
- Financial incentives
- Discrimination prohibitions

For more information about U.S. state comprehensive consumer data privacy laws or other data privacy matters, please contact a senior member of Foley's [Technology Transactions, Cybersecurity, and Privacy Practice](#).

Current as of June 1, 2024

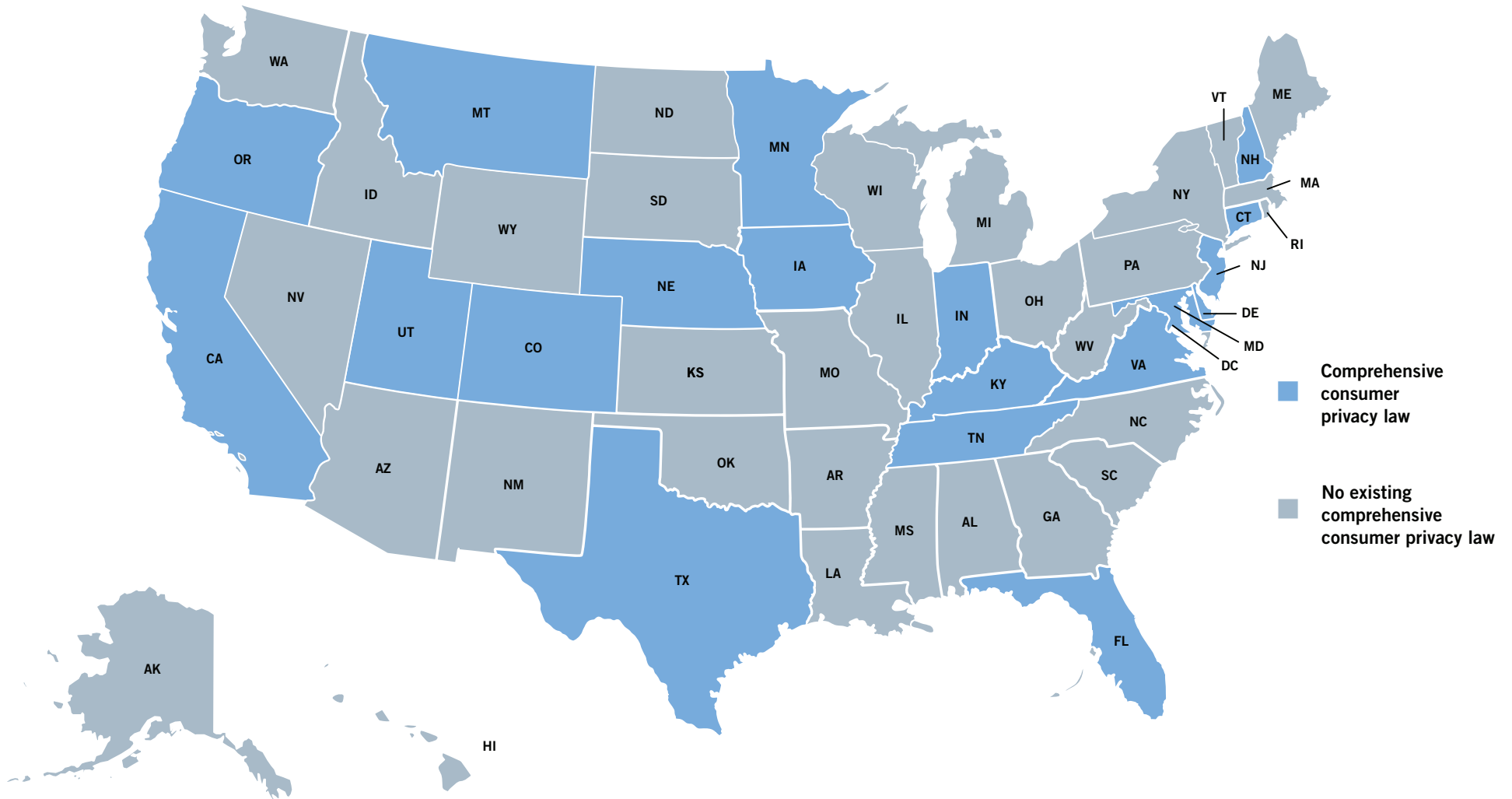
This chart is updated quarterly. To ensure you always refer to the most up-to-date version, please access the chart online via [Foley.com](https://www.foley.com).

CHART KEY:

L	–	Limited
ALL	–	All rights
S	–	Obtain opt-in consent for processing for sale or sharing of personal data
C	–	Authorized agents permitted to submit a consumer rights request for all consumer rights on behalf of children
SD	–	Sensitive data
D	–	Mental or physical health diagnosis
CD	–	Mental or physical health condition or diagnosis
MCTD	–	Mental or physical health medical history, condition, treatment, or diagnosis
EL	–	Entity-level exemption for covered entities and business associates as defined by HIPAA
DL	–	Data-level exemption for health care information collected by a covered entity or business associate to the extent data is treated as HIPAA-protected health information

U.S. States With a Comprehensive Consumer Privacy Law

Enacted as of June 1, 2024



State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
California	California Consumer Privacy Act (CPRA) , Calif. Civ. Code § 1798.100	Yes (additional regulations are forthcoming)	January 1, 2023	California resident	For-profit entities that (1) do business in California and (2) meet any one of the following: <ul style="list-style-type: none"> Had annual gross revenue in excess of \$25m in the preceding calendar year; or Annually buy, sell, or share “personal information” of ≥ 100,000 California residents or households; or Derive 50% or more of annual revenue from selling or sharing California residents’ “personal information.” 	“Personal information”: Information that identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household.
Colorado	Colorado Privacy Act (CPA) , Colo. Rev. Stat. 6-1-1301	Yes	July 1, 2023	Colorado resident	Entities that (1) do business in Colorado or produce or deliver commercial products or services intentionally targeted to Colorado residents, and (2) control or process the “personal data” of: <ul style="list-style-type: none"> ≥ 100,000 Colorado residents during a calendar year; or ≥ 25,000 Colorado residents and derive revenue or receives a discount on the price of goods or services from the sale of “personal data.” 	“Personal data”: Information that is linked or reasonably linkable to an identified or identifiable individual.
Connecticut	Connecticut Data Privacy Act (CTDPA) , Conn. Gen. Stat. Ann. 42-515	No (none expected)	<ul style="list-style-type: none"> July 1, 2023 (general data privacy act provisions and provisions related to consumer health data) July 1, 2024 (provisions related to social media entity’s obligations with minors’ data) October 1, 2024 (provisions related to children’s data and online dating platforms) 	Connecticut resident	For-profit entities that (1) do business in Connecticut or produce products or services targeted to Connecticut residents, and (2) during the prior calendar year control or process the “personal data” of: <ul style="list-style-type: none"> ≥ 100,000 Connecticut residents, excluding “personal data” controlled or processed solely to complete a payment transaction; or ≥ 25,000 Connecticut residents and derive over 25% of their gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable individual.
Delaware	Delaware Personal Data Privacy Act (DPDPA) , HB 154	No (none expected)	January 1, 2025	Delaware resident	Entities that (1) do business in Delaware or produce products or services targeted to Delaware residents, and (2) during the prior calendar year control or process the “personal data” of: <ul style="list-style-type: none"> ≥ 35,000 Delaware residents, excluding “personal data” controlled or processed solely to complete a payment transaction; or ≥ 10,000 consumers and derive more than 20% of their gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable individual.

State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
Florida	Florida Digital Bill of Rights (FDBR), Fla. Stat. 501.701	No (none expected)	July 1, 2024 (Florida Digital Bill of Rights)	Florida resident	For-profit entities that (1) do business in Florida, (2) collect “personal data” about Florida residents, (3) have over \$1bn in global annual revenue, and (4) meet any one of the following: <ul style="list-style-type: none"> ■ Derive 50% of global gross annual revenue from the sale of advertisements online; or ■ Operate a consumer smart speaker and voice command service with an integrated virtual assistant connected to a cloud computing service that uses hands-free verbal activation; or ■ Operate an app store or digital distribution platform with at least 250,000 different software applications for consumers to download and install. 	“Personal data”: Any information, including sensitive data, that is linked or reasonably linkable to an identified or identifiable individual.
Indiana	Indiana Consumer Data Protection Act (Ind. CDPA), Ind. Code 24-15	No (none expected)	January 1, 2026	Indiana resident	Entities that (1) conduct business in Indiana or (2) produce products or services targeted at Indiana residents that: <ul style="list-style-type: none"> ■ Control or process “personal data” of at least 100,000 Indiana consumers; or ■ Control or process “personal data” of at least 25,000 Indiana consumers and derive more than 50% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identifiable individual.
Iowa	Iowa Consumer Data Protection Act (Iowa CDPA), Iowa Code Ann. 715D.1	No (none expected)	January 1, 2025	Iowa resident	For-profit entities that (1) conduct business in Iowa or (2) produce products or services targeted to Iowa residents that: <ul style="list-style-type: none"> ■ Control or process “personal data” of at least 100,000 consumers; or ■ Control or process “personal data” of at least 25,000 consumers and derive over 50% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable natural person.
Kentucky	Kentucky Consumer Data Protection Act (KCDPA), HB 15	No (none expected)	January 1, 2026	Kentucky resident	Persons that (1) conduct business in Kentucky or produce products or services that are targeted to residents of Kentucky, and (2) during a calendar year control or process personal data of: <ul style="list-style-type: none"> ■ ≥ 100,000 consumers; or ■ ≥ 25,000 consumers and derive over 50% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable natural person.

State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
Maryland	Maryland Online Data Privacy Act (MODPA), SB 541	No (none expected)	October 1, 2025	Maryland resident	A person that (1) conducts business in Maryland or provides products or services that are targeted to residents of Maryland, <i>and</i> (2) during the preceding calendar year controlled or processed the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 35,000 consumers, excluding personal data controlled or processed for the purpose of completing a payment transaction; or ■ ≥ 10,000 consumers and derived more than 20% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or can be reasonably linked to an identified or identifiable consumer.
Minnesota	Minnesota Consumer Data Privacy Act (MNCDPA), HF 4757	No (none expected)	July 31, 2025 (general data privacy act provisions) July 31, 2029 (provisions related to postsecondary institutions regulated by the Office of Higher Education)	Minnesota resident	Legal entities that (1) conduct business in Minnesota or produce products or services that are targeted to residents of Minnesota, <i>and</i> (2) satisfy one or more of the following: <ul style="list-style-type: none"> ■ During a calendar year, control or process personal data of 100,000 or more consumers, excluding personal data controlled or processed for the purpose of completing a payment transaction; or ■ Derive over 25% of gross revenue from the sale of “personal data” and process or control personal data of 25,000 consumers or more. 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable natural person.
Montana	Montana Consumer Data Privacy Act (Mont. CDPA), SB 384	No (none expected)	October 1, 2024	Montana resident	For-profit entities that (1) conduct business in Montana <i>or</i> produce products or services targeted to Montana residents, <i>and</i> (2) control or process the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 50,000 Montana residents, excluding “personal data” controlled or processed only for the purpose of completing a payment transaction; <i>or</i> ■ ≥ 25,000 Montana residents <i>and</i> derive over 25% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable individual.

State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
Nebraska	Nebraska Data Privacy Act (NDPA), LB 1074	No (none expected)	January 1, 2025	Nebraska resident	A person that: <ul style="list-style-type: none"> ■ Conducts business in Nebraska <i>or</i> produces a product or service consumed by residents of Nebraska; ■ Processes or engages in the sale of personal data; and ■ Is not a small business as determined under the federal Small Business Act.¹ 	“Personal data”: Information, including sensitive data, that is linked or reasonably linkable to an identified or identifiable individual and includes pseudonymous data when the data is used by a controller or processor in conjunction with additional information that reasonably links the data to an identified or identifiable individual.
New Hampshire	New Hampshire Privacy Act (NHPA), SB 255-FN	No (the secretary of state has the authority to establish privacy notice standards)	January 1, 2025	New Hampshire resident	Entities that (1) conduct business in New Hampshire or produce products or services that are targeted to New Hampshire residents, <i>and</i> (2) during a one-year period control or process the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 35,000 unique consumers, excluding personal data controlled or processed solely for the purpose of payment transactions; or ■ ≥ 10,000 unique consumers and derive more than 25% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable individual.
New Jersey	New Jersey Data Privacy Act (NJDPa), SB 332	Yes (the Division of Consumer Affairs has the authority to promulgate rules and regulations)	January 15, 2025	New Jersey resident	Entities that (1) conduct business in New Jersey <i>or</i> produce products or services that are targeted to New Jersey residents, <i>and</i> (2) during the calendar year control or process the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 100,000 New Jersey residents, excluding data controlled or processed solely for the purpose of completing a payment transaction; <i>or</i> ■ ≥ 25,000 New Jersey residents <i>and</i> derive revenue or receive a discount on the price of any good or services from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable person.

¹ However, a small business may not engage in the sale of sensitive data without prior consent of the consumer. See Nebraska Data Privacy Act, §§ 3(1)(c), 18(1).

State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
Oregon	Oregon Consumer Privacy Act (OCA), SB 619	No (none expected)	<ul style="list-style-type: none"> July 1, 2024 (for-profit entities) <ul style="list-style-type: none"> The requirement to recognize and honor the sale of data opt-out signals is not enforceable until January 1, 2026 July 1, 2025 (501(c)(3) entities) 	Oregon resident	Entities that (1) conduct business in Oregon <i>or</i> that provide products or services to Oregon residents, <i>and</i> (2) during a calendar year control or process the “personal data” of: <ul style="list-style-type: none"> ≥ 100,000 Oregon consumers, excluding data controlled or processed solely for the purpose of completing a payment transaction; <i>or</i> ≥ 25,000 Oregon consumers <i>and</i> derive more than 25% of gross revenue from the sale of “personal data.” 	“Personal data”: Data, derived data, or any unique identifier that is linked to or reasonably linkable to one or more consumers or to a device that identifies, is linked to, or is reasonably linkable to one or more consumers in a household.
Tennessee	Tennessee Information Protection Act (TIPA), Tenn. Code Ann. 47-18-3201	No (none expected)	July 1, 2025	Tennessee resident	For-profit entities that (1) conduct business in Tennessee <i>or</i> produce products or services targeted to Tennessee residents, (2) exceed \$25m in revenue , <i>and</i> (3) control or process the “personal information” of: <ul style="list-style-type: none"> ≥ 175,000 Tennessee consumers during a calendar year; <i>or</i> ≥ 25,000 Tennessee consumers <i>and</i> derive more than 50% of gross revenue from the sale of “personal information.” 	“Personal information”: Any information that is linked or reasonably linkable to an identified or identifiable natural person.
Texas	Texas Data Privacy and Security Act (TDPSA), Texas Bus. & Comm. Code 541.001	No (none expected)	July 1, 2024	Texas resident	For-profit entities that (1) conduct business in Texas <i>or</i> produce a product or service consumed by Texas residents, (2) process or engage in the sale of “personal data,” <i>and</i> (3) is not a small business as defined by the U.S. Small Business Administration. ²	“Personal data”: Any information, including sensitive data, that is linked or reasonably linkable to an identified or identifiable individual. Pseudonymous data is included when the data is used in conjunction with additional information that reasonably links the data to an identified or identifiable individual.

² However, a small business may not engage in the sale of sensitive data without receiving prior consent from the consumer.

State	Statute	Regulations?	Effective Date	Scope		Protected Data
				Protected Individuals	Regulated Entities	Definition of Personal Data/Information
Utah	Utah Consumer Privacy Act (UCPA) , Utah Code Ann. 13-61-101	No (none expected)	December 31, 2023	Utah resident	For-profit entities that (1) do business in Utah <i>or</i> produce a product or service targeted to Utah residents, (2) have annual revenue of \$25m or more, <i>and</i> (3) control or process the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 100,000 Utah residents during a calendar year; <i>or</i> ■ ≥ 25,000 Utah residents <i>and</i> derive over 50% of their gross revenue from the sale of “personal data.” 	“Personal data”: Information that is linked or reasonably linkable to an identified individual or an identifiable individual.
Virginia	Virginia Consumer Data Protection Act (VCDPA) , Va. Code 59.1-575	No (none expected)	January 1, 2023	Virginia resident	For-profit entities that (1) do business in Virginia <i>or</i> produce products or services targeted to Virginia residents, <i>and</i> (2) control or process the “personal data” of: <ul style="list-style-type: none"> ■ ≥ 100,000 Virginia residents during a calendar year; <i>or</i> ■ ≥ 25,000 Virginia residents <i>and</i> derive more than 50% of gross revenue from the sale of “personal data.” 	“Personal data”: Any information that is linked or reasonably linkable to an identified or identifiable natural person.

State	Key Exempted Entities								Key Protected Data (PI) Exceptions									
	Public sector	Nonprofits	Organizations subject to GLBA (financial institutions and affiliates)	HIPAA-covered entities/business associates	Higher education institutions	National securities associations	State insurance producers	De-identified data	Publicly available data	Aggregate data	B2B data	Employment data	DPPA-covered data	FCRA-covered data	FERPA-covered data	GLBA-covered data	HIPAA-covered data	Emergency contact data
California	X	X ³		DL				X	X	X			X	X		X	X	
Colorado	L ⁴		X	DL ⁵	L ⁶	X		X	X		X	X	X	X	X	X	X	
Connecticut	X	X	X	EL	X	X		X	X		X	X	X	X	X	X	X	
Delaware	X	L ⁷	X	L, DL ⁸		X		X	X		X	X	X	X	X	X	X	X
Florida	X	X	X	EL	X			X	X	X	X	X	X	X	X		X	X ⁹
Indiana	X	X ¹⁰	X	EL	X			X	X	X	X	X	X	X	X		X	
Iowa	X	X	X	EL ¹¹	X			X	X	X	X	X	X	X	X	X	X	
Kentucky	X	X	X	EL, DL	X			X	X		X	X	X	X	X	X	X	X
Maryland	X	L ¹²	X	DL		X		X	X		X	X	X	X	X	X	X	X
Minnesota	X	L ¹³	L ¹⁴	DL ¹⁵			X	X	X		X	X	X	X	X	X	X	X ¹⁶
Montana	X	X	X	EL	X	X		X	X		X	X	X	X	X	X	X	
Nebraska	X	X	X	EL	X			X	X		X	X	X	X	X	X	X	X

- 3 Based on the CPRA's definition of a "business," a nonprofit can fall within scope of the law. The CPRA defines a "business" as an entity that owns or is owned by a business as defined under the CPRA. As such, a nonprofit organization that is owned by a business entity that meets the CPRA revenue threshold or a nonprofit that owns a for-profit entity that meets the CPRA revenue threshold will likely be subject to the CPRA. See Cal. Civil Code § 1798.140(d)(2). Further, the CPRA applies to joint ventures. Under the CPRA, a business is a joint venture when each business entity has at least 40% interest. See Cal. Civil Code § 1798.140(d)(3).
- 4 Exemption is limited and only applies if data is used for noncommercial purposes.
- 5 Solely to the extent the covered entity or business associate maintains the information in the same manner as HIPAA-protected health information or other exempt information.
- 6 Exemption is limited and only applies to information maintained by postsecondary institutions.
- 7 Exemption is limited to nonprofit organizations "dedicated exclusively to preventing and addressing insurance crime" and nonprofit organizations that provide services to victims of child abuse, domestic violence, human trafficking, sexual assault, violent felony, or stalking. See Del. HB 154 § 12D-103(b)(3) & (c)(13).
- 8 Information is exempt "to the extent it is used for public health, community health, or population health activities and purposes, as authorized by HIPAA, when provided by or to a covered entity or when provided by or to a business associate pursuant to a business associate agreement with a covered entity." See Del. HB 154 § 12D-103(c)(6).
- 9 Data processed or maintained as the emergency contact information of an individual used for emergency contact purposes is exempt. See Fla. Stat. § 501.704(17).
- 10 "Nonprofit organizations" means any organization exempt from taxation under Section 501(c)(3), 501(c)(6), or 501(c)(19) of the Internal Revenue Code. See Ind. SB 5 Sec. 18.
- 11 Solely to the extent the information (i) originates from and is intermingled with, or (ii) is treated in the same manner as, other exempt information.
- 12 Exemption is limited to a nonprofit controller that "processes or shares personal data solely for the purposes of assisting: law enforcement agencies in investigating criminal or fraudulent acts relating to insurance; or first responders in responding to catastrophic events." See Md. SB 541 § 14-4603(A)(4).
- 13 Exemption is limited to a "nonprofit organization that is established to detect and prevent fraudulent acts in connection with insurance." See Minnesota Consumer Data Privacy Act, § 2350.03(2)(a)(20).
- 14 Limited to "a state or federally chartered bank or credit union, or an affiliate or subsidiary that is principally engaged in financial activities, as described in" 12 U.S.C. § 1843(k). See Minnesota Consumer Data Privacy Act, § 2350.03(2)(a)(16).
- 15 Solely to the extent the information originates from, and intermingles to be indistinguishable with, any HIPAA-protected health information maintained by the covered entity or business associate. See Minnesota Consumer Data Privacy Act, § 2350.03(2)(a)(5).
- 16 Solely to the extent collected or maintained in the course of an individual acting as a job applicant to or an employee, owner, director, officer, medical staff member, or contractor of a business. See Minnesota Consumer Data Privacy Act, § 2350.03(2)(a)(13)(ii).

State	Key Exempted Entities							Key Protected Data (PI) Exceptions										
	Public sector	Nonprofits	Organizations subject to GLBA (financial institutions and affiliates)	HIPAA-covered entities/business associates	Higher education institutions	National securities associations	State insurance producers	De-identified data	Publicly available data	Aggregate data	B2B data	Employment data	DPPA-covered data	FCRA-covered data	FERPA-covered data	GLBA-covered data	HIPAA-covered data	Emergency contact data
New Hampshire	X	X	X	EL	X	X		X	X		X	X	X	X	X	X	X	X
New Jersey	X		X	DL			X	X	X		X	X	X ¹⁷	X		X	X	
Oregon	X	L ¹⁸	L ¹⁹	DL			X	X	X		X	X	X	X	X	X	X	X
Tennessee	X	X	X	EL	X		X ²⁰	X	X	X	X	X	X	X	X	X	X	X
Texas	X	X	X	EL	X			X	X		X	X	X	X	X	X	X	X
Utah	X	X	X	EL	X			X	X	X	X	X	X	X	X	X	X	
Virginia	X	X	X	EL	X			X	X		X	X	X	X	X	X	X	

17 Excepts “the sale of a consumer’s personal data by the New Jersey Motor Vehicle Commission that is permitted by” the federal DPPA. See New Jersey Data Privacy Act § 10(e).

18 Exemption is limited and only applies to a nonprofit organization that is established to detect and prevent fraudulent acts in connection with insurance or that provides programming to radio or television services. See Ore. SB 619 § 2(r) and (s)(C).

19 Only “financial institutions” as defined under Ore. Rev. Stat. § 706.008 or a financial institution’s affiliate or subsidiary that is only and directly engaged in financial activities are subject to a full exemption. See Ore. SB 619 § 2(l).

20 TIPA does not apply to Title 56 licensed insurance companies. See Tenn. Stat. § 47-18-3210(a)(3).

State	Consumer Rights							Sale of Personal Data	Business Obligations				Obtain Opt-in Consent for Processing		
	To know/access	To data portability	To erasure/deletion	To rectify/correct	To opt out of sale	To opt out of processing for cross-contextual behavioral/	To opt out of profiling	“Sales” include disclosures for other valuable consideration	Provide a privacy notice	Third-party agreement with processors	Avoid dark patterns to obtain consumer consent	Conduct risk assessments	Sensitive information	PI of minors (under age listed)	Other
California	X	X	X	X	X	X	X ²¹	X	X ²²	X	X	X ²³	X ²⁴	S/16	X ²⁵
Colorado	X	X	X	X	X	X	X	X	X	X	X	X	X	13	
Connecticut	X	X	X	X	X	X	X ²⁶	X	X	X	X	X ²⁷	X	13	X ²⁸
Delaware	X	X	X	X	X	X	X	X	X	X	X	X	X	13	X ²⁹
Florida	X	X	X	X	X	X	X	X	X ³⁰	X	X	X	X	13	X ³¹
Indiana	X	L ³²	X	L ³³	X	X	X		X	X		X	X	13	
Iowa	X	X ³⁴	X ³⁵		X ³⁶	X			X	X				13	
Kentucky	X	X ³⁷	X	X	X	X	X		X	X		X	X	13	
Maryland	X	X	X	X	X	X	X	X	X	X	X	X		13	
Minnesota	X	L ³⁸	X	X	X	X	X	X	X	X	X	X	X	13	
Montana	X	X	X	X	X	X	X	X	X	X	X	X	X	13	X ³⁹

21 The right to opt out of profiling is subject to future regulations. See Cal. Civ. Code § 1798.185(a)(16), (d).

22 California also requires a notice at or before the time of collection that has additional content requirements.

23 Additional regulations related to risk assessments forthcoming.

24 A business must obtain opt-in consent for processing sensitive personal information if previously limited by the consumer. See Cal. Civ. Code § 1798.120(d)

25 A business must obtain opt-in consent for processing upon entry into a financial incentive program. See Cal. Civ. Code § 1798.125(b)(3).

26 The right to opt out of profiling is applicable to solely automated decisions only.

27 Only for processing that presents a heightened risk of harm to a consumer

28 A business must obtain opt-in consent for processing personal data for the purposes of targeted advertising, or sale, under circumstances where a controller has actual knowledge, or willfully disregards, that the consumer is at least 13 years of age but younger than 16 years of age. See Conn. S.B. 3 § 4 (a)(7).

29 A controller may not process a minor’s personal data for the purposes of targeted advertising without obtaining consent. See Del. HB 154 § 12D-106(a)(7).

30 If a controller sells sensitive data or biometric data, it must provide an additional privacy notice. If a controller sells sensitive data, it must provide the following notice: “NOTICE: This website may sell your sensitive personal data.” See Fla. Stat. §§ 501.711 (f)(2)-(3).

31 A controller must obtain opt-in consent upon entry into a financial incentive program. See Fla. Stat. § 501.71(2)(c).

32 The right to data portability only applies to personal data provided by the consumer. See 2023 Ind. Code 24-15-3 § 1(b)(4)

33 The right to correct only applies to personal data provided by the consumer. See 2023 Ind. Code 24-15-3 § 1(b)(2).

34 The right to data portability only applies to personal data provided by the consumer. See 2023 Iowa SF 262 § 715D.3 1.c.

35 The right to delete only applies to personal data provided by the consumer. See 2023 Iowa SF 262 § 715D.3 1.b.

36 The sale of personal data only applies to the exchange of personal data for monetary consideration by the controller to a third party. See Iowa SF 262 § 715D.1. 25.

37 The right to data portability only applies to personal data provided by the consumer. See Kentucky Consumer Data Protection Act, § 3(2)(d).

38 The right to data portability only applies to personal data provided by the consumer. See Minnesota Consumer Data Privacy Act, § 3250.05(1)(e).

39 A controller must obtain opt-in consent for processing personal data for the purposes of targeted advertising, or sale, under circumstances where a controller has actual knowledge that the consumer is at least 13 years of age but younger than 16 years of age. See Montana Consumer Data Privacy Act, § 7(2)(d).

State	Consumer Rights							Sale of Personal Data	Business Obligations				Obtain Opt-in Consent for Processing		
	To know/access	To data portability	To erasure/deletion	To rectify/correct	To opt out of sale	To opt out of processing for cross-contextual behavioral/	To opt out of profiling	“Sales” include disclosures for other valuable consideration	Provide a privacy notice	Third-party agreement with processors	Avoid dark patterns to obtain consumer consent	Conduct risk assessments	Sensitive information	PI of minors (under age listed)	Other
Nebraska	X	L ⁴⁰	X	X	X	X	X	X	X	X	X	X	X	13	
New Hampshire	X	X	X	X	X	X	X	X	X	X	X	X	X	13	X ⁴¹
New Jersey	X	X	X	X	X	X	X	X	X	X	X	X	X	13	X ⁴²
Oregon	X	X	X	X	X	X	X	X	X	X		X	X	13	X ⁴³
Tennessee	X	X	X	X	X	X	X		X	X		X	X	13	
Texas	X	X	X	X	X	X	X	X	X	X	X	X	X	13	
Utah	X	X	X		X	X			X	X				13	
Virginia	X	X	X	X	X	X	X		X	X		X	X	13	

40 The right to data portability only applies to personal data provided by the consumer. See Nebraska Data Privacy Act, § 7(2)(d).

41 A controller must obtain opt-in consent for processing personal data for the purposes of targeted advertising, or sale, under circumstances where a controller has actual knowledge that the consumer is at least 13 years of age but younger than 16 years of age. See N.H. Rev. Stat. Ann. § 507-H:6(I)(g).

42 A controller shall not process the personal data of a consumer for the purposes of targeted advertising, the sale of the consumer’s personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning a consumer without the consumer’s consent, under circumstances where a controller has actual knowledge, or willfully disregards, that the consumer is at least 13 years of age but younger than 17 years of age. See New Jersey Data Privacy Act, § 9(a)(7).

43 A controller may not process a minor’s personal data for the purposes of targeted advertising without obtaining consent. See Ore. SB 619 § 12(c).

State	Consumer Rights Requests		Sensitive Data															Enforcement				
	Statutory response period (calendar days)	Extended response period (total calendar days)	Individual's status as a victim of a crime	Biometric data ⁴⁴	Children's data (under age listed)	Citizenship status	Electronic communication	Financial account information	Genetic data	Precise/specific geolocation data (feet)	Government ID	Health data	Race/ethnicity	Religious beliefs	Philosophical beliefs	Sex life	Sexual orientation	Status as transgender or non-binary	Union membership	Private right of action	Opportunity to cure	Fines for violations
California	45 ⁴⁵	90		X	16		X	X	X	1,850	X	X ⁴⁶	X	X	X	X	X		X	L ⁴⁷	L ⁴⁸	Up to \$2,500 per violation or up to \$7,500 per intentional violation ⁴⁹
Colorado	45	90		X	13	X			X		CD	X	X		X	X				X	X	Up to \$20,000 per violation ⁵⁰
Connecticut	45	90	X	X	13	X			X	1,750	CD	X	X		X	X				X	X	Up to \$5,000 for willful violations ⁵¹
Delaware	45	90		X	13	X			X	1,750	CD	X			X	X	X			X ⁵²	X	Up to \$10,000 per violation ⁵³
Florida	45	60 ⁵⁴		X	18	X			X	1,750	D	X	X			X				L ⁵⁵	X	Up to \$50,000 per violation and treble damages ⁵⁶
Indiana	45	90		X	13	X			X	1,750	D	X	X			X						Up to \$7,500 per violation
Iowa	90	135		X	13	X			X	1,750	D	X	X			X				X	X	Up to \$7,500 per violation
Kentucky	45	90		X	13	X			X	1,750	D	X	X			X				X	X	Up to \$7,500 per violation
Maryland	45	90		X	13	X			X	1,750	CD	X	X		X	X	X			L ⁵⁷	X	Up to \$10,000 per violation and up to \$25,000 for subsequent violations ⁵⁸

44 When processed for the purpose of uniquely identifying an individual.

45 California also requires that a business provide an acknowledgement of the consumer's request within 10 business days.

46 Under the CPRA, the definition of "sensitive personal information" includes "personal information collected and analyzed concerning a consumer's health." Unlike the other state consumer privacy laws, the CPRA does not distinguish between mental and physical health. See Cal. Civ. Code § 1798.140(ae)(2)(B).

47 The private right of action under the CPRA is limited to security breaches. See Cal. Civ. Code § 1798.150.

48 Under the CPRA, the cure period for administrative actions brought by the California attorney general or California Privacy Protection Agency (CPPA) is only at the CPPA's discretion. See Cal. Civ. Code § 1798.199.45. For actions brought by consumers for security breaches, there is a cure period of 30 days. See Cal. Civ. Code § 1798.150(b).

49 Note, for actions brought by consumers for security breaches, they can recover actual damages or up to US\$750, whichever is greater.

50 CPA violations constitute deceptive trade practices under Colo. Rev. Stat. § 6-1-112.

51 CTDPA violations constitute unfair trade practices under Connecticut's Unfair Trade Practice Act. See 2022 Conn. SB 6 § 11(e); Conn. Gen. Stat. § 42-110b.

52 The general right to cure violations expires on December 31, 2025. Starting on January 1, 2026, the Department of Justice may provide an ability to cure violations but is not required to.

53 Violations of the DPDPA are considered an unlawful practice under Del. Code Tit. 6 § 2513. See Del. HB § 12D-111(e).

54 Within 60 days of receiving a verifiable consumer request, a controller must provide the consumer with notice that it has complied with the consumer's request. See Fla. Stat. § 501.706(4).

55 The cure period is at the discretion of the Department of Legal Affairs and, depending on certain factors, may grant a 45-day cure period. See Fla. Stat. § 501.72(2).

56 The Department of Legal Affairs can award treble damages if a violation involves a known child, a controller fails to delete or correct a consumer's personal data after receiving a verifiable consumer request or continues to sell or share a consumer's personal data after a consumer opted out of selling or sharing. See Fla. Stat. § 501.72(1)(a)-(c).

57 Before April 1, 2027, a controller or processor will have 60 days to cure. See Md. SB 541 § 14-4614(c)(1).

58 MODPA violations constitute an unfair, abusive, or deceptive trade practice under Md. Code Ann., Com. Law § 13-410. See Md. SB 541 § 14-4613(a)(1).

State	Consumer Rights Requests		Sensitive Data															Enforcement				
	Statutory response period (calendar days)	Extended response period (total calendar days)	Individual's status as a victim of a crime	Biometric data ⁵⁹	Children's data (under age listed)	Citizenship status	Electronic communication	Financial account information	Genetic data	Precise/specific geolocation data (feet)	Government ID	Health data	Race/ethnicity	Religious beliefs	Philosophical beliefs	Sex life	Sexual orientation	Status as transgender or non-binary	Union membership	Private right of action	Opportunity to cure	Fines for violations
Minnesota	45	90		X	13	X			X	X ⁶⁰		CD	X	X		X					L ⁶¹	Up to \$7,500 per violation
Montana	45	90		X	13	X			X	1,750		CD	X	X	X	X					X	Not specified
Nebraska	45	90		X	13	X			X	1,750		D	X	X		X					X	Up to \$7,500 per violation
New Hampshire	45	90		X	13	X			X	1,750		CD	X	X	X	X					L ⁶²	Not specified ⁶³
New Jersey	45	90		X	13	X		X	X	1,750		MCTD	X	X	X	X	X				L ⁶⁴	Up to \$10,000 per violation and up to \$20,000 for subsequent violations
Oregon	45	90	X	X	13	X			X	1,750		CD	X	X		X	X				X ⁶⁵	Up to \$7,500 per violation
Tennessee	45	90		X	13	X			X	1,750		D	X	X		X					X	Up to \$7,500 per violation and treble damages for willful or knowing violations
Texas	45	90		X	13	X			X	1,750		D	X	X	X	X					X	Up to \$7,500 per violation
Utah	45	90		X		X			X	1,750		MCTD	X	X		X					X	Actual damages to affected consumers and up to \$7,500 per violation
Virginia	45	90		X	13	X			X	1,750		D	X	X		X					X	Up to \$7,500 per violation

59 When processed for the purpose of uniquely identifying an individual.

60 Specific geolocation data means “information derived from technology, including but not limited to global positioning system level latitude and longitude coordinates or other mechanisms, that directly identifies the geographic coordinates of a consumer or a device linked to a consumer with an accuracy of more than three decimal degrees of latitude and longitude or the equivalent in an alternative geographic coordinate system, or a street address derived from coordinates.” See Minnesota Consumer Data Privacy Act, § 3250.02(w).

61 Before January 31, 2026, a controller or processor will have 30 days to cure. See Minnesota Consumer Data Privacy Act, § 3250.10(a).

62 Through December 31, 2025, controllers will have 60 days to cure. Beginning January 1, 2026, the attorney general may grant an opportunity to cure in accordance with a numerated list of factors. See N.H. Rev. Stat. Ann. § 507-H:11(II), (III).

63 A violation constitutes an unfair method of competition or any unfair or deceptive act or practice in the conduct of any trade or commerce under N.H. Rev. Stat. Ann. § 358-A:2.

64 For the first 18 months after the law's effective date, controllers will have a 30-day cure period.

65 The 30-day cure period sunsets on January 1, 2026.

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