

Proposed State Privacy Laws Comparison Chart

Colorado SB21-190	
Status	Passed 7/7/21
Looks Like	VDCPA, WPA
Scope	Controllers that conduct business in Colorado or produce products or services that are intentionally targeted to residents of Colorado and that (1) control or process the personal data of 100,000 or more consumers during a calendar year and/or (2) derive revenue or receive a discount on the price of goods or services from the “sale” of personal data and process or control the personal data of 25,000 or more consumers.
Rights	Delete, correct, portable format
Opt In/Out	Opt out of the processing of ALL personal data concerning the consumer. Consent to processing of sensitive data.
Enforcement	AG
Exemptions	Data & entity GLBA, HIPAA, other

Illinois Consumer Privacy Act Bill HB 3910	
Status	Assigned to Civil Committee
Looks Like	Disclosure-focused
Scope	Annual gross revenues in excess of \$25 million; or buys, receives, sells or shares personal info of 50,000 or more consumers, households, or devices; or derives 50% or more of its annual revenues from selling consumers’ personal info
Rights	Right to request disclosure, deletion with some exceptions
Opt In/Out	Opt-out of sale to third parties. Opt-in for those under 16.
Enforcement	Civil action; AG
Exemptions	HIPAA, GLBA, Driver’s Privacy Protection Act
Other	Provide a clear and conspicuous link on the business's Internet homepage, titled "Do Not Sell My Personal Information"

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Massachusetts Information Privacy Act Bill SD 1726	
Status	
Looks Like	
Scope	
Rights	Know, access, correction, data portability, and deletion. Individuals 13 and older deemed competent to exercise all rights.
Opt In/Out	Opt-in. A covered entity must obtain consent.
Enforcement	Private right of action. Mass. Information privacy commission
Exemptions	HIPAA
Other	Prohibition of surreptitious surveillance

New Jersey Bill AB 5448	
Status	In committee
Looks Like	
Scope	commercial Internet websites and online services
Rights	Right to make changes
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	HIPAA, GLBA, other
Other	
New Jersey Disclosure and Accountability Transparency Act	

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New Jersey Bill A3283	
Status	In committee
Looks Like	
Scope	
Rights	Deletion, correction, or restriction of information. Object to disclosure to a third party.
Opt In/Out	Opt-in
Enforcement	Office of Data Protection and AG
Exemptions	HIPAA, GLBA, DPPA, FCRA
Other	Established the Office of Data Protection and Responsible Use. Processing sensitive personal info prohibited. In event of data breach, controller has 72 hrs to notify office.

New Jersey Bill A3255	
Status	In committee
Looks Like	
Scope	Annual gross revenues in excess of \$25 million; or buys, receives, sells or shares personal info of 50,000 or more consumers, households, or devices; or derives 50% or more of its annual revenues from selling consumers' personal info
Rights	Deletion, portable format
Opt In/Out	Opt-in
Enforcement	AG
Exemptions	HIPAA, GLBA, DPPA, FCRA
Other	

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New York “The Right to Know Act of 2021” Bill A400/S1349 (older versions of bill in previous years)	
Status	In committee
Looks Like	
Scope	
Rights	
Opt In/Out	
Enforcement	Private right of action or brought by AG, DA, city attorney
Exemptions	
Other	Restricts the disclosure of personal information by businesses

New York Bill A3818/ S1570	
Status	In committee
Looks Like	
Scope	Only applies to government entities and contractors.
Rights	Disclosure, deletion
Opt In/Out	
Enforcement	AG for guidance
Exemptions	FCRA
Other	

New York Privacy Act Bill A680A	
Status	In committee
Looks Like	
Scope	
Rights	Delete, correct, restriction
Opt In/Out	Opt-in or out to data processing. Opt-in to third party transfers
Enforcement	Private right of action, AG
Exemptions	HIPAA, GLBA
Other	

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New York Bill SB567	
Status	In committee
Looks Like	
Scope	Annual gross revenues in excess of \$50 million; or sells or shares personal info of 100,000 or more consumers, households, or devices; or derives 50% or more of its annual revenues from selling consumers' personal info
Rights	Disclosure
Opt In/Out	Opt-out. Under 16, opt-in
Enforcement	Private right of action; AG
Exemptions	HIPAA, FCRA
Other	"Do Not Sell Personal Information" link on webpage

New York Online Consumer Protection Act Bill A405	
Status	In committee
Looks Like	
Scope	Advertising network: company that is collecting online consume activity for the purpose of ad delivery
Rights	
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	
Other	

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New York S6701	
Status	Referred to Consumer Protection Committee 6/10/21
Looks Like	Enacts the NY privacy act to require companies to disclose their methods of de-identifying personal information, to place special safeguards around data sharing and to allow consumers to obtain the names of all entities with whom their information is shared.
Scope	This article applies to legal persons that conduct business in New York or produce products or services that are targeted to residents of New York, and that satisfy one or more of the following thresholds: <ul style="list-style-type: none"> (a) have annual gross revenue of twenty-five million dollars or more; (b) controls or processes personal data of one hundred thousand consumers or more; (c) controls or processes personal data of five hundred thousand natural persons or more nationwide, and controls or processes personal data of ten thousand consumers; or (d) derives over fifty percent of gross revenue from the sale of personal data, and controls or processes personal data of twenty-five thousand consumers or more.
Rights	Notice, Access and obtain in electronic format, correct, delete
Opt In/Out	Opt-in
Enforcement	AG, Private right of action
Exemptions	FCRA, GLBA, Driver’s Privacy Protection Act, Family Educational Rights, Farm Credit, HIPAA entity
Other	

New York “Digital Fairness Act” A6042	
Status	In committee
Looks Like	
Scope	The term “covered entity” shall mean a legal entity that conducts business in NY state and as a part of such business, processes and maintains the data of 500 or more individuals.
Rights	Notice, access, delete
Opt In/Out	Opt-in
Enforcement	Private right of action, AG
Exemptions	HIPAA
Other	

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New York “It’s Your Data Act” S4021	
Status	In committee
Looks Like	This bill seeks to establish a duty of care requirement for data extractors & miners, and mandates these entities adhere strictly to this legal obligation when it comes to the sovereignty and privacy of an individual's private information.
Scope	Any person, firm or corporation that collects, stores, or uses for the purpose of advertising, trade, data mining, or generating commercial or economic value, the name, portrait, picture, video, voice, likeness, and all other personal data, biometric data, and location data of any living person
Rights	
Opt In/Out	
Enforcement	Makes it a misdemeanor to use without consent or to fail to exercise reasonable care consistent with its obligations
Exemptions	
Other	

New York A674	
Status	In committee
Looks Like	Prohibits the disclosure of personally identifiable information by an internet service provider without the express written approval of the consumer.
Scope	Internet Service Provider
Rights	
Opt In/Out	Opt-in
Enforcement	Private right of action
Exemptions	
Other	

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North Carolina S569	
Status	Referred to committee 4/7/21
Looks Like	
Scope	This Article applies to persons that conduct business in the State or produce products or services that are targeted to residents of this State and that either (i) during a calendar year, control or process personal data of at least 100,000 consumers or (ii) control or process personal data of at least 25,000 consumers and derive over fifty percent (50%) of gross revenue from the sale of personal data.
Rights	Confirm consumer's data is being processed; correct inaccuracies; delete; obtain in readily usable format
Opt In/Out	Opt-out of processing for targeted advertising, the sale of personal data, profiling in furtherance of decisions that produce legal or similarly significant effects
Enforcement	AG, private right of action
Exemptions	GLBA, HIPAA, nonprofits, higher ed, etc
Other	

Ohio Personal Privacy Act HB 376	
Status	Introduced 7/12/21
Looks Like	
Scope	Businesses that conduct business in this state, or produce products or services targeted to consumers in this state, that satisfy one or more of the following criteria: (1) The business's annual gross revenues generated in this state exceed twenty-five million dollars; (2) During a calendar year, the business controls or processes personal data of one hundred thousand or more consumers; (3) During a calendar year, the business derives over fifty per cent of its gross revenue from the sale of personal data and processes or controls personal data of twenty-five thousand or more consumers
Rights	Notice, access, delete, request not to sell data to 3 rd parties,
Opt In/Out	Opt-in
Enforcement	AG
Exemptions	GLBA entity, HIPAA, Family Educational Rights & Privacy Act, etc
Other	

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HB 2968 Oklahoma Computer Data Privacy Act of 2022	
Status	Introduced 9/9/21
Looks Like	
Scope	applies to “businesses,” defined as “[a] sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity that collects consumers’ personal information, or on the behalf of which such information is collected and that alone, or jointly with others, determines the purposes and means of the processing of consumers’ personal information, that does business in the State of Oklahoma, and that satisfies one or more of the following thresholds: (A) has annual gross revenues in excess of ten million dollars (\$10,000,000) in the preceding calendar year; (B) alone or in combination, annually buys, receives, shares, or discloses for commercial purposes, alone or in combination, the personal information of 25,000 or more consumers, households, or devices; or (C) derives 50 percent or more of its annual revenues from sharing consumers’ personal information.
Rights	right to deletion, right to know/access, right to data portability, right to correct inaccurate information, and right not to be discriminated against for exercising their rights
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	HIPAA, GLBA
Other	

Pennsylvania HB 1126	
Status	Referred to Consumer Affairs 4/7/21
Looks Like	

Proposed State Privacy Laws Comparison Chart

Scope	For profit business with annual gross revenues in excess of \$10 million, or annually buys, receives, sells or shares for commercial purposes the personal info of 50,000 or more consumers or derives 50% or more of annual revenue from selling consumers' personal info
Rights	Know what's being collected; know to whom info is disclosed or sold; access; request deletion
Opt In/Out	Opt-out of sales
Enforcement	Private right of action; AG may promulgate rules and give advice
Exemptions	
Other	

Virginia Consumer Data Protection Act Bill SB 1392 (identical to HB 2307)	
Status	Adopted; Effective date: 1/1/2023
Looks Like	GDPR, CCPA, CPRA. More business friendly than CA
Scope	Applies to all persons that conduct business in the Commonwealth and either (i) control or process personal data of at least 100,000 consumers or (ii) derive over 50 percent of gross revenue from the sale of personal data and control or process personal data of at least 25,000 consumers.
Rights	rights to access, correct, delete, obtain a copy of personal data
Opt In/Out	opt out of the processing of personal data for the purposes of targeted advertising
Enforcement	AG has exclusive authority to enforce
Exemptions	GLBA, HIPAA, nonprofits, higher education, government
Other	Directs Joint Commission to establish group to review act and issues related to its implementation. Consent for collection of sensitive personal info.