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| **Delaware****HB 154 “Delaware Personal Data Privacy Act”** |
| **Status** | Signed by Governor (09/11/2023) |
| **Looks Like** |  |
| **Scope** | Applies to entities that conduct business in Delaware who either (a) controlled or processed the personal data of not less than 35,000 consumers; or (b) controlled or processed the personal data of not less than 10,000 consumer and derived more than 20 percent of their gross revenue from the sale of personal data  |
| **Rights** | Access, correction, deletion, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, Airline Deregulation Act |
| **Other** | Session closes June 30 |

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| **Florida****SB 262** |
| **Status** | Passed by Legislature (05/04/2023) |
| **Looks Like** |  |
| **Scope** | Applies to businesses that collect the personal information of Florida consumers, make more than $1 billion in gross revenue, and either (a) derive 50% or more of their global annual revenue from providing targeted advertising or the sales of online ads, or (b) operate a consumer smart speaker and voice command component service with an integrated virtual assistant connected to a cloud computing service with hands-free verbal activation.  |
| **Rights** | Access, correction, deletion |
| **Opt In/Out** | Opt out for sales |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | Payment processing data, HIPAA, clinical trials, GLBA, FCRA, DPPA, FERPA, certain public interest research, certain warranty information |
| **Other** |  |

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| **Iowa****SF 262** |
| **Status** | Signed by Governor (03/28/2023) |
| **Looks Like** | UCPA |
| **Scope** | Applies to a person conducting business in Iowa or producing products or services targeted to Iowa residents and that, during a calendar year, does either of the following: (a) Controls or processes personal data of at least 100,000 thousand consumers; or (b) Controls or processes personal data of at least 25,000 consumers and derives over 50% of gross revenue from the sale of personal data |
| **Rights** | Access, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales and sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | HIPAA, GLBA, FCRA, DPPA, FERPA, Farm Credit Act, substance use disorder treatment records, clinical trials |
| **Other** | Effective January 1, 2025 |

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| **Indiana****SB 5** |
| **Status** | Signed by Governor (05/01/2023) |
| **Looks Like** | VCDPA |
| **Scope** | Applies to a person that conducts business in Indiana or produces products or services targeted to residents of Indiana and that during a calendar year: (1) controls or processes personal data of at least 100,000 Indiana residents; or (2) controls or processes personal data of at least 25,000 Indiana residents and derives more than 50% of gross revenue from the sale of personal data |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | HIPAA, GLBA, FCRA, DPPA, FERPA, Farm Credit Act, public utilities, substance use disorder treatment records, clinical trials, riverboat casino operators (facial recognition only) |
| **Other** | Effective January 1, 2026 |

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| **Massachusetts****SD 745 “Massachusetts Data Privacy Protection Act”** |
| **Status** | Referred to Committee on Advanced Information Technology, the Internet and Cybersecurity; See Companion HD 2281 (02/16/2023) |
| **Looks Like** | American Data Privacy Protection Act |
| **Scope** |  |
| **Rights** | Access, correction, deletion, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales |
| **Enforcement** | Private right of action |
| **Exemptions** | HIPAA, certain interpersonal communications |
| **Other** |  |

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| **Massachusetts****HD 2281 “Massachusetts Data Privacy Protection Act”** |
| **Status** | Referred to Committee on Advanced Information Technology, the Internet and Cybersecurity; See Companion SD 745 (02/16/2023) |
| **Looks Like** | American Data Privacy Protection Act |
| **Scope** |  |
| **Rights** | Access, correction, deletion, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales |
| **Enforcement** | Private right of action |
| **Exemptions** | HIPAA, certain interpersonal communications |
| **Other** |  |

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| **Massachusetts****SD 1971 “Massachusetts Information Privacy and Security Act”** |
| **Status** | Referred to Committee on Economic Development and Emerging Technologies; See Companion HD 3263 (02/16/2023) |
| **Looks Like** |  |
| **Scope** | Applies to controllers that, in a calendar year, knowingly collect and sell to third parties (1) the information of more than 25,000 individuals, while deriving more than 25% of its annual global gross revenues from the sale of personal information; (2) the biometric, genetic, or specific geolocation information of more than 10,000 individuals; or (3) the personal information of more than 10,000 individuals with whom the controller does not have a direct relationship |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | Limited private right of action |
| **Exemptions** | HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, GLBA, certain airline information (Airline Deregulation Act) |
| **Other** |  |

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| **Massachusetts****HD 3263 “Massachusetts Information Privacy and Security Act”** |
| **Status** | Referred to Committee on Advanced Information Technology, the Internet and Cybersecurity; See Companion SD 1971 (02/16/2023) |
| **Looks Like** |  |
| **Scope** | Applies to controllers that, in a calendar year, knowingly collect and sell to third parties (1) the information of more than 25,000 individuals, while deriving more than 25% of its annual global gross revenues from the sale of personal information; (2) the biometric, genetic, or specific geolocation information of more than 10,000 individuals; or (3) the personal information of more than 10,000 individuals with whom the controller does not have a direct relationship |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | Limited private right of action |
| **Exemptions** | HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, GLBA, certain airline information (Airline Deregulation Act) |
| **Other** |  |

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| **Massachusetts****HD 3245 “Internet Bill of Rights”** |
| **Status** | Referred to Judiciary Committee (02/16/2023) |
| **Looks Like** | GDPR |
| **Scope** |  |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** |  |
| **Enforcement** | No private right of action |
| **Exemptions** |  |
| **Other** |  |

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| **Montana****SB 384 “Consumer Data Privacy Act”** |
| **Status** | Signed by Governor (05/22/2023) |
| **Looks Like** | CDPA |
| **Scope** | Applies to persons that conduct business in Montana or produce products or services targeted to Montana residents and either (a) control or process the personal data of at least 50,000 consumers, excluding payment processing information; or (b) control or process the personal data of at least 25,000 consumers and derive more than 25% of gross revenue from the sale of personal data |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action |
| **Exemptions** | Nonprofit organizations, institutes of higher education, HIPAA, clinical trials, FCRA, DPPA, FERPA, GLBA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA |
| **Other** | Effective October 1, 2024 |

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| **New Jersey****A 505 “New Jersey Disclosure and Accountability Transparency Act”** |
| **Status** | In Assembly Science, Innovation and Technology Committee (01/11/2022) |
| **Looks Like** |  |
| **Scope** |  |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt-out for sales, opt-in for sensitive data processing |
| **Enforcement** | Private right of action |
| **Exemptions** | HIPAA, GLBA, insurance institutions, Driver’s Privacy Protection Act of 1994, FCRA information |
| **Other** |  |

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| **New Jersey****S 3714 “New Jersey Disclosure and Accountability Transparency Act”** |
| **Status** | Referred to Commerce Committee; See Companion A 505 (03/13/2023) |
| **Looks Like** |  |
| **Scope** |  |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt-out for sales, opt-in for sensitive data processing |
| **Enforcement** | Private right of action |
| **Exemptions** | HIPAA, GLBA, insurance institutions, Driver’s Privacy Protection Act of 1994, FCRA information |
| **Other** |  |

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| **New Jersey****S 332** |
| **Status** | Reported out of Assembly Committee; See Companion A 1971 (05/11/2023) |
| **Looks Like** | Nevada Online Privacy Protection Act |
| **Scope** |  |
| **Rights** | Access, correction, non-discrimination |
| **Opt In/Out** | Opt-out |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | HIPAA, GLBA, secondary market institutions, insurance institutions, Driver’s Privacy Protection Act of 1994, FCRA |
| **Other** |  |

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| **New Jersey****A 1971** |
| **Status** | Reported out of Assembly Committee; See Companion S 332 (05/11/2023) |
| **Looks Like** | Nevada Online Privacy Protection Act |
| **Scope** |  |
| **Rights** | Access, correction, non-discrimination |
| **Opt In/Out** | Opt-out |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | HIPAA, GLBA, secondary market institutions, insurance institutions, Driver’s Privacy Protection Act of 1994, FCRA |
| **Other** |  |

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| **New York****A 7423 “New York Privacy Act”** |
| **Status** | Referred to Codes Committee; See Companion S 365 (05/23/2023) |
| **Looks Like** |  |
| **Scope** | Applies to legal persons that conduct business in New York or produce products or services that are targeted to New York residents and satisfy one or more of the following: (a) have annual gross revenue of $25 million or more; (b) control or process personal data of at least 500,000 natural persons nationwide and control or process personal data of at least 10,000 consumers; or (c) derive over 50% of gross revenue from the sale of personal data and control or process personal data of at least 25,000 consumers |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt-out for sales, opt-in for sensitive data processing |
| **Enforcement** | Private right of action |
| **Exemptions** | GLBA, DPPA, FERPA, Farm Credit Act, certain education and employment information, HIPAA, clinical trials, FCRA |
| **Other** | Session closes June 8 |

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| **New York****A 417** |
| **Status** | Referred to the Consumer Affairs and Protection Committee (01/09/2023) |
| **Looks Like** |  |
| **Scope** |  |
| **Rights** | Access |
| **Opt In/Out** |  |
| **Enforcement** | Private right of action |
| **Exemptions** |  |
| **Other** | Session closes June 8 |

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| **New York****A 1366 “Online Consumer Protection Act”** |
| **Status** | Referred to Consumer Affairs and Protection Committee (01/17/2023) |
| **Looks Like** |  |
| **Scope** |  |
| **Rights** |  |
| **Opt In/Out** |  |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** |  |
| **Other** | Limited scope; applies to internet monitoring; session closes June 8 |

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| **North Carolina****SB 525 “North Carolina Consumer Privacy Act”** |
| **Status** | Referred to Rules and Operations Committee (04/04/2023) |
| **Looks Like** |  |
| **Scope** | Applies to any controller or processor who conducts businesses in North Carolina or produces a product or service targeted to North Carolina residents, has more than $25 million in annual revenue, and either (a) controls or processes the personal data of 100,000 or more consumers; or (b) derives over 50% of gross revenue from the sale of personal data and controls or processes personal data of 25,000 or more consumers |
| **Rights** | Access, deletion, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales and sensitive data processing |
| **Enforcement** | No private right of action; enforced by the Attorney General |
| **Exemptions** | HIPAA, clinical trials, FCRA, GLBA, DPPA, FERPA, Farm Credit Act, COPPA |
| **Other** | Session closes August 31 |

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| **Oregon****SB 619** |
| **Status** | Signed by Governor (07/18/2023) |
| **Looks Like** |  |
| **Scope** | Applies to any person that conducts business in Oregon, or that provides products or services to Oregon residents, and that during a calendar year controls or processes (a) the personal data of 100,000 or more consumers, devices, or consumers and devices; or (b) the personal data of 25,000 or more consumers, while deriving 25% or more of gross revenue from selling personal data |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt-out for sales, opt-in for sensitive data processing |
| **Enforcement** | Private right of action |
| **Exemptions** | HIPAA, clinical trials, FCRA, GLBA, DPPA, FERPA, certain airline data (Airline Deregulation Act) |
| **Other** | Session closes June 26 |

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| **Pennsylvania****HB 708 “Consumer Data Protection Act”** |
| **Status** | Referred to Commerce Committee (03/27/2023) |
| **Looks Like** |  |
| **Scope** | Applies to persons that conduct business in the Commonwealth or produce goods, products or services that are sold or offered for sale to residents of the Commonwealth and that: (a) during a calendar year, control or process personal data of at least 100,000 consumers; or (b) control or process personal data of at least 25,000 consumers and derive over 50% of gross revenue from the sale of personal data |
| **Rights** | Access, correction, deletion, restriction, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | GLBA, HIPAA, clinical trials, FCRA, certain personal information from State motor vehicle records, FERPA, Farm Credit Act of 1971 |
| **Other** |  |

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| **Pennsylvania****HB 1201 “Consumer Data Privacy Act”** |
| **Status** | Referred to Commerce Committee (05/19/2023) |
| **Looks Like** |  |
| **Scope** | Applies to controllers who do business in the Commonwealth and satisfy any of the following thresholds: (a) have annual gross revenues in excess of $10 million; (b) buy, receive, sell, or share for commercial purposes the personal information of at least 50,000 consumers, households, or devices; or (c) derive at least 50% of annual revenues from selling consumers’ personal information |
| **Rights** | Access, correction, deletion, restriction, portability, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | State political subdivisions, nonprofit organizations, institutions of higher education, registered securities organizations, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, Airline Deregulation Act, COPPA |
| **Other** |  |

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| **Tennessee****HB 1181 “Tennessee Information Protection Act”** |
| **Status** | Signed by Governor (05/11/2023) |
| **Looks Like** | VDCPA |
| **Scope** | Applies to persons that conduct business in Tennessee and that, during a calendar year, either (a) control or process personal information of at least 175,000 consumers; or (b) control or process personal information of at least 25,000 consumers and drive more than 50% of gross revenue from the sale of personal information |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Partial opt-out for sales, opt-in for sensitive data processing |
| **Enforcement** | No private right of action |
| **Exemptions** | GLBA, insurance companies and producers, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, COPPA |
| **Other** | Effective July 1, 2025 |

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| **Texas****HB 4 “Texas Data Privacy and Security Act”** |
| **Status** | Passed by Legislature; Sent to the Governor (05/30/2023) |
| **Looks Like** | VCDPA |
| **Scope** | Applies to persons that (a) conduct business in Texas or produce a product or service consumed by Texas residents; (b) process or engage in the sale of personal data; and (c) are not a small business as defined by the United States Small Business Administration |
| **Rights** | Access, correction, deletion, portability, automated decision making, non-discrimination |
| **Opt In/Out** | Opt out for sales, opt in for sensitive data processing |
| **Enforcement** | No private right of action; AG enforcement |
| **Exemptions** | GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, COPPA |
| **Other** | Effective July 1, 2024 |