

Proposed State Privacy Laws Comparison Chart (Updated 07/26/2022)

Colorado SB 190 “Colorado Privacy Act”	
Status	Passed 07/07/2021; Effective 07/01/2023
Looks Like	VCDPA, 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

Connecticut Bill SB 6	
Status	Signed by Governor; Effective 07/01/2023
Looks Like	CPA/VCDPA with touches of CPRA
Scope	Applies to persons that conduct business in this state or produce products or services that are targeted to residents of this state that, during the preceding calendar year (a) controlled or processed the personal data of not less than 65,000 consumers, excluding data on payment transactions; or (b) 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
Rights	Access, correction, deletion, restriction, portability, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG enforcement; no private right of action; right to cure (sunsets)
Exemptions	GLBA personal information, HIPAA PHI, clinical trials, hospitals, higher education institutions, nonprofits, vehicle ownership and purchase information

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District of Columbia Bill B24-0451	
Status	In Committee on Judiciary and Public Safety (01/18/2022)
Looks Like	Uniform Personal Data Protection Act
Scope	Applies to data controllers or processors that “maintain” personal data of more than 50,000 District residents or that earn more than 50% of their annual income from maintaining this data, and also to any such business that maintains data for incompatible or prohibited data practices
Rights	Access, Correction, Restriction, Non-Discrimination
Opt In/Out	Opt-out (except opt-in for “sensitive data”)
Enforcement	AG
Exemptions	HIPAA, GLBA, COPPA, employment information

Massachusetts Bill S 2687 “Massachusetts Information Privacy and Security Act”	
Status	Referred to Senate Ways and Means Committee (02/14/2022)
Looks Like	CPRA/VCDPA/CPA hybrid with data broker regulations
Scope	Applies to data controllers that (a) have annual global gross revenue exceeding \$25 million; (b) control the personal information of at least 100,000 individuals; or (c) act as data brokers, knowingly collecting and selling to third parties sensitive information of at least 10,000 individuals or personal information of at least 10,000 individuals with whom the controller does not have a direct relationship
Rights	Access, correction, deletion, restriction, portability, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG, private right of action for data breaches
Exemptions	GLBA information, HIPPA PHI, personal information of individuals acting within commercial or employment context, FCRA, FERPA

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Massachusetts Bill H 4514 “Massachusetts Information Privacy and Security Act”	
Status	Referred to Joint Health Care Financing Committee (03/03/2022)
Looks Like	
Scope	Applies to data controllers that (a) have annual global gross revenue exceeding \$25 million; (b) control the personal information of at least 100,000 individuals; or (c) act as data brokers, knowingly collecting and selling to third parties sensitive information of at least 10,000 individuals or personal information of at least 10,000 individuals with whom the controller does not have a direct relationship
Rights	Access, correction, deletion, restriction, portability, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG, private right of action for data breaches
Exemptions	GLBA information, HIPPA PHI, personal information of individuals acting within commercial or employment context, FCRA, FERPA

Michigan Bill HB 5989	
Status	Referred to House Committee on Communications and Technology (04/12/2022)
Looks Like	Virginia Consumer Data Protection Act (VCDPA)
Scope	Applies to a person that conducts business in Michigan or produces products or services targeted to residents of Michigan and either (a) controls or processes personal data of not less than 100,000 consumers, or (b) controls or processes data of not less than 25,000 consumers and derives over 50% of gross revenue from the sale of personal data
Rights	Access, deletion, portability, correction, restriction, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	None

New Jersey Bill 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, restriction, portability
Opt In/Out	Opt-in
Enforcement	AG, private cause of action
Exemptions	HIPAA, GLBA, insurance institutions, Driver’s Privacy Protection Act of 1994, FCRA information

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New Jersey Bill S 332	
Status	In Senate Commerce Committee (06/09/2022)
Looks Like	
Scope	
Rights	Access, correction, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	HIPAA, GLBA, secondary market institutions, insurance institutions, Driver's Privacy Protection Act of 1994, FCRA

New Jersey Bill A 1971	
Status	In Assembly Science, Innovation and Technology Committee (01/11/2022)
Looks Like	
Scope	
Rights	Access, correction, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	HIPAA, GLBA, secondary market institutions, insurance institutions, Driver's Privacy Protection Act of 1994, FCRA

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Ohio Bill HB 376 “The Ohio Personal Privacy Act”	
Status	Re-referred to House Rules and Reference Committee (02/22/2022)
Looks Like	CCPA/CPRA/VCDPA blend
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 Ohio exceed \$25 million; (2) During a calendar year, the business controls or processes personal data of 100,000 or more consumers; or (3) During a calendar year, the business derives over 50% of its gross revenue from the sale of personal data and processes or controls personal data of 25,000 or more consumers
Rights	Access, correction, deletion, restriction, portability, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	GLBA, HIPAA, FERPA-regulated data
Other	“Informally Passed” on 02/16/2022

Pennsylvania Bill HB 2257 “Consumer Data Privacy Act”	
Status	In Consumer Affairs Committee (01/20/2022)
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	Out
Enforcement	AG
Exemptions	GLBA, HIPAA, clinical trials, FCRA, certain personal information from State motor vehicle records, FERPA-regulated data, Farm Credit Act of 1971

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Pennsylvania Bill HB 2202 “Consumer Data Privacy Act”	
Status	In Consumer Affairs Committee (12/13/2021)
Looks Like	
Scope	Applies to any business that satisfies one or more of the following thresholds: (a) has annual gross revenue in excess of \$20 million; (b) alone or in combination, annually buys, receives for the business’s commercial purposes, alone or in combination, the personal information of 100,000 or more consumers; or (c) derives 50% or more of annual revenues from selling consumers’ personal information
Rights	Access, correction, deletion, restriction, portability, non-discrimination
Opt In/Out	Out
Enforcement	AG
Exemptions	

Pennsylvania Bill HB 1126	
Status	In Consumer Affairs Committee (04/07/2021)
Looks Like	
Scope	Applies to for-profit business that have (a) annual gross revenues in excess of \$10 million; or (b) annually buy, receive, sell or share for commercial purposes the personal info of 50,000 or more consumers or derive 50% or more of annual revenue from selling consumers’ personal info
Rights	Access, deletion, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG, private right of action
Exemptions	

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Utah Bill SB 227 “Utah Consumer Privacy Act”	
Status	Signed by Governor 03/24/2022; Effective 12/31/2023
Looks Like	
Scope	Applies to any controller or processor who conducts business in the state or produce a product or service that is targeted to residents of the state and has annual revenue of \$25 million or more and satisfies one or more of the following thresholds: (a) during a calendar year, controls or processes personal data of 100,000 or more consumers; or (b) derives over 50% of the entity’s gross revenue from the sale of personal data and controls or processes personal data of 25,000 or more consumers
Rights	Access, deletion, restriction, portability, non-discrimination
Opt In/Out	Opt-out
Enforcement	AG
Exemptions	GLBA, HIPAA, clinical trials, FCRA, GLBA, Driver’s Privacy Act of 1994, FERPA-regulated data, Farm Credit Act of 1971

Virginia Bill SB 1392 “Virginia Consumer Data Protection Act”	
Status	Adopted; Effective 01/01/2023
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.