

DATA SUBJECT RIGHTS

State	Access	Obtain list of specific third parties	Data portability	Delete	Correct	Opt-out of sale	Opt-out of targeted advertising	Opt-out of profiling	Sensitive data (opt-in, opt-out, limit use, strictly necessary)	No discrimination	Right to appeal denial	Authorized agents	Opt-out signals	Days to respond to requests	Verify/ authenticate identity of requesting consumer
California	✓	X	✓	✓	✓	✓	✓	In Progress	Limit Use	✓	X	✓	✓	**	✓
Virginia	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	X	X	45 calendar days	✓
Colorado	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Connecticut	✓	✓	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Utah	✓	X	✓	✓	X	✓	✓	X	Opt-Out	✓	X	X	X	45 calendar days	✓
Texas	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Florida	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	X	X	45 calendar days	✓
Oregon	✓	✓	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Montana	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Nebraska	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Iowa	✓	X	✓	✓	X	✓	✓	X	Opt-Out	✓	✓	X	X	90 calendar days	✓
Delaware	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
New Hampshire	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
New Jersey	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Tennessee	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	X	X	45 calendar days	✓
Minnesota	✓	✓	✓	✓	✓	✓	✓	✓ <sup>5</sup>	Opt-In	✓	✓	✓	✓	45 calendar days	✓
Maryland	✓	X <sup>4</sup>	✓	✓	✓	✓	✓	✓	*	✓	✓	✓	✓	45 calendar days	✓
Indiana	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	X	X	45 calendar days	✓
Kentucky	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	X	X	45 calendar days	✓
Rhode Island	✓	X	✓	✓	✓	✓	✓	✓	Opt-In	✓	✓	✓	X	***	✓
*Strictly Necessary for Product or Service / No Sale **15 business days for requests to opt-out and limit use, 45 calendar days for other requests ***15 calendar days for revocation of consent, 45 calendar days for other requests															

Current as of May 14, 2025

DATA CONTROLLER OBLIGATIONS

State	DPIA	Data minimization	Purpose limitation	Privacy policy	Financial incentive notice	Data security	Processor/service provider/contractor contract requirement	Third-party contract requirement
California	In Progress	✓	✓	✓	✓	✓	✓	✓
Virginia	✓	✓	✓	✓	X	✓	✓	X
Colorado	✓	✓	✓	✓	✓	✓	✓	X
Connecticut	✓	✓	✓	✓	X	✓	✓	X
Utah	X	✓	✓	✓	X	✓	✓	X
Texas	✓	✓	✓	✓	X	✓	✓	X
Florida	✓	✓	✓	✓	X	✓	✓	X
Oregon	✓	✓	✓	✓	X	✓	✓	X
Montana	✓	✓	✓	✓	X	✓	✓	X
Nebraska	✓	✓	✓	✓	X	✓	✓	X
Iowa	X	✓	✓	✓	X	✓	✓	X
Delaware	✓	✓	✓	✓	X	✓	✓	X
New Hampshire	✓	✓	✓	✓	X	✓	✓	X
New Jersey	✓	✓	✓	✓	X <sup>3</sup>	✓	✓	X
Tennessee	✓	✓	✓	✓	X	✓	✓	X
Minnesota	✓	✓	✓	✓	X	✓	✓	X
Maryland	✓	✓ <sup>4</sup>	✓	✓	X	✓	✓	X
Indiana	✓	✓	✓	✓	X	✓	✓	X
Kentucky	✓	✓	✓	✓	X	✓	✓	X
Rhode Island	✓	✓	✓	✓	X	✓	✓	X

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EXEMPTIONS<sup>2</sup>

State	Generally applies to non-profits	Applies to consumers engaged in commercial or employment context (B2B and HR)	Financial institution-related exemptions	HIPAA exemption
California	X	✓	Data only	Data only
Virginia	X	X	Financial Institution	Covered Entity and Business Associate
Colorado	✓	X	Financial Institution	Data only
Connecticut	X	X	Financial Institution	Covered Entity and Business Associate
Utah	X	X	Financial Institution	Covered Entity and Business Associate
Texas	X	X	Financial Institution	Covered Entity and Business Associate
Florida	X	X	Financial Institution	Covered Entity and Business Associate
Oregon	✓	X	Financial Institution	Data only
Montana	X	X	Financial Institution	Covered Entity and Business Associate
Nebraska	X	X	Financial Institution	Covered Entity and Business Associate
Iowa	X	X	Financial Institution	Covered Entity and Business Associate
Delaware	✓	X	Financial Institution	Data only
New Hampshire	X	X	Financial Institution	Covered Entity and Business Associate
New Jersey	✓	X	Financial Institution	Data only
Tennessee	X	X	Financial Institution	Covered Entity and Business Associate
Minnesota	✓ <sup>5</sup>	X	Financial Institution	Data only
Maryland	✓ <sup>4</sup>	X	Financial Institution	Data only
Indiana	X	X	Financial Institution	Covered Entity and Business Associate
Kentucky	X	X	Financial Institution	Covered Entity and Business Associate
Rhode Island	X	X	Financial Institution	Covered Entity and Business Associate

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THE LEGISLATION

State	Enactment	Effective Date	Additional Regulations	Link
California	California Privacy Rights Act	January 1, 2023	Yes: <a href="#">View the regulations</a> and <a href="#">proposed new regulations</a>	<a href="#">View the law</a>
Virginia	Virginia’s Consumer Data Protection Act	January 1, 2023	No	<a href="#">View the law</a>
Colorado	Colorado Privacy Act	July 1, 2023	Yes: <a href="#">View the rules</a> and <a href="#">proposed new rules</a>	<a href="#">View the law</a>
Connecticut	Connecticut Data Privacy Act	July 1, 2023	No	<a href="#">View the law</a>
Utah	Utah Consumer Privacy Act	December 31, 2023	No	<a href="#">View the law</a>
Texas	Texas Data Privacy and Security Act	July 1, 2024	No	<a href="#">View the law</a>
Florida	Florida Digital Bill of Rights	July 1, 2024	Yes: <a href="#">View the regulations</a>	<a href="#">View the law</a>
Oregon	Oregon Consumer Privacy Act	July 1, 2024	No	<a href="#">View the law</a>
Montana	Montana Consumer Data Privacy Act	October 1, 2024	No	<a href="#">View the law</a>
Nebraska	Nebraska Data Privacy Act	January 1, 2025	No <i>(Additional guidance to be posted on <a href="#">AG website</a>)</i>	<a href="#">View the law</a>
Iowa	Iowa Consumer Data Protection Act	January 1, 2025	No	<a href="#">View the law</a>
Delaware	Delaware Personal Data Privacy Act	January 1, 2025	No	<a href="#">View the law</a>
New Hampshire	Expectation of Privacy Act	January 1, 2025	No	<a href="#">View the law</a>
New Jersey	New Jersey Data Privacy Act	January 15, 2025	Yes	<a href="#">View the law</a>
Tennessee	Tennessee Information Protection Act	July 1, 2025	No	<a href="#">View the law</a>
Minnesota	Minnesota Consumer Data Privacy Act	July 31, 2025	No	<a href="#">View the law</a>
Maryland	Maryland Online Data Privacy Act	October 1, 2025	No	<a href="#">View the law</a>
Indiana	Indiana Consumer Data Protection Act	January 1, 2026	No	<a href="#">View the law</a>
Kentucky	Kentucky Consumer Data Protection Act	January 1, 2026	No	<a href="#">View the law</a>
Rhode Island	Rhode Island Data Transparency and Privacy Protection Act	January 1, 2026	No	<a href="#">View the law</a>

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NOTES

1. The Florida Digital Bill of Rights is arguably a comprehensive privacy law, but it applies under narrow circumstances (e.g., among other things, companies that have over \$1 billion in global gross annual revenues).
2. These reflect some of the common exemptions under these laws, but there are others available under the comprehensive privacy laws. Companies should consult with counsel to learn more.
3. For this field, New Jersey was not included in the same company as Colorado and California for financial incentive notices because New Jersey does not require the extensive level of detail that we see for such notices under the privacy laws of Colorado and California. However, New Jersey does require providing “clear and conspicuous” notice.
4. The Maryland Online Data Privacy Act has a number of idiosyncrasies. For one, Maryland’s law prohibits a controller from selling sensitive data. Maryland’s law affords consumers the right to obtain a list of the categories of third parties to which the controller has disclosed the consumer’s personal data or to which the controller has disclosed any consumer’s personal data. Also, there is a “strictly necessary” data minimization requirement for processing sensitive data. Regarding the non-profit exemption, Maryland’s law only exempts non-profit controllers that process personal data solely for the purposes of assisting (i) law enforcement investigating criminal or fraudulent insurance acts, or (ii) first responders for catastrophic events. Other non-profits may fall within scope of the law, but further guidance is necessary.
5. The Minnesota Consumer Data Privacy Act extends the right to opt-out of profiling by affording consumers the right to access and question the results of a controller’s profiling. Also, Minnesota’s law only exempts non-profit organizations established to detect and prevent fraudulent acts in connection with insurance. Other non-profits may fall within the scope of the law, but further guidance is necessary.