

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Florida SB 262	
Status	Referred to Commerce and Tourism Committee; See Companion HB 1547 (04/05/2023)
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	

Florida HB 1547	
Status	Referred to Commerce Committee; See Companion SB 262 (03/31/2023)
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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Hawaii SB 974 “The Hawaii Consumer Data Protection Act”	
Status	Passed by Senate (03/07/2023)
Looks Like	VCDPA
Scope	Applies to persons that conduct business in Hawaii or produce products or services targeted to residents of Hawaii and: (1) During a calendar year, control or process personal data of at least 100,000 consumers; or (2) Control or process personal data of at least 25,000 consumers or derive over 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; AG enforcement
Exemptions	HIPAA, GLBA, FCRA, DPPA, FERPA, Farm Credit Act, substance use disorder treatment records, clinical trials
Other	Effective July 1, 2020

Hawaii SB 1110 “The Hawaii Consumer Data Protection Act”	
Status	Referred to the Committee on Commerce and Consumer Protection, the Judiciary Committee, and the Committee on Ways and Means; See Companion HB 1497 (01/27/2023)
Looks Like	
Scope	Applies to persons that conduct business in Hawaii or produce products or services targeted to residents of Hawaii and: (1) During a calendar year, control or process personal data of at least 100,000 consumers; or (2) 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, 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, FCRA, DPPA, FERPA, Farm Credit Act, substance use disorder treatment records, clinical trials
Other	

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Hawaii HB 1497 “The Hawaii Consumer Data Protection Act”	
Status	Referred to the Committee on Consumer Protection & Commerce; See Companion SB 1110 (02/06/2023)
Looks Like	
Scope	Applies to persons that conduct business in Hawaii or produce products or services targeted to residents of Hawaii and: (1) During a calendar year, control or process personal data of at least 100,000 consumers; or (2) 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, 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, FCRA, DPPA, FERPA, Farm Credit Act, substance use disorder treatment records, clinical trials
Other	

Illinois HB 3385 “Illinois Data Privacy and Protection Act”	
Status	Re-referred to Rules Committee (03/10/2023)
Looks Like	American Data Privacy and Protection Act
Scope	
Rights	Access, correction, deletion, portability, non-discrimination
Opt In/Out	
Enforcement	No private right of action
Exemptions	
Other	

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Illinois SB 1365 “Right to Know Act”	
Status	Re-referred to Assignments Committee; See Companion HB 1381 (03/10/2023)
Looks Like	
Scope	
Rights	
Opt In/Out	
Enforcement	Private right of action
Exemptions	HIPAA, GLBA, Federal Communications Act of 1934
Other	Limited scope

Illinois HB 1381 “Right to Know Act”	
Status	Re-referred to Rules Committee; See Companion SB 1365 (03/10/2023)
Looks Like	
Scope	
Rights	
Opt In/Out	
Enforcement	Private right of action
Exemptions	HIPAA, GLBA, Federal Communications Act of 1934
Other	Limited scope

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, opt in for 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	

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Indiana SB 5	
Status	Passed by Senate; See Companion HB 1554 (02/09/2023)
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
Other	

Indiana HB 1554	
Status	Referred to Judiciary Committee; See Companion SB 5 (02/28/2023)
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
Other	

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Louisiana SB 199 “Louisiana Consumer Privacy Act”	
Status	Referred to Committee on Commerce, Consumer Protection and International Affairs (03/31/2023)
Looks Like	
Scope	Applies to controllers or processors who conduct business in Louisiana or target a product or service to Louisiana residents, have annual revenue of at least \$25 million, and satisfy either of the following: (1) control or process the personal data of at least 100,000 consumers; or (2) derive over 50% of gross revenue from selling personal data and control or process the 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
Enforcement	No private right of action
Exemptions	HIPAA, clinical trials, Louisiana Department of Health information and documents, FCRA, GLBA, DPPA, FERPA, Farm Credit Act, COPPA
Other	

Maryland SB 698 “Online and Biometric Data Privacy Act”	
Status	Referred to Finance Committee; See Companion HB 807 (02/06/2023)
Looks Like	
Scope	Applies to a person that conducts business in Maryland or produces products or services targeted to Maryland residents and that, during a calendar year, (a) controlled or processed the personal data of at least 100,000 consumers; or (b) controlled or processed the personal data of at least 25,000 consumers and derived more than 25% of its 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	Limited private right of action
Exemptions	HIPAA, GLBA, clinical trials, FCRA, DPPA, Farm Credit Act, certain emergency contact information, certain airline information (Airline Deregulation Act)
Other	

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Maryland HB 807 “Online and Biometric Data Privacy Act”	
Status	Referred to Economic Matters Committee; See Companion SB 698 (02/08/2023)
Looks Like	
Scope	Applies to a person that conducts business in Maryland or produces products or services targeted to Maryland residents and that, during a calendar year, (a) controlled or processed the personal data of at least 100,000 consumers; or (b) controlled or processed the personal data of at least 25,000 consumers and derived more than 25% of its 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	Limited private right of action
Exemptions	HIPAA, GLBA, clinical trials, FCRA, DPPA, Farm Credit Act, certain emergency contact information, certain airline information (Airline Deregulation Act)
Other	

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 of sales
Enforcement	Private right of action
Exemptions	HIPAA, certain interpersonal communications
Other	

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	

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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Minnesota SF 950	
Status	Referred to Commerce and Consumer Protection Committee; See Companion HF 1892 (01/30/2023)
Looks Like	
Scope	Applies to business that conduct business in Minnesota or produce products or services targeted to Minnesota residents
Rights	
Opt In/Out	Opt in for sensitive data processing
Enforcement	Private right of action
Exemptions	
Other	Limited scope

Minnesota HF 1892	
Status	Referred to Commerce Finance and Policy Committee; See Companion SF 950 (02/16/2023)
Looks Like	
Scope	
Rights	
Opt In/Out	Opt in for sensitive data processing
Enforcement	Private right of action
Exemptions	
Other	Limited scope

Minnesota HF 1367	
Status	Referred to Commerce Finance and Policy Committee (02/06/2023)
Looks Like	
Scope	Applies to businesses that (a) have annual gross revenues over \$25 million; (b) annually buy or sell the personal information of more than 50,000 individuals, households, or devices; or (c) derive 50% or more of annual revenue from selling personal information
Rights	Access, deletion, portability
Opt In/Out	Opt out for sales
Enforcement	Private right of action
Exemptions	
Other	

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Minnesota HF 2309	
Status	Referred to Commerce Finance and Policy Committee; See Companion SF 2915 (03/01/2023)
Looks Like	
Scope	Applies to legal entities that conduct business in Minnesota or produce products or service targeted to Minnesota residents and that satisfy one or more of the following: (a) during a calendar year, control or process personal data of more than 100,000 consumers; or (b) derive over 25% of gross revenue from the sale of personal data and process or control personal data of more than 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
Enforcement	No private right of action; AG enforcement
Exemptions	HIPAA, clinical trials, FCRA, GLBA, DPPA, FERPA, Farm Credit Act, certain emergency contract information, certain payment processing information, COPPA
Other	

Minnesota SF 2915 “Minnesota Consumer Data Privacy Act”	
Status	Referred to Commerce and Consumer Protection Committee; See Companion HF 2309 (03/15/2023)
Looks Like	
Scope	Applies to legal entities that conduct business in Minnesota or produce products or service targeted to Minnesota residents and that satisfy one or more of the following: (a) during a calendar year, control or process personal data of more than 100,000 consumers; or (b) derive over 25% of gross revenue from the sale of personal data and process or control personal data of more than 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
Enforcement	No private right of action; AG enforcement
Exemptions	HIPAA, clinical trials, FCRA, GLBA, DPPA, FERPA, Farm Credit Act, certain emergency contract information, certain payment processing information, COPPA
Other	

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Montana SB 384 “Consumer Data Privacy Act”	
Status	Passed by Senate (03/03/2023)
Looks Like	
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 100,000 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 in for sensitive data processing
Enforcement	No private right of action
Exemptions	Nonprofit organizations, institutes of higher education, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA
Other	

New Hampshire SB 255	
Status	Judiciary Committee recommends passage (03/16/2023)
Looks Like	CDPA
Scope	Applies to persons that conduct business in New Hampshire or persons that produce products or services targeted to New Hampshire residents that (a) controlled or processed the personal data of not less than 100,000 consumers, excluding personal data controlled or processed solely for the purposes of completing a payment transaction; or (b) controlled or processed the personal data of not less than 25,000 consumers and derived more than 25% of their 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, GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

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, 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

New Jersey Bill 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

New Jersey S 332	
Status	Passed Senate; See Companion Bill A 1971 (02/02/2023)
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

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

New Jersey Bill A 1971	
Status	In Assembly Science, Innovation and Technology Committee (01/11/2022)
Looks Like	Nevada Online Privacy Protection Act
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 York S 365 "New York Privacy Act"	
Status	Referred to Consumer Protection Committee (01/04/2023)
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	

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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	

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

New York S 2277 “Digital Fairness Act”	
Status	Referred to the Internet and Technology Committee (01/19/2023)
Looks Like	
Scope	
Rights	Access, deletion, portability, automated decision making, non-discrimination
Opt In/Out	Opt-in for sales
Enforcement	No private right of action
Exemptions	
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

New York S 3162	
Status	Referred to Consumer Protection Committee; See Companion A 4374 (01/30/2023)
Looks Like	
Scope	Applies to an entity that collects consumers' personal information, does business in New York, and that satisfies one or more of the following: (a) has annual gross revenue in excess of \$50 million; (b) annually sells the personal information of 100,000 or more consumers or devices; or (c) derives 50% or more of its annual revenue from selling consumers' personal information
Rights	Non-discrimination
Opt In/Out	Opt out for sales
Enforcement	Private right of action
Exemptions	HIPAA, FCRA
Other	Limited scope

New York A 4374	
Status	Referred to Consumer Affairs and Protection Committee; See Companion S 3162 (02/14/2023)
Looks Like	
Scope	Applies to an entity that collects consumers' personal information, does business in New York, and that satisfies one or more of the following: (a) has annual gross revenue in excess of \$50 million; (b) annually sells the personal information of 100,000 or more consumers or devices; or (c) derives 50% or more of its annual revenue from selling consumers' personal information
Rights	Non-discrimination
Opt In/Out	Opt out for sales
Enforcement	Private right of action
Exemptions	HIPAA, FCRA
Other	Limited scope

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New York A 3593 “New York Privacy Act”	
Status	Referred to Consumer Affairs and Protection Committee (02/03/2023)
Looks Like	
Scope	Applies to 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 100,000 consumers or more; (c) control or process personal data of 500,000 natural persons or more nationwide, and controls or processes personal data of 10,000 consumers or more; or (d) derives over 50% of gross revenue from the sale of personal data, and controls or processes personal data of 25,000 consumers or more
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, HIPAA, clinical trials, Food and Drug Administration regulations and guidance, FCRA
Other	

New York S 5555 “It’s Your Data Act”	
Status	Referred to Codes Committee (03/08/2023)
Looks Like	
Scope	Applies to entities that do business in the state of New York and satisfy one or more of the following: (a) has annual gross revenues in excess of \$50 million; (b) processes the personal information of 50,000 or more consumers, households, or devices; or (c) derives 50% or more of its annual revenues from selling consumers’ personal information
Rights	Access, correction, deletion, portability, automated decision making, non-discrimination
Opt In/Out	Opt in for sales
Enforcement	Private right of action
Exemptions	HIPAA, clinical trials, FCRA, GLBA, DPPA
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

New York A 2587 “New York Data Protection Act”	
Status	Referred to Government Operations Committee (01/26/2023)
Looks Like	
Scope	
Rights	Access, deletion, non-discrimination
Opt In/Out	
Enforcement	No private right of action
Exemptions	
Other	

Oklahoma HB 1030 “Oklahoma Computer Data Privacy Act”	
Status	Passed House (03/08/2023)
Looks Like	
Scope	Applies to an entity that does business in Oklahoma and satisfies one or more of the following: (a) has annual gross revenue that exceeds \$15 million; (b) processes for commercial purposes the personal information of 50,000 or more consumers, households, or devices; or (c) derive 25% or more of annual revenue from selling consumers’ personal information
Rights	Access, deletion, automated decision making, non-discrimination
Opt In/Out	Opt-out for sales
Enforcement	No private right of action
Exemptions	HIPAA, clinical trials, FCRA, GLBA, DPPA
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Oregon SB 619	
Status	In Judiciary Committee; Work Session held (04/03/2023)
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	

Pennsylvania HB 708	
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
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	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Rhode Island H 5354 “Rhode Island Data Transparency and Privacy Protection Act”	
Status	Referred to Innovation, Internet, & Technology Committee (02/03/2023)
Looks Like	
Scope	Applies to any website or online service operator that collects, stores and sells categories of personally identifiable information
Rights	
Opt In/Out	
Enforcement	No private right of action; AG enforcement
Exemptions	GLBA, tax-exempt organizations, FCRA
Other	

Rhode Island H 5745 “Rhode Island Personal Data and Online Privacy Protection Act”	
Status	Held for Further Study (03/02/2023)
Looks Like	
Scope	Applies to persons that conduct business in Rhode Island or persons that produce products or services targeted to Rhode Island residents and that during the preceding calendar year: (a) controlled or processed personal data of at least 100,000 consumers, excluding payment processing information; or (b) controlled or processed the personal data of at least 2,000 consumers and derived 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	Private right of action
Exemptions	GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA
Other	

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Rhode Island SB 754 “Rhode Island Data Transparency and Privacy Protection Act”	
Status	Referred to Commerce Committee; See Companion HB 6236 (03/23/2023)
Looks Like	
Scope	
Rights	Access, correction, deletion, portability, automated decision making, non-discrimination
Opt In/Out	Opt out for sales
Enforcement	No private right of action
Exemptions	GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA
Other	

Rhode Island HB 6236 “Rhode Island Data Transparency and Privacy Protection Act”	
Status	Referred to Innovation, Internet, & Technology Committee; See Companion SB 754 (03/30/2023)
Looks Like	
Scope	
Rights	Access, correction, deletion, portability, automated decision making, non-discrimination
Opt In/Out	Opt out for sales
Enforcement	No private right of action
Exemptions	GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, certain airline information (Airline Deregulation Act), COPPA
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Tennessee SB 73 “Tennessee Information Protection Act”	
Status	Placed on Senate Regular Calendar for 04/06/2023; See Companion HB 1181 (04/04/2023)
Looks Like	
Scope	Applies to persons that conduct business in Tennessee producing products or services targeted to Tennessee residents and that: (1) exceed \$25 million in revenue; and either (a) control or process personal information of at least 25,000 consumers and derive more than 50% of gross revenue from the sale of personal information; or (b) control or process personal information of at least 175,000 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	No private right of action
Exemptions	GLBA, insurance companies and producers, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, COPPA
Other	

Tennessee HB 1181 “Tennessee Information Protection Act”	
Status	In Commerce Committee; Recommended for passage; See Companion SB 73 (04/04/2023)
Looks Like	
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 100,000 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	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	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Texas HB 4 “Texas Data Privacy and Security Act”	
Status	Placed on Major State Calendar (04/04/2023)
Looks Like	VCDPA
Scope	Applies to a person that (a) conducts business in Texas or produces a product or service consumed by Texas residents; (b) processes or engages in the sale of personal data; and (c) is 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
Exemptions	GLBA, HIPAA, clinical trials, FCRA, DPPA, FERPA, Farm Credit Act, COPPA
Other	

Texas HB 4854	
Status	Filed (03/10/2023)
Looks Like	
Scope	Applies to entities that do business in Texas, have more than 50 employees, collect the personal identifying information of more than 5,000 individuals, households, or devices, and satisfy one or more of the following thresholds: (a) has annual gross revenue that exceeds \$25 million; or (b) derives 50% or more of its annual revenue by processing personal identifying information
Rights	Access, deletion, portability
Opt In/Out	
Enforcement	No private right of action; AG enforcement
Exemptions	HIPAA, FCRA, GLBA, FERPA
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Vermont HB 121	
Status	Referred to the Committee on Commerce and Economic Development (02/09/2023)
Looks Like	
Scope	
Rights	
Opt In/Out	Opt-out for sales
Enforcement	No private right of action
Exemptions	GLBA, HIPAA, FCRA
Other	Limited scope

Washington HB 1616 “People’s Privacy Act”	
Status	Referred to Civil Rights & Judiciary Committee; See Companion SB 5643 (01/26/2023)
Looks Like	
Scope	Applies to entities that conduct business in Washington, process captured personal information, and either (a) have \$10 million or more in annual revenue through 300 or more individual transactions; or (b) process and/or maintain captured personal information of 1,000 or more unique individuals during a calendar year
Rights	Access, correction, deletion, portability, non-discrimination
Opt In/Out	Opt-in for sales
Enforcement	Private right of action
Exemptions	
Other	

Proposed State Privacy Laws Comparison Chart (Updated 04/05/2023)

Washington SB 5643 “The People’s Privacy Act”	
Status	Referred to Environment, Energy & Technology Committee; See Companion HB 1616 (01/31/2023)
Looks Like	
Scope	Applies to entities that conduct business in Washington, process captured personal information, and either (a) have \$10 million or more in annual revenue through 300 or more individual transactions; or (b) process and/or maintain captured personal information of 1,000 or more unique individuals during a calendar year
Rights	Access, correction, deletion, portability, non-discrimination
Opt In/Out	Opt-in for sales
Enforcement	Private right of action
Exemptions	
Other	