



State Consumer Privacy Laws: Navigating the Terrain

The following charts provide a “cheat sheet” to the six consumer data privacy laws that have been enacted in the United States. These charts are intended for informational purposes only and are not intended to provide legal advice.

OVERVIEW

Overview						
	California	Virginia	Colorado	Utah	Conn.	Iowa
Effective	CPRA fully effective Jan. 1, 2023	Jan. 1, 2023	July 1, 2023	Dec. 31, 2023	July 1, 2023	January 1, 2025
Private Right of Action	✓ Data breach only	✗	✗	✗	✗	✗
Notice at/before Collection	✓	✓	✓	✓	✓	✓
Opt-In Default for SPI	✗ Opt-out	✓	✓	✗ Opt-out	✓	✗ Opt-out
Consumer Rights	✓	✓	✓	✓	✓	✓
Employee and B2B Contact Rights	✓	✗	✗	✗	✗	✗
Data Governance Requirements	✓ Scope unclear; Regulations TBD	✓	✓	✗	✓	✗
Vendor Contract Requirements	✓	✓	✓	✗	✓	✓



CONSUMER RIGHTS

Consumer Rights						
	California	Virginia	Colorado	Utah	Conn.	Iowa
Know / Access	✓	✓	✓	✓	✓	✓
Correction	✓	✓	✓	✗	✓	✗
Deletion	✓ Limited to data obtained from the consumer	✓	✓	✓ Limited to data obtained from the consumer	✓	✓ Limited to data obtained from the consumer
Restrict SPI Processing	✓	✓	✓	✓	✓	✓
Opt-out of Sales/Sharing/Targeted Advertising	✓	✓	✓	✓	✓	✓
Opt-in for Sales/Sharing/Targeted Advertising for Minors	✓ To age 16	✓ To age 13	✓ To age 13	✓ To age 13, if required by COPPA	✓ To age 16	✓ To age 13, if required by COPPA
Opt-Out of Profiling / Automated Decisionmaking		✓	✓	✗ Silent	✓	✗ Silent
Non-Discrimination	✓	✓	✓	✓	✓	✓

REQUEST SUBMISSION AND HANDLING

Request Handling						
	California	Virginia	Colorado	Utah	Conn.	Iowa
Requests must be Verified	✓ Except opt-out/restrict SPI	✓	✓	✓	✓	✓
Requires Separate "opt-out" page	✓	✗	✓	✗	✓	✗
Honor User-Enabled Browser Control	✓	✗	✓ By 7/1/2024	✗	✓ By 1/1/2025	✗
Accept Requests from Authorized Agents	✓	✗	✓ Opt-out only	✗	✓ Opt-out only	✗
Timeline to Respond to Consumer Rights Requests	45 days, but 10 days for opt-out	45 days	45 days	45 days	45 days	90 days
Consumer Can Appeal Handling of Consumer Rights Request	✗	✓	✓	✗	✓	✓



INFORMATION GOVERNANCE

Information Governance						
	California	Virginia	Colorado	Utah	Conn.	Iowa
Data Minimization	✓	✓	✓	✗	✓	✗
Purpose & Use Limitations	✓	✓	✓	✗	✓	✗
Disclose Retention Periods	✓	✗	✗	✗	✗	✗
Data Privacy Impact Assessments	✓ Scope unclear; Regulations TBD	✓	✓	✗	✓	✗
Reasonable Security	✓	✓	✓	✓	✓	✓

ENFORCEMENT

Enforcement						
	California	Virginia	Colorado	Utah	Conn.	Iowa
Regulator	California Privacy Protection Agency and Attorney General	Attorney General	Attorney General and District Attorneys	Attorney General	Attorney General	Attorney General
Civil Penalties / Administrative Fines	\$2,500 - \$7,500	Up to \$7,500, plus reasonable investigation and attorney expenses	Up to \$20,000 per violation under Colorado Consumer Protection Act	Actual damages to the consumer and \$7,500 per violation in civil penalties	Up to \$5,000 under CT Unfair Trade Practice Act, plus actual and punitive damages, costs, and reasonable attorneys' fees	Up to \$7,500 per violation
Cure Opportunity	✗ Regulatory cure period eliminated in CPRA	✓ 30-day cure period	✓ 60-day cure period through 2024	✓ 30-day cure period	✓ 60-day cure period through 2024; In 2025, cure opportunity at discretion of AG	✓ 90-day cure period
Rulemaking Authority for Regulator	✓	✗	✓	✗	✗ Working group to study potential amendments	✗
Regulator May Issue Guidance	✗ Eliminated in CPRA	✗	✓	✗	✗	✗