

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

Florida

Rights	computing service with handfree verbal activation. Access, correction, deletion

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

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, 2050

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



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

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	

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

Massachusetts	
	HD 2281 “Massachusetts Data Privacy Protection Act”
Status	Referred to Committee on Advanced Information Technology, the Internet and Cybersecurity; See

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

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	

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

Minnesota SF 950
Referred to Commerce and Consumer Protection Committee; See Companion HF 1892 (01/30/2023)
Applies to business that conduct business in Minnesota or produce products or services targeted to Minnesota residents

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

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	

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

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.

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

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

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	Tennessee SB 73 “Tennessee Information Protection Act”
Status	Placed on

Proposed

