#### **Quick Reference Guide**

#### **Jurisdictional Scope**

	California Consumer	California Privacy	Connecticut Data	Colorado Privacy Act	Utah Consumer	Virginia Consumer
	Privacy Act	Rights Act	Privacy Act		Privacy Act	Data Protection Act
Effective Date	January 1, 2020	January 1, 2023	July 1, 2023	July 1, 2023	December 31, 2023	January 1, 2023
Consumers	<u>Cal. Civ. Code §</u> 1798.140(g)	Removed exclusion for employee data.	SB 6, Sec. 1(7)	<u>Section 6-1-1303</u>	SB 227, Sec. 13-61- 101(10)	<u>Section 59.1-571</u>
			Connecticut resident	Colorado residents		Virginia resident acting
	California resident, or		acting in an individual	acting in an individual	Utah resident acting in	in an individual or
	every individual who is		or household context,	or household context,	an individual or	household context,
	in the State for other		rather than commercial	rather than commercial	household context,	rather than a
	than a temporary or		or employment	or employment	rather than commercial	commercial or
	transitory purpose.		capacity.	capacity.	or employment capacity.	employment capacity.
Covered	Cal. Civ. Code §	Cal. Civ. Code §	SB 6, Sec.2	Section 6-1-1304(1)	SB 227, Sec. 13-61-	Section 59.1-572 (A)
Entities and	1798.140(c)(1)	1798.140(d)(1)	<u> 28 0, 866.2</u>	<u> </u>	102(1)	<u>2004011 00:1 072 (74)</u>
Thresholds	<u></u>	<u></u>	Entities that conduct	Entities that conduct	102(1)	Entities that conduct
	Applies to any for profit	Thresholds	business in Connecticut	business in Colorado or	Entities that conduct	business in Virginia or
	entity that does	revised/clarified:	or that produce	that produce products	business in Utah or that	that produce products
	business in California		products or services	or services that are	produce products or	or services that are
		total gross revenue:	that are targeted to	targeted to residents of	services that are	targeted to residents of
	AND	clarified as using	residents of	Colorado	targeted to residents of	Virginia
		revenue for the	Connecticut		Utah	
	total gross revenue:	preceding calendar		AND		AND
	annual gross	year (Jan 1) to	AND		AND	
	revenue exceeding	determine whether it		<ul><li>controls or</li></ul>		<ul> <li>during the calendar</li> </ul>
	\$25M	meets threshold for	that during the	processes the	has annual revenue of	year, control or
		the current year	preceding calendar	personal data of	\$25,000,000 or more	process personal
	<ul> <li>percentage of gross revenue: derives</li> </ul>	<ul> <li>percentage of gross</li> </ul>	year:	100,000 consumers or more during a	AND	data of at least 100,000 consumers
	50% or more of	revenue: also	<ul><li>controlled or</li></ul>	calendar year	AND	100,000 consumers
	annual revenue from	includes revenue	processed the	calefidal year	<ul><li>controls or</li></ul>	OR
	selling consumers'	from sharing	personal data of	OR	processes personal	Oit
	personal information	consumers' personal	over 100,000		data of 100.000 or	<ul> <li>control or process</li> </ul>
	percena information	information for	consumers	<ul> <li>derives revenue</li> </ul>	more consumers	personal data of at
	OR	cross-context		from the personal	during a calendar	least 25,000
		behavioral	OR	data sales (including	year	consumers and
	<ul><li>consumers: annually</li></ul>	advertising purposes		receiving a discount		derive over 50% of
	buys, receives,		<ul> <li>controlled or</li> </ul>	on the price of	OR	gross revenue from
	shares, or sells the	OR	processed the	goods or services)		the sale of personal
	personal information		personal data of not	of 25,000	<ul><li>derives over 50% of</li></ul>	data.
	of more than 50,000	<ul><li>consumers:</li></ul>	less than 25,000	consumers or more.	the entity's gross	
	consumers,	threshold met when	consumers and		revenue from the	
	households, or	the business	derived more than		sale of personal	
	devices for	annually buys, sells,	25% of their gross		data and controls or	
	commercial	or shares the	revenue from the		processes personal	
	purposes.	personal information				

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
		of 100,000 or more consumers or households (removed "devices" and "for commercial purposes").	sale of personal data.		data of 25,000 or more consumers.	
Notable Exclusions	Cal. Civ. Code § 1798.145(c)(1)  CCPA does not apply to:  Health care data covered by Health Insurance Portability and Accountability Act (HIPAA)  Information subject to the Fair Credit Reporting Act (FCRA)  Information subject to federal Gramm-Leach-Bliley Act (GLBA)  Nonprofits  Information collected for employment records or purposes or within a business (B2B) context	New exclusions include:  Household data from the business's consumer request response for the right to know, deletion, and correction  Temporary exceptions regarding employment personal information and B2B communications expire	SB 6, Sec.3  CTDPA does not apply to:  Nonprofits  Higher education institutions  National securities associations  Institutions or data covered by GLBA  Institutions or data covered by HIPAA  Data collected under FCRA  Educational data covered by Family Education Rights and Privacy Act (FERPA)  Employee data  Commercial B2B data	Section 6-1-1304(2)  CPA does not apply to:  Institutions or data covered by HIPAA  Data collected under FCRA  Institutions or data covered by GLBA  Educational data covered by FERPA  Employee data  National securities associations  Higher education institutions	SB 227, Sec. 13-61- 102(2)  UCPA does not apply to:  Higher education institutions  Nonprofits  Institutions or data covered by HIPAA  Data collected under FCRA  Institutions or data covered by GLBA  Employee data  Commercial B2B data  Educational data covered by FERPA	Section 59.1-572 (B)-(D)  VCDPA does not apply to:  Institutions or data covered by GLBA  Institutions or data covered by HIPAA  Nonprofits  Higher education institutions  Data collected under FCRA  Educational data covered by FERPA  Employee data  Commercial B2B data

## **Consumer Rights**

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
Right to Know	Cal. Civ. Code §§ 1798.100(a)  Consumer has the right to know the categories and specific pieces of personal information the business has collected.	Cal. Civ. Code § 1798.100(a)  Added the right to know whether the personal/sensitive information is sold or shared and the length of time the information is retained.	SB 6, Sec.4 (a)(1)  Consumer has the right to confirm whether a controller is processing their personal data and data access.	Section 6-1-1306(1)(b)  Consumer has the right to confirm whether a controller is processing their personal information and data access.	SB 227, Sec. 13-61- 201(1)  Consumer has the right to confirm whether a controller is processing their personal information and data access.	Section 59.1-573(A)(1)  Consumer has the right to confirm whether a controller is processing their personal information and data access.
Right to Delete	Cal. Civ. Code § 1798.105(a)  Consumer has the right to request that a business delete any personal information.	Same.	SB 6, Sec.4 (a)(3)  Consumer has the right to delete personal data provided by, or obtained about, the consumer.	Section 6-1-1306(1)(d)  Consumer has the right to delete personal data concerning the consumer.	SB 227, Sec. 13-61- 201(2)  Consumer has the right to delete personal data provided to the controller.	Section 59.1-573(A)(3)  Consumer has the right to delete personal data provided by or obtained about the consumer.
Right to Correct	N/A	Cal. Civ. Code § 1798.106  Consumer has the right to correct inaccurate personal information.	SB 6, Sec.4 (a)(2)  Consumer has the right to correct inaccuracies in the consumer's personal data.	Section 6-1-1306(1)(c)  Consumer has the right to correct inaccuracies in their personal data.	N/A	Section 59.1-573(A)(2)  Consumer has the right to correct inaccuracies in the consumer's personal data.
Right to Opt-Out/Opt-In	Cal. Civ. Code § 1798.120  Consumer has the right to opt-out or direct a business to not sell their personal information to third parties.  Cal. Civ. Code § 1798.135  The business must provide a clear and conspicuous link to optout of the sale or sharing of the consumer's personal information.	Same.	SB 6, Sec.4 (a)(5)  Consumer has the right to opt-out of the processing of personal data for purposes of:  targeted advertising  sale of personal data  OR  profiling, which has legal or other significant effects on the consumer.  Controller must provide a clear and	Section 6-1-1306(1)(a)  Consumer has the right to opt-out of the processing or personal data for the purposes of:  targeted advertising  sale of personal data  OR  profiling, which has legal or other significant effects on the consumer.  Controller must provide a clear and	SB 227, Sec. 13-61- 201(4)  Consumer has the right to opt-out of the processing of the consumer's personal data for purposes of:  targeted advertising  OR  sale of personal data.	Section 59.1-573(A)(5)  Consumer has the right to opt-out of the processing of the personal data for the purposes of:  targeted advertising  sale of personal data  OR  profiling, which has legal or other significant effects on the consumer.

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
			conspicuous link to opt- out	conspicuous link to opt- out		
Data Portability Right	Cal. Civ. Code §§ 1798.100(c), 110(a)  Upon request, a business shall provide the following:  Categories of personal information collected and the sources of that data.  The purposes of collecting personal data.  Categories of third parties with whom the information is shared.  Specific pieces of personal information collected about the consumer.	Same.	SB 6, Sec.4 (a)(4)  Consumer has the right to obtain a copy of their personal data.	Section 6-1-1306(1)(e)  Consumer has the right to obtain a copy of their personal data.	SB 227, Sec. 13-61-201(3)  Consumer has the right to obtain a copy of their personal data.	Section 59.1-573(A)(4)  Consumer has the right to obtain a copy of their personal data.
No Retaliation or Discrimination	Cal. Civ. Code § 1798.125  A business shall not discriminate against a consumer for exercising any of the consumer rights.  A business can charge a consumer a different price or rate or providing a different level or quality of goods or services, if that difference is reasonably related to the value provided to the business by the consumer's data.	Cal. Civ. Code § 1798.125  Expands this right to prohibit retaliating against an employee, applicant for employment, or independent contractor for exercising their rights.	SB 6, Sec.6(a)(7)  Controller shall not discriminate against a consumer for exercising any of the consumer rights.	Section 6-1-1308(1)(c)  Based solely on the exercise of their right, controller shall not increase the cost or decrease the availability of the product of service.	SB 227, Sec. 13-61-302(4)  Controller may not discriminate against a consumer for exercising a right by denying a good or service, charging a different price or rate for a good or service, or providing a different level of quality of a good or service.	Section 59.1-574(A)(4)  Controller shall not discriminate against consumer for exercising any of the consumer rights, including denying goods or services, charging different prices or rates for goods or services, or providing a different level of quality of goods or services to the consumer.

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
Right of Appeal	None	None	SB 6, Sec.4 (a)(4)	Section 6-1-1306(3)(a)	None	Section 59.1-573(C)
			Controller must establish a process for a consumer to appeal the controller's decision to refuse a data rights request.	Controller must establish a process for a consumer to appeal the controller's decision to refuse a data rights request.		Controller must establish a process for a consumer to appeal the controller's decision to refuse a data rights request.

# **Business Obligations**

	California Consumer	California Privacy	Connecticut Data	Colorado Privacy Act	Utah Consumer	Virginia Consumer
	Privacy Act	Rights Act	Privacy Act		Privacy Act	Data Protection Act
Data Minimization	Cal. Civ. Code §§ 1798.100(b)  A business shall not collect additional categories of personal information or use personal information collected for additional purposes without providing the consumer with notice.	Cal. Civ. Code § 1798.100(c)  Limits collection, use, retention, and sharing of a consumer's personal information to actions reasonably necessary and proportionate to achieve the collection or processing purpose or another disclosed purpose that is compatible with the context in which the personal information was collected.	SB 6, Sec.6(a)(1)  Controller shall limit the collection of personal data to what is adequate, relevant, and reasonably necessary in relation to the purposes for which such data is processed, as disclosed to the consumer.  SB 6, Sec.6(a)(4)  Controller shall not process sensitive data without obtaining the consumer's consent.  SB 6, Sec.6(a)(6)  Controller shall provide an effective mechanism for a consumer to revoke consent as easily as it was given.	Section 6-1-1308(3)  Duty of Data minimization - Controller's collection of personal data must be adequate, relevant, and limited to what is reasonably necessary in relation to the specified purposes for which the data are processed.  Section 6-1-1308(4)  Duty to avoid secondary use – unless controller first obtains the consumer's consent.  Section 6-1-1308(7)  Duty regarding sensitive data – controller shall not process sensitive data without first obtaining the consumer's consent  Consent must be as easily revokable as it was affirmatively provided.	SB 227, Sec. 13-61-302(5)(a)  Indirectly mentions processing of consumer's personal data must be reasonably necessary for the controller to provide the consumer the product or service.  SB 227, Sec. 13-61-302(3)  Controller may not process sensitive data collected from a consumer without first presenting a clear notice and an opportunity to opt-out of the processing.	Section 59.1-574(A)(1)  Controller shall limit the collection of personal data to what is adequate, relevant, and reasonably necessary in relation to the purposes for which such data is processed, as disclosed to the consumer.  Section 59.1-574(A)(5)  Controller shall not process sensitive data without obtaining the consumer's consent.
Purpose Limitation	Same as data minimization.	Same as data minimization.	SB 6, Sec.6(a)(2)  Controller shall not process personal data for purposes that are neither reasonably necessary to, nor compatible with, the disclosed purposes for which such personal	Section 6-1-1308(2)  Duty of purpose specification - Controller shall specify the express purposes for which personal data is collected and processed.	SB 227, Sec. 13-61-302(1)(a)(ii)  Controller shall provide consumers with a reasonably accessible and clear privacy notice that includes the purposes for which the	Section 59.1-574(A)(2)  Controller shall not process personal data for purposes that are neither reasonably necessary to nor compatible with the disclosed purposes for which such personal

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
			data is processed, unless controller obtains consumer's consent.		categories of personal data are processed.	data is processed, as disclosed to the consumer, unless the controller obtains the consumer's consent.
Privacy Notices	Cal. Civ. Code 1798.130(a)(5)  Notice about the business's personal information practices, including how it collects, uses, discloses, and sells personal information.  Explanation of CCPA rights and how to exercise them.  A business must review and update their privacy notice's content at last every 12 months.	Cal. Civ. Code § 1798.130(a)(5)  Descriptions of the new consumer rights.  The intended retention period for each personal data category collected.  Whether the business shares personal information for cross-context behavioral advertising purposes.	<ul> <li>SB 6, Sec.6(c)</li> <li>Categories of personal data processed and the purpose.</li> <li>Categories shared with third parties.</li> <li>Categories of third parties with whom the controller shares personal data.</li> <li>How and where consumers may exercise their rights.</li> <li>SB 6, Sec.6(d)</li> <li>If controller sells personal data to third parties or processes personal data for targeted advertising, the controller shall clearly disclose such processing and give consumer the right to opt-out.</li> </ul>	<ul> <li>Section 6-1-1308(1)(a)</li> <li>Categories of personal data processed and the purpose.</li> <li>Categories shared with third parties.</li> <li>Categories of third parties with whom the controller shares personal data.</li> <li>How and where consumers may exercise their rights.</li> <li>Section 6-1-1308(1)(b)</li> <li>If controller sells personal data to third parties or processes personal data for targeted advertising, the controller shall clearly disclose the sale or processing and give consumer the right to opt-out.</li> </ul>	<ul> <li>SB 227, Sec. 13-61-302(1)(a)</li> <li>Categories of personal data processed and the purpose.</li> <li>Categories shared with third parties.</li> <li>Categories of third parties with whom the controller shares personal data.</li> <li>How and where consumers may exercise their rights.</li> <li>SB 227, Sec. 13-61-302(1)(b)</li> <li>If controller sells a consumer's personal data to one or more third parties or engages in targeted advertising, the controller shall clearly and conspicuously disclose to the consumer the manner to opt-out.</li> </ul>	<ul> <li>Section 59.1-574(C)</li> <li>Categories of personal data processed and the purpose.</li> <li>Categories shared with third parties.</li> <li>Categories of third parties with whom the controller shares personal data.</li> <li>How and where consumers may exercise their rights.</li> <li>Section 59.1-574(D)</li> <li>If a controller sells personal data to third parties or processes personal data for targeted advertising, the controller shall clearly disclose such processing and the manner for the consumer to opt-out.</li> </ul>

## **Enforcement and Rulemaking**

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
Private Right of Action	Cal. Civ. Code § 1798.150(a)(1)  Limited private right of action for data breach.	Same.	SB 6, Sec.(11)(d)  No private right of action for violations.	Section 6-1-1311(1)(b)  No private right of action for violations.	SB 227, Sec. 13-61-305  No private right of action for violations.	Section 59.1-579(C)  No private right of action for violations.
Enforcement Authority	Cal. Civ. Code § 1798.185, 1798.155  Administrative fines or civil penalties for each violation of up to \$2,500, increased to \$7,500 for intentional violations or those involving minors.	Cal. Civ. Code § 1798.185(d)  The new California Privacy Protection Agency (CPPA) has rulemaking authority and shares enforcement authority with the Attorney General.	SB 6, Sec.(11)(a)  The Connecticut Attorney General shall have exclusive authority to enforce violations.	Section 6-1-1311(1)(a)  The Colorado AG and district attorneys are authorized to enforce compliance with CPA.  No fine amount per violation unless it constitutes a deceptive trade practice.	SB 227, Sec. 13-61-402  The AG may recover actual damages to the consumer and for each violation, an amount not to exceed \$7,500.	Section 59.1-580  Violators are subject to an injunction and is liable for a civil penalty not to exceed \$7,500.
Opportunity to Cure	Cal. Civ. Code § 1798.150(b)  A business shall be in violation of this act if it fails to cure any alleged violation within 30 days after being notified of alleged noncompliance.	Removes the 30-day cure period.  The Agency may decide to provide a cure period.	SB 6, Sec.(11)(b) 60-day cure period, ends on January 1, 2025.	Section 6-1-1311(1)(d) 60-day cure period, ends on January 1, 2025.	SB 227, Sec. 13-61- 402(3)(a) 30-day cure period.	Section 59.1-579(A)-(B) 30-day cure period.

# **Key Definitions**

	California Consumer	California Privacy	Connecticut Data	Colorado Privacy Act	Utah Consumer	Virginia Consumer
	Privacy Act	Rights Act	Privacy Act		Privacy Act	Data Protection Act
Personal Information	Cal. Civ. Code § 1798.140(o)(1)  Any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Excludes publicly available, deidentified, and aggregate consumer information.	<u>Cal. Civ. Code §</u> <u>1798.140(v)</u> Same.	SB 6 Sec. 1(18)  Any information that is linked or reasonably linkable to an identified or identifiable individual.  Excludes de-identified data or publicly available information.	Section 6-1-1303(17)  Any information that is linked or reasonably linkable to an identified or identifiable natural person.  Excludes de-identified or publicly available information.	SB 227, Sec. 13-61- 101(24)  Any information that is linked or reasonably linkable to an identified individual or an identifiable individual.  Excludes deidentified data, aggregated data, or publicly available information.	Section 59.1-571  Any information that is linked or reasonably linkable to an identified or identifiable natural person.  Excludes deidentified data or publicly available information.
Sensitive Data	N/A	Cal. Civ. Code § 1798.140(ae)  Information that reveals a consumer's social security, driver's license, state ID, passport number, account log-in, financial account, debit/credit card numbers and credentials, precise geolocation, racial or ethnic origin, religious beliefs, union membership, genetic data, biometric data, sex life or sexual orientation.  Sensitive personal information collected or processed without the purpose of inferring characteristics about a consumer is treated as personal information and does not qualify for	SB 6 Sec. 1(27)  Personal data revealing racial or ethnic origin, religious beliefs, mental or physical health condition or diagnosis, sex life, sexual orientation or citizenship or immigration status, genetic or biometric data, personal data collected from a known child, or precise geolocation data.	Section 6-1-1303(24)  Personal data revealing racial or ethnic origin, religious beliefs, a mental or physical health condition, sex life or sexual orientation, citizenship or citizenship status, genetic or biometric data.	SB 227, Sec. 13-61-101(32)  Personal data that reveals racial or ethnic origin, religious beliefs, a mental or physical health condition, sex life or sexual orientation, citizenship or citizenship status, genetic or biometric data, geolocational data.	Section 59.1-571  Personal data that reveals racial or ethnic origin, religious beliefs, a mental or physical health condition, sex life or sexual orientation, citizenship or citizenship status, genetic or biometric data, geolocational data, or data collected from a known child.

	California Consumer Privacy Act	California Privacy Rights Act	Connecticut Data Privacy Act	Colorado Privacy Act	Utah Consumer Privacy Act	Virginia Consumer Data Protection Act
		the consumer's right to limit use and disclosure.				
Controller	Cal. Civ. Code § 1798.140(c)  Defines "business" as any for-profit entity, including sole proprietorship, partnership, limited liability company, corporation, association, or other legal entity. Also covers any entity that shares common branding with the covered business.	Cal. Civ. Code § 1798.140(d)(3)  Expands definition to cover joint ventures or partnerships composed of other covered businesses that each have at least a 40% interest in the entity.  Also covers any entity that shares common branding with the business only if consumers would understand the entities are commonly owned and the business actually shares the consumer's personal information.	SB 6 Sec. 1(8)  A person that, alone or jointly with others, determines the purposes for and means of processing personal data.	Section 6-1-1303(7)  A person that, alone or jointly with others, determines the purposes for and means of processing personal data.	SB 227, Sec. 13-61- 101(12)  A person doing business in the state who determines the purposes for which and the means by which personal data are processed, regardless of whether the person makes the determination alone or with others.	Section 59.1-571  A person that, alone or jointly with others, determines the purpose and means of processing personal data.
Processor	Cal. Civ. Code § 1798.140(v)  Defines "service provider" as a for-profit entity that processes personal information on	Cal. Civ. Code § 1798.140(ag)(1)  Modified definition to mean a person that processes personal information on behalf of	SB 6 Sec. 1(21)  An individual who processes personal data on behalf of a controller.	Section 6-1-1303(19)  A person that processes personal data on behalf of a controller.	SB 227, Sec. 13-61- 101(26)  A person who processes personal data on behalf of a controller.	Section 59.1-571  A person that processes personal data on behalf of a controller.