# State Data Privacy Laws

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| California | Applies to for-profit businesses that do business in California and meet any of the following:  
- A gross annual revenue exceeding $25 million;  
- Buy, receive, or sell personal information of 50,000 or more California residents, households, or devices; or  
- 50% or more of its annual revenue derives from selling California residents’ personal information.  
(§1798.100; §1798.140(c)) | Personal Information:  
- Any information that "identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household."  
- §1798.140(o)(1) includes a non-exhaustive list of personal information.  
(§ 1798.140(o)(1)) | Data subjects have the following rights:  
- Right to know  
- Right to access  
- Right to opt-out  
- Right to deletion  
- Right to opt in for consumers under the age of 16  
- Right to non-discrimination  
($§ 1798.110 – 1798.125) | California Attorney General has the enforcement power.  
- Penalties of no more than $2,500 for each violation or $7,500 for each intentional violation.  
($§ 1798.155) | A consumer has a private right of action when there is a breach of their unencrypted and unredacted personal information.  
- Damages between $100 and $750 per incident or actual |
| Virginia | Applies to those that conduct business in Virginia or produce products and services targeted to its residents and either:  
1. Control or process personal data of at least 100,000 consumers during a calendar year; or  
2. Control or process personal data of at least 25,000 Virginia consumers and derives more than half of their revenue from the sale of personal data. | Personal Data:  
- Any information that is linked or reasonably linkable to an identified or identifiable natural person.  
- Does not include publicly available information or de-identified data. | Consumer personal data rights:  
- Right to access  
- Right to correction  
- Right to portability  
- Right to deletion  
- Right to opt-out  
(§ 59.1-571) | Attorney General has exclusive enforcement authority.  
Violators are subject to injunctions and civil penalties no greater than $7,500 per violation.  
(§ 59.1-580) |
| Colorado | Applies to controllers that conduct business in Colorado or provide commercial products or services intentionally targeted to Colorado residents that:  
  o Control or process the personal data of 100,000 consumers or more during a calendar year; or  
  o Derives revenue or receives a discount on price of goods or services from selling personal data and processes or controls the personal data of 25,000 consumers or more.  
  (§ 6-1-1304) | Personal Data:  
  o “Information that is linked or reasonably linkable to an identified or identifiable individual.”  
  o Does not include publicly available information or de-identified data.  
  (§ 6-1-1303 (17)) | Consumer personal data rights:  
  - Right to opt out  
  - Right of access  
  - Right to correction  
  - Right to deletion  
  - Right to data portability  
  (§ 6-1-1306) | Attorney General and District Attorneys have exclusive enforcement power.  
  (§ 6-1-1311) |