



# State Data Privacy Laws

State	Applicability	Definition of Personal Data/Information	Data Subject Rights	Enforcement
<p><a href="#">California</a></p> <p>Cal. Civ. Code § 1798.100 - 1798.199.100</p>	<p>Applies to for-profit businesses that do business in California and meet any of the following:</p> <ul style="list-style-type: none"> <li>• A gross annual revenue exceeding \$25 million;</li> <li>• Buy, receive, or sell personal information of 50,000 or more California residents, households, or devices; or</li> <li>• 50% or more of its annual revenue derives from selling California residents' personal information.</li> </ul> <p>(§1798.100; §1798.140(c))</p>	<p>Personal Information:</p> <ul style="list-style-type: none"> <li>• 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.”</li> <li>• <a href="#">§1798.140(o)(1)</a> includes a non-exhaustive list of personal information.</li> </ul> <p>(§ 1798.140(o)(1))</p>	<p>Data subjects have the following rights:</p> <ul style="list-style-type: none"> <li>• Right to know</li> <li>• Right to access</li> <li>• Right to opt-out</li> <li>• Right to deletion</li> <li>• Right to opt in for consumers under the age of 16</li> <li>• Right to non-discrimination</li> </ul> <p>(§1798.110 – 1798.125)</p>	<p>California Attorney General has the enforcement power.</p> <ul style="list-style-type: none"> <li>• Penalties of no more than \$2,500 for each violation or \$7,500 for each intentional violation.</li> </ul> <p>(§ 1798.155)</p> <p>A consumer has a private right of action when there is a breach of their unencrypted and unredacted personal information.</p> <ul style="list-style-type: none"> <li>• Damages between \$100 and \$750 per incident or actual</li> </ul>

				damages, whichever is greater.  (§ 1798.150)
<p><a href="#">Virginia</a></p> <p>Va. Code § 59.1-571–59.1-581</p>	<p>Applies to those that conduct business in Virginia or produce products and services targeted to its residents and either:</p> <ol style="list-style-type: none"> <li>I. Control or process personal data of at least 100,000 consumers during a calendar year; or</li> <li>II. 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.</li> </ol> <p>(§ 59.1-572)</p>	<p>Personal Data:</p> <ul style="list-style-type: none"> <li>• Any information that is linked or reasonably linkable to an identified or identifiable natural person.</li> <li>• Does not include publicly available information or de-identified data.</li> </ul> <p>(§ 59.1-571)</p>	<p>Consumer personal data rights:</p> <ul style="list-style-type: none"> <li>• Right to access</li> <li>• Right to correction</li> <li>• Right to portability</li> <li>• Right to deletion</li> <li>• Right to opt-out</li> </ul> <p>(§ 59.1-573)</p>	<p>Attorney General has exclusive enforcement authority.</p> <p>Violators are subject to injunctions and civil penalties no greater than \$7,500 per violation.</p> <p>(§ 59.1-580)</p>

<p><a href="#">Colorado</a></p>	<p>Applies to controllers that conduct business in Colorado or provide commercial products or services intentionally targeted to Colorado residents that:</p> <ul style="list-style-type: none"> <li>○ Control or process the personal data of 100,000 consumers or more during a calendar year; or</li> <li>○ 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.</li> </ul> <p>(§ 6-1-1304)</p>	<p>Personal Data:</p> <ul style="list-style-type: none"> <li>○ “Information that is linked or reasonably linkable to an identified or identifiable individual.”</li> <li>○ Does not include publicly available information or de-identified data.</li> </ul> <p>(§ 6-1-1303 (17))</p>	<p>Consumer personal data rights:</p> <ul style="list-style-type: none"> <li>● Right to opt out</li> <li>● Right of access</li> <li>● Right to correction</li> <li>● Right to deletion</li> <li>● Right to data portability</li> </ul> <p>(§ 6-1-1306)</p>	<p>Attorney General and District Attorneys have exclusive enforcement power.</p> <p>(§ 6-1-1311)</p>
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