

ENACTED

Morgan Lewis		Individual Rights										Business Requirements										Data Protection			Breach Notification			Third-Party Requirements		Biometric		Coverage	Developments & Notes				
Jurisdiction	Effective	Right of Access	Right of Rectification	Right of Deletion	Right of Restriction	Right of Portability	Right of Opt-Out	Right to Opt In (Sensitive Data)	Right Against Automated Decisionmaking	Private Right of Action	Right to Appeal Denial of Access Right	Notice-Transparency Requirement	Data Breach Notification	Risk/Impact Assessments	Prohibition on Discrimination (exercising rights)	Purpose/Use Limitation	Data Processing Agreements	Processing Limitation	Ability to Cure Violation	Data Minimization Duty	Regulates Sensitive Data	Regulates Artificial Intelligence (AI)	Data Protection Program or Implement Controls	Destruction or Safe Disposal of Personal Information	Regulates Sale of Data	Time to Notify/Must Notify	Risk-of-Harm Test for Breach	Written Incident Response or Plan for Notification	Service Providers (SP)	Data Protection Program for Third-Party SP	Regulates Collection and/or Storage	Private Right of Action					
Alabama Insurance Security Act	5/1/2019																																		Model data-security law applicable to insurers and other entities licensed by state department of insurance		
California (CPRA)	1/1/2023	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X				X								X		X				Comprehensive privacy law	Amends CCPA, including adding new rights and business requirements. Extends limited exemption for employee data	
California (CCPA)	1/1/2020	X		X		X	X			X		X		X	X	X										X									Comprehensive privacy law	Amended by CPRA	
Colorado Privacy Act (CPA)	7/1/2023	X	X	X		X	X	X	X	X	X		X	X	X	X	X												X	X	X				Comprehensive privacy law		
Colorado Protections for Consumer Data Privacy Law	9/1/2018												X																						Comprehensive, but addresses only disposal of personally identifiable information (PII) and breach notification	Requires policies on disposal of any records with PII and includes additional notifications for data breaches	
California Broker Registration Act	1/1/2020																								X										Data brokers		
Connecticut Insurance Data Security Act	10/1/2019												X											X	X		X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Delaware Insurance Data Security Act	10/1/2019												X											X	X		X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Hawaii H.C.R 225	4/30/2019												X													X		X							Breach notification		
Illinois SB 1654	1/1/2020												X													X		X								Breach notification	
Illinois 2189	1/1/2020																								X											Genetic testing industry	Amends the Genetic Information Privacy Act
Illinois Biometric Information Privacy Act	10/3/2018									X	X					X									X							X	X			Comprehensive as to the collection, storage, use, and disclosure of biometric data	More than 2,000 suits have been filed to date; IL Sup. Ct. considering certified question from 7th Cir. regarding claim accrual. <i>Cothron v. White Castle</i> , No. 20-3202 (7th Cir. 2021)
Indiana Insurance Data Security Act	7/1/2020												X											X	X		X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Maine Act to Protect the Privacy of Online Customer Information	7/1/2020				X		X				X				X								X		X										Internet SPs		
Maryland SB 30	10/1/2019																									X	X									Requires certain insurance carriers to notify Insurance Commissioner regarding certain data breaches	
Maryland SB 693	10/1/2019																									X		X								Comprehensive data breach notification law	Amends the scope of the existing data breach law to cover businesses that maintain data rather than just those that own or license data
Baltimore, Maryland (Council Bill 21-0001)	9/8/2021																															X			Prohibits use of face-surveillance systems or any information obtained from such systems in the city	Imposes criminal penalties	

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Michigan Insurance Data Security Act	1/1/2021												X													X	X	X	X	X				Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Mississippi Insurance Data Security Act	1/1/2021												X													X	X	X	X	X				Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Nevada Internet Privacy Act	10/1/2019; amended 10/1/2021						X					X	X											X		X								Covers website operators meeting certain thresholds	Amended in 2021 to include data brokers	
New Hampshire Insurance Data Security Law	1/1/2021												X												X	X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
New Jersey S.B. 52	9/1/2019												X													X		X						Data breach notification law	Amends the existing data breach law to expand definition of PII	
New York Shield Act	3/21/2020												X											X	X	X	X					X		Comprehensive data breach and data security law	Amends existing data breach law to expand territorial reach, imposes new data-security requirements on covered entities, expands definition of private information, and expands definition of breach	
New York City (Local Law 49)	1/1/2018																				X													Created Automated Decision Systems Task Force to monitor algorithms used by city agencies		
New York City (Local Law 1894-A)	1/1/2023								X			X										X												Restricts use of AI technologies for hiring and promotion of employees		
New York City Biometric Information Law (Local Law 3)	7/9/2021									X		X					X								X							X		Regulates commercial establishments in the city in the collection and use of biometric data from customers	Excludes employers and government agencies	
New York City - Tenant Data Privacy Act	1/1/2023									X		X																				X		Regulates biometric data collected by multifamily building owners with smart-access building controls and/or permit building access via biometrics		
North Dakota H.B. 1485	3/28/2019																																	Authorizes legislative study on regulating consumer personal data disclosures		
Ohio Insurance Data Security Act	3/20/2019												X												X	X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Portland, Oregon, City Code 34.10.010	1/1/2021																															X	X	Prohibits use of facial-recognition technologies by businesses offering "public accommodations"		
South Carolina Insurance Data Security Act	1/1/2019												X		X										X	X	X	X	X					Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Texas Privacy Protection Act	1/1/2020	X	X		X							X												X		X								Regulates healthcare data	Has broader application than HIPAA, as it applies to entities that collect, store, or transmit healthcare data	
Texas Biometric Privacy Act	1/1/2009											X				X																	X		Regulates biometric data	
Utah Consumer Privacy Act	12/31/2023	X		X	X		X limited					X			X		X							X		X			X			X				

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Utah Cyber Security Affirmative Defense Act	5/5/2021																																		Provides affirmative defenses to data breach claims where company complies with written cyber security program.			
Utah SB 193	5/14/2019																									X									Data breach notification law	Amends existing data breach law to allow substitute notification when other forms are not feasible, expands penalties, and imposes statute of limitations		
Virginia Consumer Data Protection Act	7/1/2023	X	X	X	X	X	X	X	X	X	X		X	X	X	X	X	X (30 days)	X	X		X		X					X	X	X				Comprehensive data privacy law	On April 11, 2022, the Governor signed the following amendments to the VCDPA: HB 381 -Provides an exemption to a consumer's right to delete when the controller has obtain consumer data from a source other than the consumer. In such a situation, the controller is		
Virginia H.B. 2396	7/1/2019																							X		X									Data breach notification law	Amends existing data breach law to expand definition of PII to include passport number and military identification number		
Virginia Insurance Data Security Act	7/1/2020																						X	X		X	X	X	X	X						Model data-security law applicable to insurers and other entities licensed by state department of insurance		
Vermont Data Brokers Act	1/1/2019												X										X		X										Regulates data brokers			
Washington Biometric Identifiers Act	7/23/2017						X				X																											X

*This chart does not constitute legal advice about any statute or regulation, is not exhaustive of all state and local data protection or privacy laws, and should be relied on for informational purposes only.

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Jurisdiction	Type	Status	Summary	Developments & Notes
Federal	Data Brokers	Data Elimination and Limiting Extensive Tracking and Exchange Act (the 'DELETE Act')	Establishes a centralized system to allow individuals to request the simultaneous deletion of their personal information across all data brokers.	Introduced 2/11/2022
Federal	Artificial Intelligence	Algorithmic Accountability Act of 2022 (H.R.6580)	Requires companies to assess the impacts of the automated systems they use and sell, creates new transparency about when and how automated systems are used, and allows consumers to make choices about the automation of critical decisions.	Introduced 2/3/2022
Federal	Comprehensive Data Privacy	Consumer Data Privacy and Security Act 2021 (S.1494)	Grants various access rights to individuals and imposes requirements on covered businesses.	Introduced 4/29/21
Alaska	Comprehensive Data Privacy	Multiple Bills Pending (HB 159, HB 222, SB 116)	Grant various access rights to individuals and impose requirements on covered businesses. HB 222 also contains a private right of action.	HB159 advanced to Judiciary Committee
California	Biometric Information Privacy	SB 1189	Regulates biometric data, provides individuals with rights over biometric data, and provides a private right of action.	SB 1189 introduced on 2/17/22
Connecticut	Comprehensive Data Privacy	AN ACT CONCERNING PERSONAL DATA PRIVACY AND ONLINE MONITORING (SB 6)	Full text has not been released.	Advancing through committee as of 4/19/22
Florida	Comprehensive Data Privacy	Multiple Bills Pending (HB 9, HB 1565, and SB 1864)	Grant various access rights to individuals and impose requirements on covered businesses. HB 9 contains a private right of action.	HB 1565 voted out of Commerce Committee 2/10/22 and referred to Judiciary Committee 2/14/22; Legislature adjourned on 3/14/22 without passage of privacy legislation.
Georgia	Comprehensive Data Privacy	Georgia Computer Data Privacy Act (SB 394)	Grants various access rights to individuals and imposes requirements on covered businesses, including private right of action.	
Hawaii	Comprehensive Data Privacy	Multiple Bills Pending (HB 2051, 2341, SB 2428, 2797)	Grant various access rights to individuals and impose requirements on covered businesses.	
Iowa	Comprehensive Data Privacy	HB 2506 and SB 2208	Grant various access rights to individuals and impose requirements on covered businesses.	HB 2506 passed full House vote on 3/14/22

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Indiana	Comprehensive Data Privacy	Multiple Bills Pending (HB 1261, SB 358)	Grant various access rights to individuals and impose requirements on covered businesses.	SB 358 passed Senate on 2/11/22; Legislature adjourned 2022 Session on 3/9/22 without passage of privacy legislation.
Kentucky	Biometric Information Privacy	HB 32	Regulates the retention, collection, disclosure, and destruction of biometric data and provides a private right of action.	Legislature adjourned on 4/14/22 without taking further action on privacy legislation.
Kentucky	Comprehensive Data Privacy	SB 15 and HB 586	Grants various access rights to individuals and imposes requirements on covered businesses. Contains a private right of action.	Legislature adjourned on 4/14/22 without taking further action on biometric legislation.
Maine	Biometric Information Privacy	LD 1945	Regulates the collection, use, retention, and destruction of biometric data and grants a private right of action.	LD 1945 passed the House on 4/15/22, but the Senate amended House version on 4/18/22 to create a commission to study use of biometric identifiers and report recommendations. Legislature adjourned on 4/20/22 without taking further action on biometric legislation.
Maryland	Biometric Information Privacy	HB 259	Regulates use of biometric data by private entities, including requiring development of a retention policy and destruction guidelines, and authorizes a private right of action.	Legislature adjourned on 4/11/22 without taking further action on biometric legislation.
Maryland	Comprehensive Data Privacy	Maryland Online Consumer Protection (SB 11)	Establishes the Workgroup on Online Consumer Personal Information Privacy to review current data practices of business entities; and requires the Workgroup to report its recommendations, including any recommended legislation, by 12/1/22.	Legislature adjourned on 4/11/22 without taking further action on privacy legislation.
Massachusetts	Biometric Information Privacy	S220	Regulates use of biometric data by private entities, including requiring development of a retention policy and destruction guidelines, and authorizes a private right of action.	
Massachusetts	Comprehensive Data Privacy	Multiple Bills Pending (H136, H142, and S46).	Grant various access rights to individuals and imposes requirements on covered businesses. Each proposed bill contains a private right of action.	
Minnesota	Comprehensive Data Privacy	Minnesota Consumer Data Privacy Act (HF1492)	Grants various access rights to individuals and imposes requirements on covered businesses.	
Mississippi	Comprehensive Data Privacy	Mississippi Consumer Data Privacy Act (SB 2330).	Grants various access rights to individuals and imposes requirements on covered businesses. Contains a private right of action.	Failed in committee on 2/1/22

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Missouri	Biometric Information Privacy	Biometric Information Privacy Act (HB 2716)	Regulates use of biometric data by private entities, including requiring development of a retention policy and destruction guidelines, and authorizes a private right of action.	HB 2716 introduced on 2/16/22
Nebraska	Comprehensive Data Privacy	Version of Uniform Law Commission Uniform Personal Data Protection Act (LB1188)	Grants various access right to individuals and imposes requirements on covered businesses.	
New Jersey	Comprehensive Data Privacy	Multiple Bills Pending (A505, A1971, and S332).	Grant various access rights to individuals and impose requirements on covered businesses. A505 contains a private right of action.	
New York	Comprehensive Data Privacy	Multiple Bills Pending (A680B, S6701A, A6042)	Grant various access rights to individuals and impose requirements on covered businesses, including a private right of action.	
North Carolina	Comprehensive Data Privacy	S569	Grants various access rights to individuals and imposes requirements on covered businesses, including a private right of action.	
Oklahoma	Comprehensive Data Privacy	Oklahoma Computer Data Privacy Act (HB2969)	Grants various access rights to individuals and imposes requirements on covered businesses.	
Ohio	Comprehensive Data Privacy	Ohio Personal Privacy Act (HB376)	Grants various access rights to individuals and imposes requirements on covered businesses.	Voted out of committee on 2/9/22
Pennsylvania	Comprehensive Data Privacy	Multiple Bills Pending (HB1126, HB2202, HB2257)	Grant various access rights to individuals and imposes requirements on covered businesses. HB1126 contains a privacy right of action.	
Rhode Island	Comprehensive Data Privacy	HB 7400 and HB 7917	Grants various access rights to individuals and imposes requirements on covered businesses. HB 7917 contains a private right of action and authorizes significant fines for covered entities based on global revenue.	HB 7917 introduced on 3/25/2022
South Carolina	Biometric Information Privacy	H3063	Regulates biometric data, provides individuals with rights over biometric data, and provides a private right of action.	

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Tennessee	Comprehensive Data Privacy	SB 1554	Grants various access rights to individuals and imposes requirements on covered businesses.	Failed in committee on 3/15/22
Vermont	Comprehensive Data Privacy	H.570	Details of rights and business requirements have not been released.	
Washington	Comprehensive Data Privacy	HB 1850	Grants various access rights to individuals and imposes requirements on covered businesses.	Legislature adjourned on 3/10/22 without passage of privacy legislation.
Wisconsin	Comprehensive Data Privacy	A957	Grants various access rights to individuals and imposes requirements on covered businesses.	Legislature adjourned on 3/8/22 without taking further action on privacy legislation.
West Virginia	Biometric Information Privacy	HB2064	Regulates the retention, collection, disclosure, and destruction of biometric data, and provides a private right of action.	Legislature adjourned on 3/14/22 without taking further action on biometric legislation.
West Virginia	Comprehensive Data Privacy	HB3159	Grants various access rights to individuals, imposes requirements on covered businesses, and provides a private right of action.	Legislature adjourned on 3/14/22 without taking further action on privacy legislation.