



## PRIVACY LAW CHEAT SHEET

	<b>California Consumer Privacy Act (CCPA) / California Privacy Rights Act (CPRA)<sup>1</sup></b>	<b>Virginia Consumer Data Protection Act<sup>2</sup></b>	<b>Colorado Privacy Act<sup>3</sup></b>	<b>Utah Consumer Privacy Act<sup>4</sup></b>
<b>Key Dates</b>	The CCPA became law in 2018 and went into effect on January 1, 2020, with enforcement starting July 1, 2020.  The CPRA was a ballot initiative (Prop. 24) which passed in November 2020. It goes into effect on January 1, 2023 with enforcement starting on July 1, 2023.	Signed on March 2, 2021. Effective on January 1, 2023.	Signed on July 7, 2021. Effective on July 1, 2023.	Signed on March 24, 2022 Effective on December 31, 2023

<sup>1</sup> California Civil Code [§ 1798.100 et seq](#)

<sup>2</sup> Virginia [HB 2307 / Ch. 35](#)

<sup>3</sup>Colorado [SB 190](#)

<sup>4</sup> Utah [SB 227](#)

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<b>Applicability</b>	<p>Applies to businesses that:</p> <ul style="list-style-type: none"> <li>(A) Have annual gross revenues in excess of \$25 million as of January 2020, adjusted for inflation;</li> <li>(B) Alone or in combination, annually buys, sells, or shares the personal information of 100,000 or more consumers or households; or</li> <li>(C) Derive over 50 percent of gross revenue from selling or sharing consumers' personal information.</li> </ul>	<p>Applies to businesses that:</p> <ul style="list-style-type: none"> <li>(A) Control or process personal data of 100,000 or more consumers; or</li> <li>(B) Control or process personal data of at least 25,000 consumers and derive over 50 percent of gross revenue from the sale of personal data.</li> </ul>	<p>Applies to businesses that:</p> <ul style="list-style-type: none"> <li>(A) Control or process personal data of more than 100,000 consumers per calendar year; or</li> <li>(B) Derive revenue from the sale of personal data and control or process the personal data of at least 25,000 consumers.</li> </ul>	<p>Applies to: Businesses that:</p> <ul style="list-style-type: none"> <li>(A) Have annual revenue of \$25 million or more</li> <li>(B) Satisfy one of the following: <ul style="list-style-type: none"> <li>a. Control or process the personal data of 100,000 or more consumers in a calendar year; or</li> <li>b. Derive over 50% of their gross revenue from the sale of personal data and controls or processes the personal data of 25,000 or more consumers.</li> </ul> </li> </ul>

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<b>Definition of Personal Information</b>	<p>Definition of personal information is very long and is contained in the California Civil Code § 1798.140 (v) (1)</p> <p>Does not include publicly available information, lawfully obtained, truthful information that is a matter of public concern, or deidentified or aggregate consumer information.</p>	<p>“Personal data” means any information that is linked or reasonably linkable to an identified or identifiable natural person. ‘Personal data’ does not include de-identified data or publicly available information.”</p>	<p>“Personal data” means information that is linked or reasonably linkable to an identified or identifiable individual.</p> <p>‘Personal data’ does not include de-identified data or publicly available information.”</p>	<p>“Personal data” means information that is linked or reasonably linkable to an identified individual or an identifiable individual.</p> <p>(b) ‘Personal data’ does not include deidentified data, aggregated data, or publicly available information.”</p>
<b>Definition of Consumer</b>	<p>“A natural person who is a California resident, as defined in Section 17014 of Title 18 of the California Code of Regulations, as that section read on September 1, 2017, however identified, including by any unique identifier.”</p>	<p>“A natural person who is a resident of the Commonwealth acting only in an individual or household context. It does not include a natural person acting in a commercial or employment context.”</p>	<p>“An individual who is a Colorado resident acting only in an individual or household context; and does not include an individual acting in a commercial or employment context.”</p>	<p>“An individual who is a resident of the state acting in an individual or household context. (b) ‘Consumer’ does not include an individual acting in an employment or commercial context.”</p>
<b>Other Definitions</b>	<p>“Household” means a group, however identified, of consumers who cohabitiate with one another at the same residential address and share use of common devices or services.</p>			
<b>Privacy Rights</b>	<p>Rights to delete, know, access, correct, opt out, limit use &amp; disclosure of sensitive information, protection against discrimination.</p> <p>It also prohibits companies from retaliating against employees, job applicants, and contracts for exercising their rights.</p>	<p>Rights to access, correct, delete, obtain a copy of data, and opt out.</p>	<p>Right to opt-out, right to access, right to correction, right to deletion, and right to data portability.</p>	<p>Right to access, right to correction, right to deletion, right to access, right to opt-out.</p>

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<b>Exemptions</b>	Information covered by the GLBA Information and activities covered under the FCRA	Institutions and data subject to the GLBA Information and activities covered under the FCRA	Institutions subject to the GLBA and their affiliates. Activities regulated by the FCRA	Institutions subject to the GLBA and their affiliates. Activities regulated by the FCRA.
<b>Enforcement</b>	Attorney general California Privacy Protection Agency (starting July 1, 2023)	Attorney general	Attorney general	Enforced by the attorney general and Division of Consumer Protection in the Department of Commerce.
<b>Private Right of Action</b>	Private right of action for data breaches	No private right of action	Private right of action explicitly prohibited.	Private right of action explicitly prohibited.

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