Ballard Spahr LLP

U.S. State Privacy Law Tracker		California	Connecticut	Hawaii	Maryland	Massachusetts	Minnesota	Nevada	New Mexico	New York	North Dakota	Pennsylvania	Rhode Island
Effective Date		Jan 2020	Jan 2020	Upon approval	Jan 2021	Jan 2023	Dec 31, 2020	Oct 1, 2019	Jul 2020	Upon approval	Mar 2019	Upon approval	Upon approval
Legislative Status		Signed into law	Passed Senate, waiting on House	Passed Senate	Pending in Senate	Referred to Senate Committee	Pending in House, companion bill pending in Senate	Signed into Law	Pending in Senate	Pending in Senate Committee	Signed into law	Referred to House Committee	Measure recommended "held for further study"
Who Does Law Cover?	For-Profits	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Non-Profits		✓				✓	✓		✓			
Website Disclosure Obligations	Categories of PI Collected	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓
	Purpose of Collection	✓	✓	✓	✓	✓	✓		✓			✓	✓
	Categories of PI Sold or Shared	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
Minors	Opt-In Age	16	16	16		18					18	16	
Consumer Rights	Opt-Out from Sale of PI	✓	✓	✓	✓	✓	✓	✓	✓			✓	✓
	Right of Access	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	Right of Erasure	✓	✓	✓	✓	✓	✓		✓			✓	✓
	Non-Discrimination	✓	✓	✓	✓	✓			✓			✓	✓
	Right of Data Portability	✓	✓				✓		✓		✓	✓	
Personal Information Specifically Includes	Biometrics	✓	✓		✓	✓			✓			✓	
	IP and MAC Address	✓	✓	✓	✓	✓			✓	✓		✓	
	Internet Activity	✓	✓	✓	✓	✓			✓	✓		✓	
	Geolocation	✓	✓	✓	✓	✓			✓	✓		✓	

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	Inferences	✓	✓	✓					✓			✓	
	Household	✓	✓										
Exemptions for Federal Privacy Laws	GLBA	✓				✓	✓	✓					
	HIPAA	✓				✓	✓	✓					
	FCRA	✓				✓							
Enforcement	Private Right of Action	✓	✓			✓			✓	✓	✓	✓	✓
	Statutory Damages	$100-$750 for data breaches stemming from failure to maintain reasonable data security controls per consumer/ incident	$100-$750 for data breaches stemming from failure to maintain reasonable data security controls per consumer/ incident			Up $750 per consumer/ incident			$100-$750 for data breaches stemming from failure to maintain reasonable data security controls per consumer/ incident	$10,000 per consumer for data breaches stemming from failure to maintain reasonable data security controls.	Damages, costs, and fees (including reasonable attorneys' fees)	$100-$750 for data breaches stemming from failure to maintain reasonable data security controls per consumer/ incident	$100-$750 per consumer/ incident
	AG Penalties	Up to $7,500 per violation	Up to $7,500 per violation		$2,500-$7,500 per violation	$2,500 per violation; $7,500 if intentional	$2,500 per violation; $7,500 per intentional violation	Up to $5,000 per violation	Up to $10,000 per violation	Initial remedy is cease and desist order; violation of order has penalty of $100,000-$250,000.			