

# US State Consumer Data Privacy Laws Applicability

| State                                       | Monetary Threshold | # of Consumers Threshold  | Sell/Share Threshold   | Other  |
|---|--------------------|---|--|--|
| California                                  | \$26,625,000       | 100,000 consumers or households<br><br>0.26% of state's 39.2 million population | Derives 50% or more of annual revenues from selling or sharing consumers' personal information.  | -  |
| <b>Colorado</b>                             |                    |   |  |  |
| - Main Provisions                           | N/A                | 100,000 consumers<br><br>1.72% of state's 5.8 million population                | Derives revenue or receives a discount on the price of goods or services from the sale of personal data and processes or controls the personal data of 25,000 or more consumers. | -  |
| - Biometric Privacy Provisions <sup>1</sup> | -                  | -   | -  | Controllers that control or process any amount of biometric identifiers or data, except that controllers who do not meet CPA thresholds shall comply with CPA only for the purposes of a biometric identifier or data that controller collects and processes.<br><br>Right to access only applies to a sole proprietorship, partnership, LLC, corporation, association, or another legal entity that (1) conducts business in Colorado or produces or delivers commercial products or services that are marketed to Colorado residents; (2) collects biometric data or has biometric |

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|   |                    |  |  | data collected on its behalf; and (3) either collects or processes the personal data of 100,000 or more individuals (not consumers) during a calendar year or collects and processes the personal data of 25,000 or more individuals and derives revenue from, or receives a discount on the price of goods or services from, the sale of data. |
| - Children's Privacy Provisions <sup>ii</sup>             | -                  | -  | -  | Controllers that conduct business in Colorado or deliver commercial products or services that are intentionally targeted to Colorado residents and that offer an online service, product, or feature to consumers whom the entity actually knows or willfully disregards are minors.  |
| <b>Connecticut</b>  |                    |  |  |   |
| - Main Provisions (until June 30, 2026)                   | N/A                | 100,000 consumers<br><br>2.78% of state's 3.6 million population | Derives more than 25% of gross revenue from sale of personal data and controls or processes personal data of not less than 25,000 consumers. | -   |
| - Main Provisions (effective July 1, 2026) <sup>iii</sup> | N/A                | 35,000 consumers<br><br>0.97% of state's 3.6 million population  | -  | Control or process consumers' sensitive data, excluding personal data controlled or processed solely for purposes of completing payment transaction.<br><br>Offer consumers' personal data for sale in trade or commerce.   |

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| Children's Privacy Provisions | N/A                | -   | -  | Controllers that offer any online service, product, or feature to consumers whom such controller has actual knowledge, or willfully disregards, are minors. |
| <b>Delaware</b>               | N/A                | 35,000 consumers<br><br>3.43% of state's 1.02 million population  | Derives more than 20% of gross revenue from sale of personal data and controls or processes personal data of not less than 10,000 consumers. | -   |
| <b>Indiana</b>                | N/A                | 100,000 consumers<br><br>1.47% of state's 6.8 million population  | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of at least 25,000 consumers.      | -   |
| <b>Iowa</b>                   | N/A                | 100,000 consumers<br><br>3.125% of state's 3.2 million population | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of 25,000 or more consumers.       | -   |
| <b>Kentucky</b>               | N/A                | 100,000 consumers<br><br>2.22% of state's 4.5 million population  | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of at least 25,000 consumers.      | -   |
| <b>Maryland</b>               | N/A                | 35,000 consumers<br><br>0.56% of state's 6.18 million population  | Derives more than 20% of gross revenue from sale of personal data and controls or processes personal data of not less than 10,000 consumers. | -   |

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| <b>Minnesota<sup>iv</sup></b>   | N/A                | 100,000 consumers<br><br>1.75% of state's 5.7 million population | Derives more than 25% of gross revenue from sale of personal data and controls or processes personal data of 25,000 consumers or more.       | -  |
| <b>Montana<sup>v</sup></b>      |                    |  |  |  |
| - Main Provisions               | N/A                | 25,000 consumers<br><br>2.3% of state's 1.08 million population  | Derives more than 25% of gross revenue from sale of personal data and controls or processes personal data of not less than 15,000 consumers. | -  |
| - Children's Privacy Provisions | -                  | -  | -  | Controllers that conduct business in Montana or deliver commercial products or services that are intentionally targeted to Montana residents and that offer an online service, product, or feature to consumers whom the entity actually knows or willfully disregards are minors. |
| <b>Nebraska</b>                 | N/A                | N/A  | N/A  | Process or engage in the sale of personal data and not be a small business as defined by the U.S. Small Business Administration <sup>vi</sup>  |
| <b>New Hampshire</b>            | N/A                | 35,000 consumers<br><br>2.5% of state's 1.4 million population   | Derives more than 25% of gross revenue from sale of personal data and controls or processes personal data of not less than 10,000 consumers. | -  |

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| New Jersey   | N/A                               | 100,000 consumers<br>1.07% of state's 9.3 million population  | Derives revenue or receives a discount on the price of goods or services from the sale of personal data and processes or controls the personal data of 25,000 or more consumers. | -  |
| Oregon       | N/A                               | 100,000 consumers<br>2.35% of state's 4.24 million population | Derives 25% or more of annual gross revenue from sale of personal data and controls or processes personal data of 25,000 or more consumers.                                      | -  |
| Rhode Island | N/A                               | 35,000 customers<br>3.19% of state's 1.096 million population | Derives more than 20% of gross revenue from sale of personal data and controls or processes personal data of not less than 10,000 customers.                                     | Privacy notice provision applies to commercial websites or Internet service providers that collect, store, and sell customers' personally identifiable information.<br>Any controller that sells personal data or processes it for targeted advertising must disclose such processing. |
| Tennessee    | \$25 million (+ another category) | 175,000 consumers<br>2.48% of state's 7.05 million population | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of 25,000 or more consumers.   | -  |
| Texas        | N/A                               | N/A   | N/A  | Process or engage in the sale of personal data and not be a small business as defined by the U.S. Small Business Administration <sup>vii</sup>   |

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| Utah     | \$25 million (+ another category) | 100,000 consumers<br>3.03% of state's 3.3 million population | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of 25,000 or more consumers.  | -     |
| Virginia | N/A                               | 100,000 consumers<br>1.16% of state's 8.6 million population | Derives more than 50% of gross revenue from sale of personal data and controls or processes personal data of at least 25,000 consumers. | -     |

<sup>i</sup> See [HB 1130](#) (effective July 1, 2025).

<sup>ii</sup> See [SB 41](#) (effective October 1, 2025).

<sup>iii</sup> See [SB 1295](#).

<sup>iv</sup> Excludes a small business, as defined by the U.S. Small Business Administration under Code of Federal Regulations, title 13, part 121. However, a small business must not sell a consumer's sensitive data without the consumer's prior consent.

<sup>v</sup> See [SB 297](#) (effective October 1, 2025).

<sup>vi</sup> Small businesses cannot sell sensitive personal data without consumer consent. For further information on the definition of small business see <https://advocacy.sba.gov/wp-content/uploads/2023/03/Frequently-Asked-Questions-About-Small-Business-March-2023-508c.pdf>; <https://www.sba.gov/size-standards/index.html>; [www.sba.gov/sites/sbagov/files/2023-03/Table%20of%20Size%20Standards\\_Effective%20March%202017%2C%20202023%20%281%29%20%281%29\\_0.pdf](https://www.sba.gov/sites/sbagov/files/2023-03/Table%20of%20Size%20Standards_Effective%20March%202017%2C%20202023%20%281%29%20%281%29_0.pdf)

<sup>vii</sup> Small businesses cannot sell sensitive personal data without consumer consent.