

The Long Conn: Connecticut Joins Growing List of Privacy Rights States

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This article amends our [prior article](#) on new US state omnibus privacy laws coming in 2023: January 1: the California Consumer Privacy Rights Act (which amends the existing CCPA) (CPRA) and the Virginia Consumer Data Protection Act (VCDPA); July 1: the Colorado Privacy Act (CPA) and the Connecticut Personal Data Privacy and Online Monitoring Act (CTDPA); and December 31: the Utah Consumer Privacy Act (UCPA). The CTDPA is similar to the CPA, being more consumer-friendly. The UCPA is more business-friendly. In this introductory alert, we outline the main triggers for how these laws attach.

Does CPRA, VDCPA, CPA UCPA, or CTDPA apply to you? The answer is Yes if:

CALIFORNIA (CPRA)	VIRGINIA (VCDPA)	COLORADO (CPA)	UTAH (UCPA)	CONNECTICUT (CTDPA)
<p>Your company meets one of these three tests:</p> <p>Test #1</p> <p>a. For-profit business AND</p> <p>b. Doing business in California AND</p> <p>c. Collecting or telling others to collect data on your behalf AND</p> <p>d. Meeting one of these thresholds: (i) Had an annual gross revenue of more than \$25 million in the previous calendar year; OR (ii) Buys, sells, or shares the personal information of 100,000 or more California residents or households; OR (iii) 50% or more of annual revenue comes from the selling or sharing of California residents' personal information.</p> <p>Test #2</p> <p>A company majority owned by another business that meets Test #1 above and shares the same branding (shared name, trademark, or average consumer associates the two businesses as being commonly owned) as the business that meets Test #1</p> <p>Test #3</p> <p>A joint venture or partnership composed of businesses in which each business has at least a 40% interest.</p>	<p>Your company meets all of the following:</p> <p>a. Doing business in Virginia or producing products or services targeted to Virginia residents AND</p> <p>b. Meeting one of these thresholds: (i) Controls or processes personal data of at least 100,000 Virginia consumers, or (ii) Controls or processes personal data of at least 25,000 Virginia consumers and derives over 50% of gross revenue from the sale of that data</p>	<p>Your company meets all of the following:</p> <p>a. Doing business in Colorado or producing products or services targeted to Colorado residents AND</p> <p>b. Meeting one of these thresholds: (i) Controls or processes personal data of at least 100,000 Colorado consumers, or (ii) Makes money or receives a discount on the price of goods or services from the sale of personal data and controls or processes personal data of at least 25,000 Colorado consumers</p>	<p>Your company meets all of the following:</p> <p>a. Doing business in Utah or producing products or services targeted to Utah residents; AND</p> <p>b. Has an annual revenue of more than \$25 million AND</p> <p>c. Meeting one of these thresholds: (i) Controls or processes personal data of at least 100,000 Utah consumers annually, or (ii) Controls or processes personal data of at least 25,000 Utah consumers and derives over 50% of gross revenue from the sale of that data</p>	<p>Your company meets all of the following:</p> <p>a. Doing business in Connecticut or producing products or services targeted to Connecticut residents AND</p> <p>b. Meeting one of these thresholds: (i) Controls or processes personal data of at least 100,000 Connecticut residents; or (ii) Controls or processes the personal data of at least 25,000 Connecticut consumers and derives over 25% of gross revenue from the sale of that data</p>

<p>CPRA does not apply to:</p> <ul style="list-style-type: none"> • Data subject to HIPAA, GLBA • Activity subject to FCRA • Data collected for research subject to the Common Rule 	<p>CDPA does not apply to:</p> <ul style="list-style-type: none"> • Virginia government agencies or political subdivisions • Entities or data subject to GLBA • Covered entities or business associates governed by HIPAA • Data subject to FCRA and FERPA • Data collected for research subject to the Common Rule • Non-profits • Higher education institutions • Employee or B2B data 	<p>CPA does not apply to:</p> <ul style="list-style-type: none"> • Colorado government agencies or political subdivisions • Entities or data subject to GLBA • Data subject to HIPAA, FCRA, COPPA, FERPA • Data collected for research subject to the Common Rule • Data maintained by higher education institutions • Employee or B2B data 	<p>UCPA does not apply to:</p> <ul style="list-style-type: none"> • Utah government entities • Tribes • Covered entities or business associates governed by HIPAA • Higher education institutions • Non-profits • Data subject to HIPAA, FERPA • Data collected for research subject to the Common Rule • Activity subject to FCRA • Entities or data subject to GLBA • Employee or B2B data 	<p>CTDPA does not apply to:</p> <ul style="list-style-type: none"> • Connecticut government entities • Nonprofit organizations • Higher education institutions • Covered entities or business associates governed by HIPAA • Entities or data subject to GLBA • Data subject to HIPAA, FCRA, COPPA, FERPA • Employee or B2B data
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*The information contained in this table is a condensed summary and is not exhaustive of all legal requirements, potential exceptions or variables under the referenced laws. This overview does not substitute for considering the legal requirements in their entirety or in light of facts specific to a particular organization.

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