

## Updates to Connecticut's Privacy Law, Effective July 1

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Connecticut's privacy law takes effect on July 1, with some key changes after the governor signed Senate Bill 3 on June 26. Some portions of the amendments concerning newly defined "consumer health law" will have immediate effect while others, including those concerning processing children's data, have more lead time (effective October 1, 2024).

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Yes, if your company conducts business in Connecticut, you target your goods or services to residents of Connecticut, and you collect or process (or direct others to collect or process on your behalf) "consumer health data."

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Consumer health data means any personal data that a controller uses to identify a Connecticut consumer's physical or mental health condition or diagnosis, and includes, but is not limited to, gender-affirming health data and reproductive or sexual health

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data. It is considered “sensitive data” under Connecticut’s privacy law.

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A Connecticut resident, but not an individual acting in a commercial or employment context or as an employee, owner, director, officer or contractor of a company, partnership, sole proprietorship, nonprofit or government agency whose communications or transactions with the controller occur solely within the context of that individual's role with the company, partnership, sole proprietorship, nonprofit or government agency.

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No. It is only enforceable by the Connecticut Attorney General’s Office.

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Yes, until December 31, 2024, the Connecticut Attorney General must, before initiating an action for violation of this privacy law, issue a notice to the regulated business if the Attorney General determines a cure is possible. A regulated business would have 60 days from receipt of such notice to cure such violation.

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A non-exhaustive list of considerations for next steps are proposed below.

- Consider if your company is processing regulated “consumer health data” of individuals in Connecticut.
  - If your company was previously relying on the thresholds for triggering Connecticut privacy law and processes Connecticut consumer health data, then prepare to update company data activities to address Connecticut’s law.
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- If your company is subject to this law and does not already obtain consent before processing this type of data, then work with your website and mobile app teams to update the user experience.

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