

Who Must Comply with the State Consumer Privacy Laws?

Businesses are generally subject to a state's comprehensive consumer privacy law if they meet the jurisdictional requirements for activity in the state and one or more thresholds for revenue, processing of personal data, and/or sale of personal data. However, states are increasingly extending these laws, or specific obligations, to reach businesses that fall outside of these typical thresholds (for example, businesses that process biometric information or children's data or sell sensitive personal data).

State Law and effective date		Activity in the State	Annual Revenue ¹		Volume of Processing (# residents in the state whose personal data the business controls or processes)		Sale of Data ²	Other Triggers (for the law or certain provisions of the law to apply regardless of revenue, volume, or sale thresholds)
2023	California <i>Jan. 1, 2020; Jan. 1, 2023 (as amended)</i>	Does business in the state	> \$26.625 million	OR	≥ 100,000 consumers ³	OR	> 50% annual revenue from selling or sharing	
	Virginia <i>Jan. 1, 2023</i>	Conduct business in the state or produce products or services targeted to residents	—		≥ 100,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
	Colorado <i>July 1, 2023</i>	Conduct business in the state or produce or deliver commercial products or services intentionally targeted to residents	—		≥ 100,000 consumers	OR	≥ 25,000 consumers + Any revenue or discount from sale	<ul style="list-style-type: none"> - law applies to businesses that control/process any biometric identifiers or biometric data, including from employees - certain provisions apply to businesses that offer any online service, product, or feature to minors under 18

¹ There is some variation across state laws, but this is often measured by annual revenue or gross revenue globally.

² A business engaged in a certain level of sales of personal data generally will be subject to the state law at a lower volume of processing. To meet this threshold in most states, the business must both (1) derive a certain percentage of revenue from selling personal data and (2) process the personal data of a specified number of residents.

³ The California threshold applies if a business "buys, sells, or shares" the personal information of 100,000 or more consumers.

	Connecticut <i>July 1, 2023</i>	Conduct business in the state or produce products or services targeted to residents	—		≥ 100,000 consumers (excluding processing solely for payment transactions) Effective July 1, 2026: ≥ 35,000 consumers (excluding processing solely for payment transactions)	OR	≥ 25,000 consumers + > 25% of gross revenue from sale Effective July 1, 2026: Offer personal data for sale in trade or commerce (regardless of volume or revenue)	<ul style="list-style-type: none"> - certain provisions apply to “persons” that control/process any consumer health data - certain provisions apply to businesses that offer any online service, product, or feature to minors under 18 Effective July 1, 2026: <ul style="list-style-type: none"> - law applies to businesses that control/process any sensitive data (excluding processing solely for payment transactions)
	Utah <i>Dec. 31, 2023</i>	Conduct business in the state or produce a product or service targeted to residents	≥ \$25 million	AND either	≥ 100,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
2024	Florida⁴ <i>July 1, 2024</i>	Conduct business in the state or produce a product or service used by residents	> \$1 billion		—		—	<ul style="list-style-type: none"> - certain provisions regarding sale of sensitive data and processing sensitive data of minors under 18 apply to otherwise exempt businesses
	Texas <i>July 1, 2024</i>	Conduct business in the state or produce a product or service consumed by residents	is not a small business as defined by the U.S. Small Business Administration	AND either	Any consumers	OR	Any sale of personal data	<ul style="list-style-type: none"> - certain provisions regarding sale of sensitive data apply to otherwise exempt businesses
	Oregon <i>July 1, 2024</i>	Conduct business in the state or provide products or services to residents	—		≥ 100,000 consumers (excluding processing solely for payment transactions)	OR	≥ 25,000 consumers + ≥ 25% of gross revenue from sale	<ul style="list-style-type: none"> - law applies to motor vehicle manufacturers and affiliates that process personal data from vehicles
	Montana <i>Oct. 1, 2024</i>	Conduct business in the state or produce products or	—		≥ 25,000 consumers (excluding processing solely for	OR	≥ 15,000 consumers +	<ul style="list-style-type: none"> - certain provisions apply to businesses that offer any online service, product, or feature to minors under 18

⁴ Florida’s law mostly applies to companies that make in excess of \$1 billion in global gross annual revenue and satisfy one of the other thresholds targeted at specific activity/industries (online ad sales, smart speakers with virtual assistant, and app stores/digital distribution platforms).

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		services targeted to residents			payment transactions)		> 25% of gross revenue from sale	
2025	Iowa Jan. 1, 2025	Conduct business in the state or produce products or services that target residents	—		≥ 100,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
	Delaware Jan. 1, 2025	Conduct business in the state or produce products or services targeted to residents	—		≥ 35,000 consumers (excluding processing solely for payment transactions)	OR	≥ 10,000 consumers + > 20% of gross revenue from sale	
	New Hampshire Jan. 1, 2025	Conduct business in the state or produce products or services targeted to residents	—		≥ 35,000 consumers (excluding processing solely for payment transactions)	OR	≥ 10,000 consumers + > 25% of gross revenue from sale	
	Nebraska Jan. 1, 2025	Conduct business in the state or produce a product or service consumed by residents	is not a small business under the federal Small Business Act	AND either	Any consumers	OR	Any sale of personal data	- certain provisions regarding sale of sensitive data apply to otherwise exempt businesses
	New Jersey Jan. 15, 2025	Conduct business in the state or produce products or services targeted to residents	—		≥ 100,000 consumers (excluding processing solely for payment transactions)	OR	≥ 25,000 consumers + Any revenue or discount from sale	
	Tennessee July 1, 2025	Conduct business in the state producing products or services that target residents	> \$25 million	AND either	≥ 175,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
	Minnesota July 31, 2025	Conduct business in the state or produce products or services targeted to residents	is not a small business as defined by the U.S. Small Business Administration	AND either	≥ 100,000 consumers (excluding processing solely for payment transactions)	OR	≥ 25,000 consumers + > 25% of gross revenue from sale	- certain provisions regarding sale of sensitive data apply to otherwise exempt businesses

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	Maryland <i>Oct. 1, 2025</i>	Conduct business in the state or provide products or services targeted to residents	—		≥ 35,000 consumers (excluding processing solely for payment transactions)	OR	≥ 10,000 consumers + > 20% of gross revenue from sale	
2026	Indiana <i>Jan. 1, 2026</i>	Conduct business in the state or produce products or services targeted to residents	—		≥ 100,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
	Kentucky <i>Jan. 1, 2026</i>	Conduct business in the state or produce products or services targeted to residents	—		≥ 100,000 consumers	OR	≥ 25,000 consumers + > 50% of gross revenue from sale	
	Rhode Island <i>Jan. 1, 2026</i>	Conduct business in the state or produce products or services targeted to residents	—		≥ 35,000 consumers (excluding processing solely for payment transactions)	OR	≥ 10,000 consumers + > 20% of gross revenue from sale	- certain provisions apply to commercial websites or internet service providers conducting business in RI, with customers in RI, or otherwise subject to RI jurisdiction