



35TH ANNUAL

TECHNOLOGY LAW CONFERENCE

Future State Consumer Privacy Acts

What You Should be Doing Now

Presented by

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The University of Texas School of Law ■ utcle.org

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Agenda

- Overview
- The Key Differences of Existing Consumer Privacy Laws
- Recommendations On Addressing Consumer Privacy Laws from a Comprehensive Approach First Strategy



 Michael
Best

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Consumer Privacy Laws



Required to Comply

	CCPA	CPRA	VCDPA	CPA	UCPA
Jurisdictional Threshold	Do business in California	Do business in California	Do business in Virginia <i>or</i> Produce products or services targeted to Virginia residents	Do business in Colorado <i>or</i> Produce or deliver commercial products or services intentionally targeted to Colorado residents	Do business in Utah <i>or</i> Produce or deliver commercial products or services intentionally targeted to Utah residents
	<i>And meet one of the following:</i>	<i>And meet one of the following:</i>	<i>And meet either of the following</i>	<i>And meet either of the following</i>	<i>And meet either of the following</i>
Revenue Threshold	Annual gross revenues greater than \$25M	Annual gross revenues greater than \$25M	N/A	N/A	Annual gross revenues greater than \$25M
Processing Threshold	Data of 50,000 or more consumers	Data of 100,000 or more consumers	Data of 100,000 or more consumers	Data of 100,000 or more consumers	Data of 100,000 or more consumers
Broker Threshold	At least 50% of revenue from selling consumers' personal data	At least 50% of revenue from selling or sharing consumers' data	Data of 25,000 or more consumers <i>and</i> At least 50% of revenue from sale of data	Data of 25,000 or more consumers <i>and</i> Derive revenue or receive discount from sale of data	Data of 25,000 or more consumers <i>and</i> At least 50% of revenue from sale of data

Comprehensive Approach: Develop a data privacy program now, even if you're not subject to one of these laws today.

People Protected

	CCPA	CPRA	VCDPA	CPA	UCPA
Statutory term for individuals whose data is protected	Consumer	Consumer	Consumer	Consumer	Consumer
Definition	Natural person who is a CA resident	Natural person who is a CA resident	Natural person who is a VA resident	Natural person who is a CO resident	Natural person who is a UT resident

Comprehensive Approach: Ensure the fundamental elements of your privacy program apply regardless of where someone lives.

Data Protected

	CCPA	CPRA	VCDPA	CPA	UCPA
Statutory term for protected data	Personal information	Personal information	Personal data	Personal data	Personal data
Definition	Information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household	Information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household	Any information that is linked or reasonably linkable to an identified or identifiable natural person	Any information that is linked or reasonably linkable to an identified or identifiable individual	Any information that is linked or reasonably linkable to an identified or identifiable individual

Comprehensive Approach: Develop a data inventory that identifies all types of data your organization collects and evaluate if, either on its own, or in combination with other types of data you have, could be used to identify or otherwise be linked to a particular individual.

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