

Is My Company a Controller Under U.S. Privacy Laws?

	Effective Date	Monetary Threshold	Consumer PI Control/ Process Threshold	Revenue + Sell/Share Threshold
California	1/1/2023	≥ \$26.625M	≥ 100,000 consumers	≥ 50% of annual revenue from selling or sharing PI
Virginia	1/1/2023	None	≥ 100,000 consumers	> 50% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Colorado	7/1/2023	None	≥ 100,000 consumers	Derives revenue or receives discount from selling PI + process or control PI of ≥ 25,000 consumers
Connecticut	7/1/2023	None	≥ 100,000 consumers	> 25% of gross revenue from selling PI + control or process PI of ≥ 25,000 consumers
Utah	12/31/2023	≥ \$25M + another threshold	≥ 100,000 consumers	> 50% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Oregon	7/1/2024	None	≥ 100,000 consumers	> 25% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Texas*	7/1/2024	None	None	None
Montana	10/1/2024	None	≥ 50,000 consumers	> 25% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Delaware	1/1/2025	None	≥ 35,000 consumers	> 20% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Iowa	1/1/2025	None	≥ 100,000 consumers	> 50% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Nebraska*	1/1/2025	None	None	None
New Hampshire	1/1/2025	N/A	≥ 35,000 consumers (controls or processes)	Derives > 25% of gross revenue from sale of PI + controls or processes PI of ≥ 10,000 consumers
New Jersey	1/15/2025	N/A	≥ 100,000 consumers (controls or processes)	Derives revenue or receives a discount on the price of any goods or services from sale of PI + controls or processes PI of ≥ 25,000 consumers
Tennessee	7/1/2025	≥ \$25M + another threshold	≥ 175,000 consumers (controls or processes)	Derives > 50% of gross revenue from sale of PI + controls or processes PI of ≥ 25,000 consumers
Minnesota	7/31/2025	N/A	≥ 100,000 consumers (controls or processes)	Derives ≥ 25% of gross revenue from sale of PI + controls or processes PI of ≥ 25,000 consumers
Maryland	10/1/2025	N/A	≥ 35,000 consumers (controls or processes)	Derives > 20% of gross revenue from sale of PI + controls or processes PI of ≥ 10,000 consumers
Indiana	1/1/2026	None	≥ 100,000 consumers	> 50% of gross revenue selling PI + control or process PI of ≥ 25,000 consumers
Kentucky	1/1/2026	N/A	≥ 100,000 consumers (controls or processes)	Derives > 50% of gross revenue from sale of PI + controls or processes PI of ≥ 25,000 consumers
Rhode Island	1/1/2026	N/A	≥ 35,000 consumers (controls or processes)	Derives > 20% of gross revenue from sale of PI + controls or processes PI of ≥ 10,000 consumers

*Texas & Nebraska: Applies to any entity that: (1) conducts business in Texas/Nebraska or generates products or services consumed by Texas/Nebraska residents; (2) processes or engages in the sale of PI; and (3) does not identify as a small business (independent business having fewer than 500 employees) as defined by the U.S. Small Business Administration.

Is My Company a Service Provider Under U.S. Privacy Laws?

1) Does my company process PI on behalf of business clients?

YES

-> Question 2

NO

Likely not a service provider.

2) Do any business clients for whom my company processes PI meet applicable state privacy law thresholds?

YES

-> Question 3

NO

Likely not a service provider but should monitor if business client meets state privacy law thresholds in the future.

3) Is there a written contract governing my company's processing of PI on behalf of a business client that meets state privacy law thresholds?

YES

-> Service provider

NO

May be treated as a controller under applicable laws if no contract is in place.