

## SCOPE & APPLICABILITY

### Extraterritorial

Applies when targeting products or services to Virginia consumers.



The CDPA applies when business controls or process data on

- at least 100,000 VA residents; or
- at least 25,000 VA residents and derives at least 50% of gross revenue from sale of data

Applies to for-profit companies.



Excludes data regulated by federal privacy laws such as HIPAA, GLBA, FCRA, and FERPA.

## PERSONAL DATA



Identified

Identifiable

## SENSITIVE PERSONAL DATA

Requires opt-in + DPIA to process.

Bans sale of geolocation data.



Requires opt-in consent to disclose, sell, or disseminate reproductive or sexual health info. Has private right of action with statutory damages for violations of this provision.



Racial or Ethnic Origin

Data Collected From Child

Religious Beliefs



Precise Geolocation

Genetic or Biometric Data

Mental or Physical Health Diagnosis



Sexual Orientation

Citizenship or Immigration Status



## RESPONSIBILITIES FOR DATA PROCESSING

Notice



Data Processing Agreements



Data Minimization



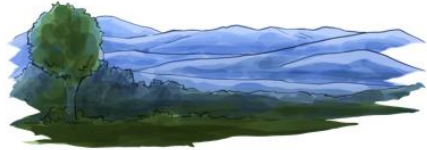
Data Security



## VIRGINIA Consumer Data Protection Act



For individual use only  
Contact us for  
permission to distribute



Use Limitation



Data Protection Impact Assessments (DPIA)

- risk of harm
- targeted ads
- profiling
- sensitive data
- sale of data



Prohibition on Discrimination for Exercising Rights



Respond to Consumer Requests and Appeals Process

45 days to respond  
+ 45-day extension



Right to Know



Right to Access



Right to Deletion



Right to Correction



Right to Opt Out

- targeted ads
- sale of data
- profiling



Right to Data Portability



## ENFORCEMENT

Enforced by the Virginia Attorney General.



No private right of action.



Max fine \$7,500 plus expenses and attorney's fees.

30-day cure period (permanent)



Privacy Awareness Training  
for Global Organizations



### Impeccable Expertise

Our training is created by Professor Daniel Solove, one of the world's leading privacy and security experts.

### Clear and Engaging

Masterful use of concrete examples, quiz questions, activities, games, and vignettes.

150+ Topics



# VIRGINIA's Consumer Data Protection Act



## A 4-minute course by Professor Daniel J. Solove

[www.teachprivacy.com/virginia-cdpa-consumer-data-protection-act/](http://www.teachprivacy.com/virginia-cdpa-consumer-data-protection-act/)

### Course Outline

- ▶ Introduction
- ▶ Personal Data
- ▶ Individual Rights
- ▶ Responsibilities
- ▶ Enforcement



Visit Us:

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