

2024 U.S. Privacy Timeline

Jan. 1, 2024

Oregon's Data Broker Law Effective

[House Bill 2052](#) requires data brokers to register with the Department of Consumer and Business Services. HB 2052 defines a data broker as “a business entity that collects and sells or licenses brokered personal data to another person.”

Mar. 29, 2024

Enforcement of March 2023 CCPA Regulations Begins

On March 28, 2023, the Office of Administrative Law approved the new **regulations**, but enforcement is has been enjoined for a year.

Mar. 31, 2024

WMHMDA Effective

On March 31, the Washington My Health My Data Act (WMHMDA) goes into effect. WMHMDA introduces compliance requirements related to the collection, use, and disclosure of “**consumer health data**” for **regulated entities**. Entities deemed “small businesses” under the law have until June 30, 2024 to comply.

Nevada Health Privacy Law Effective

On March 31, Nevada's **consumer health privacy law** (NCHPL) goes into effect for organizations that collect and store “consumer health data” to **develop a consumer health data privacy policy and deploy data processing agreements**.

June 30, 2024

WMHMDA Effective for Small Businesses

On June 30, WMHMDA goes into effect for entities deemed “**small businesses**”, defined as entities that collect, process, sell, or share consumer health data of fewer than 100,000 consumers during a calendar year; or derives less than 50 percent of gross revenue from the collection, processing, selling, or sharing of consumer health data, and controls, processes, sells, or shares consumer health data of fewer than 25,000 consumers.

July 1, 2024

Florida's Protection of Children in Online Spaces Effective

The law places restrictions on “online platforms” which are social media platforms, online games, or online gaming platforms that provide online services, products, games, or features that are likely to be predominantly accessed by children. Note that the definition of “child” is a consumer who is under 18 years of age, which is a departure from the Children's Online Privacy Protection Act (“COPPA”) which defines a child as an individual under the age of 13.

Florida Digital Bill of Rights Effective

Although the FDBR provides consumer rights similar to other state comprehensive privacy laws, due to its large and unique applicability thresholds, the **FDBR** covers a narrow scope of large tech companies. The FDBR only applies to entities with annual revenue above \$1 billion and either: 1) derives 50% or more of its revenue from the sale of online ads, 2) operates a consumer smart speaker and voice command component service, and 3) operates an app store or digital distribution platform that offers at least 250,000 apps.

Oregon's Consumer Privacy Act Effective

The OCPA is similar to other state comprehensive privacy laws but does not have a revenue threshold like some other laws. It also does not exclude nonprofits from its scope.

Texas Data Privacy and Security Act Effective

More about the TDPSA [here](#).

Colorado's Universal Opt-Out Mechanism

Although **Colorado's Privacy Act** has been in effect since July 2023. Entities subject to the CPA must implement a **Universal Opt-Out Mechanism recognized by the Colorado Department of Law** by July 1, 2024.

California Data Broker Privacy Policies Required

The **Delete Act** requires that a data broker contain certain information in its website privacy policy “on or before July 1 following each calendar year in which a business meets the definition of a data broker”.

Sept. 1, 2024

Texas SCOPE Act Effective

The **Texas SCOPE Act** requires social media companies to protect children by working to limit their access to harmful content on social media sites. Under the law, social media companies have an affirmative requirements to prevent a minor from being exposed to harmful material or unlawful advertising.

Oct. 1, 2024

Connecticut Childrens Privacy Law Amendments Effective

The amendments supplements the 2022 Connecticut consumer privacy act, and adds additional requirements to the law related to the **protection of minors and their data**, including a requirement for regulated entities to consider the heightened harm that may occur through misuse of children's online data.

Montana Consumer Data Privacy Act Effective

Applicability thresholds are lower than other comprehensive state privacy laws. Read more about the MCDPA [here](#).

Dec. 31, 2024

Connecticut's Automatic Right to Cure Expires

The CTDPA, from July 2023 through December 31, 2024 requires the Attorney General to issue a notice of violation if the Attorney General determines that a cure is possible with a 60-day cure period. Starting January 1, 2025, the Attorney General *may* grant the opportunity to cure, considering certain factors, such as the number of violations and the size and complexity of the entity.

Chart Color Key

- State Data Broker Laws
- State Comprehensive+ Privacy Laws
- State Consumer Health Privacy Laws
- State Children's Privacy Laws

Moving Target - Anticipated 2024 Updates

FTC Health Breach Notification Rule Final Rule

- In June 2023, the FTC released a **proposed rule related to its Health Breach Notification Rule (HBNR)**, and the industry awaits a final rule. Included in the proposed rule were updates related to the regulation of health apps and the definition of “breach” to broaden its scope.

CFBP Proposed Personal Financial Data Rights Rule

- In October 2023, the Consumer Financial Protection Bureau **proposed a rule** aimed at giving consumers more power over their financial information, requiring financial services companies to share data at a consumers direction with other entities who may have better services and rates. The final rule is anticipated by Fall 2024.

FCC and State Attorneys General Enforcement

- In December 2023, the **Federal Communications Commission announced a Memorandum of Understanding (MOU) with four state Attorneys General**, aimed at sharing resources and knowledge related to data privacy and security investigations. Entities subject to laws in Connecticut, Illinois, New York, and Pennsylvania should be prepared for enforcement actions under this new MOU in 2024.

HIPAA Rulemaking

- In April 2023, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR) issued a Notice of Proposed Rulemaking, **aimed at strengthening HIPAA Privacy Rule protections in the wake of the Supreme Court's 2022 overturn of Roe v. Wade**. A final rule is anticipated that will prohibit sharing and disclosure of Protected Health Information in relation to patients who are seeking (or assisting others in seeking) abortion care services.

42 CFR Part 2 Rulemaking

- In late 2022, the U.S. Department of Health and Human Services, Office for Civil Rights and Office of the Secretary, Department of Health and Human Services; Substance Abuse and Mental Health Services Administration **released a proposed rule intended to revise the Confidentiality of Substance Use Disorder (SUD) Patient Records under 42 CFR Part 2 (Part 2)** in connection with other federal regulatory movements to improve coordination of care and access to care. A final rule, expected in 2024 would revise the contents required for a valid patient consent and align other portions of Part 2 with HIPAA redisclosure provisions.

EU AI Act

- Although an EU regulation, the first-of-its-kind AI regulation will start a seismic shift in AI regulations worldwide.

2025 & Beyond

- Continued passage of state-level health privacy and comprehensive privacy laws, including New Jersey.
- Delaware, Iowa, Tennessee, Indiana comprehensive privacy laws to go into effect.
- The right to cure under Colorado's comprehensive privacy law ends.
- Connecticut, Texas, and Montana privacy laws will require regulated entities to allow consumers to opt out of targeted advertising or sale of personal data.