

ETHOS PRIVACY

AN ACT CONCERNING PERSONAL DATA PRIVACY AND ONLINE MONITORING

The content below does not, and is not intended to, constitute legal advice; instead, all information, content, and guidance contained herein is for general informational purposes only.

Legislative Overview

[An Act Concerning Personal Data Privacy and Online Monitoring](#) introduces data subject rights, provisions for “dark patterns,” options for the global opt-out mechanism, and a sunset period for the right to cure. Effective July 1, 2023, the bill makes Connecticut the fifth U.S. state to enact comprehensive privacy and follows the trends presented in previous state laws.

Key Requirements

Legislation Information			
Date passed	May 10, 2022	Enforcement date	July 1, 2023
Application			
Industries	Private entities excluding nonprofits, higher ed, GLBA-covered entities, HIPAA-covered entities	Size of the Organization	Entities that control or process personal data of at least: <ul style="list-style-type: none">• 100,000 consumers, or• 25,000 consumers and derive more than 25% of revenue from selling data
Geography	Connecticut, USA	Extraterritoriality	Yes, the bill applies to any business within scope that targets products or services to Connecticut residents
Age of Child	Under 13 years	Rules around children's PI	<ul style="list-style-type: none">• Provide parents/guardians the right to exercise data subject rights on child's behalf• Refers out to COPPA
Data			
Personal Information	Information that is linked or reasonably linkable to an identified individual or an identifiable individual; does not include de-identified data or publicly available information	Sensitive data	<ul style="list-style-type: none">• Race/Ethnicity• Religious beliefs• Mental or physical health condition or diagnosis,• Sexual orientation• Citizenship or immigration status,• the processing of genetic or biometric data for the purpose of uniquely identifying an individual,• Personal data collected from a known child,• Precise geolocation data

Enforcement		
Enforcement Body	State Attorney General	
Right to Cure	A 60-day cure period for violations until Dec. 31, 2024. Beginning Jan. 1, 2025, the AG has option to offer an opportunity to cure dependent on various factors.	
Private Right of Action	No	Monetary Penalties <ul style="list-style-type: none"> No information
Key Requirements		
Privacy Notice	<ul style="list-style-type: none"> Plain language, easily findable Must include: <ul style="list-style-type: none"> categories of personal information processed purposes for processing methods to exercise data subject rights data subjects' right to appeal a decision categories of personal information shared or sold categories of third parties to which you have shared personal information an active e-mail address that may be used to contact the controller 	
Data Subject Rights	<ul style="list-style-type: none"> To know Access Rectification Deletion 	<ul style="list-style-type: none"> Portability Objection rights <ul style="list-style-type: none"> Right to opt-out of targeted advertising, sale, and profiling
DSR Response time	<ul style="list-style-type: none"> 45 days One extension allowed, 45 days 	
Consent	<ul style="list-style-type: none"> a clear affirmative act signifying a consumer's freely given, specific, informed, and unambiguous agreement to allow the processing of personal data relating to the consumer 	Does not include: <ul style="list-style-type: none"> acceptance of general or broad terms of use/ similar document containing descriptions of personal data processing and unrelated information, hovering over, muting, or closing content agreement obtained using dark patterns.
Other requirements	<ul style="list-style-type: none"> Must extend Data Subject Rights to parents, guardians/conservator, and authorized agent Includes global opt out requirements By September 1, 2022, the bill requires the General Law Committee chairpersons to convene a task force to study various privacy topics and the bill's impact. 	

Next Steps

Ethos Privacy's consulting team is standing by to help your organization manage the challenges posed by [Insert the name of the legislation]. For any questions you may have regarding recent privacy and data protection developments across the globe, please reach out to [any member of our team](#).