General Assembly

Substitute Bill No. 6002

January Session, 2025

HB06002GAE 032825

AN ACT SUBJECTING STATE AGENCIES TO THE SAME DATA PROTECTION AND PRIVACY LAWS AS THE PRIVATE SECTOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (a) of section 42-517 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(a) The provisions of sections 42-515 to 42-525, inclusive, do not apply to any: (1) Body, authority, board, bureau, commission, district or agency **[**of this state or**]** of any political subdivision of this state; (2) person who has entered into a contract with any body, authority, board, bureau, commission, district or agency described in subdivision (1) of this subsection while such person is processing consumer health data on behalf of such body, authority, board, bureau, commission, district or agency pursuant to such contract; (3) nonprofit organization; (4) private institution of higher education; (5) national securities association that is registered under 15 USC 78o-3 of the Securities Exchange Act of 1934, as amended from time to time; (6) financial institution or data subject to Title V of the Gramm-Leach-Bliley Act, 15 USC 6801 et seq.; (7) covered entity or business associate, as defined in 45 CFR 160.103; (8) tribal nation government organization; or (9) air carrier, as defined in 49 USC 40102, as amended from time to time, and regulated under the Federal Aviation Act of 1958, 49 USC 40101 et seq., and the Airline Deregulation Act of 1978, 49 USC 41713, as said acts may be amended from time to

time.

Sec. 2. Section 42-526 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(a) (1) Except as provided in subsection (b) of this section, subsections (b) and (c) of section 42-517 and section 42-524, no person shall: (A) Provide any employee or contractor with access to consumer health data unless the employee or contractor is subject to a contractual or statutory duty of confidentiality; (B) provide any processor with access to consumer health data unless such person and processor comply with section 42-521; (C) use a geofence to establish a virtual boundary that is within one thousand seven hundred fifty feet of any mental health facility or reproductive or sexual health facility for the purpose of identifying, tracking, collecting data from or sending any notification to a consumer regarding the consumer's consumer health data; or (D) sell, or offer to sell, consumer health data without first obtaining the consumer's consent.

(2) Notwithstanding the provisions of section 42-516, the provisions of subsection (a) of this section, and the provisions of section 42-515, and sections 42-517 to 42-525, inclusive, as amended by this act, concerning consumer health data and consumer health data controllers, apply to persons that conduct business in this state and persons that produce products or services that are targeted to residents of this state.

(b) The provisions of subsection (a) of this section shall not apply to any: (1) Body, authority, board, bureau, commission, district or agency **[**of this state or**]** of any political subdivision of this state; (2) person who has entered into a contract with any body, authority, board, bureau, commission, district or agency described in subdivision (1) of this subsection while such person is processing consumer health data on behalf of such body, authority, board, bureau, commission, district or agency pursuant to such contract; (3) private institution of higher education; (4) national securities association that is registered under 15 USC 78o-3 of the Securities Exchange Act of 1934, as amended from time

to time; (5) financial institution or data subject to Title V of the Gramm-Leach-Bliley Act, 15 USC 6801 et seq.; (6) covered entity or business associate, as defined in 45 CFR 160.103; (7) tribal nation government organization; or (8) air carrier, as defined in 49 USC 40102, as amended from time to time, and regulated under the Federal Aviation Act of 1958, 49 USC 40101 et seq., and the Airline Deregulation Act of 1978, 49 USC 41713, as said acts may be amended from time to time.

Sec. 3. Subsection (a) of section 42-529d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

(a) The provisions of sections 42-529 to 42-529c, inclusive, and section 42-529e shall not apply to any: (1) Body, authority, board, bureau, commission, district or agency **[**of this state or**]** of any political subdivision of this state; (2) organization that is exempt from taxation under Section 501(c)(3), 501(c)(4), 501(c)(6) or 501(c)(12) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States, as amended from time to time; (3) individual who, or school, board, association, limited liability company or corporation that, is licensed or accredited to offer one or more programs of higher learning leading to one or more degrees; (4) national securities association that is registered under 15 USC 78o-3, as amended from time to time; (5) financial institution or data that is subject to Title V of the Gramm-Leach-Bliley Act, 15 USC 6801 et seq., as amended from time to time; (6) covered entity or business associate, as defined in 45 CFR 160.103, as amended from time to time; (7) tribal nation government organization; or (8) air carrier, as defined in 49 USC 40102, as amended from time to time, and regulated under the Federal Aviation Act of 1958, 49 USC 40101 et seq., and the Airline Deregulation Act of 1978, 49 USC 41713, as said acts may be amended from time to time.

Sec. 4. Section 42-516 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2026*):

The provisions of sections 42-515 to 42-525, inclusive, apply to (1) persons that conduct business in this state or persons that produce products or services that are targeted to residents of this state and that during the preceding calendar year: **[**(1)**]** (A) Controlled or processed the personal data of not less than one hundred thousand consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or **[**(2)**]** (B) controlled or processed the personal data of not less than twenty-five thousand consumers and derived more than twenty-five per cent of their gross revenue from the sale of personal data; and (2) any body, authority, board, bureau, commission, district or agency of this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*January 1, 2026*	42-517(a)
Sec. 2	*January 1, 2026*	42-526
Sec. 3	*January 1, 2026*	42-529d(a)
Sec. 4	*January 1, 2026*	42-516

Statement of Legislative Commissioners:
Sections 1(a)(1) and (2), 2(b)(1) and (2) and 3(a)(1) were redrafted and Section 4 was added for clarity and consistency.

GAE *Joint Favorable Subst. -LCO*