

Privacy Bingo

State Privacy Law Edition

Montana Consumer Data Privacy Act (MTCDDPA)

B I N G O				
SCOPE	CONSUMER RIGHTS	WILDCARD	OBLIGATIONS	ENFORCEMENT
Includes processing threshold	Correction	Grants rulemaking authority	Impact assessments	AG has exclusive enforcement authority
Applies to B2B data	Portability	“Sensitive data” includes biometric data	Data minimization	Defined statutory penalties
Applies to employment data	Appeal		Non-discrimination	30 Day Cure Period
Entity-level GLBA exemption	Obtain list of third-party recipients	“Sale” includes money OR other valuable consideration	Security measures	Private right of action for unauthorized access
All non-profit organizations exempt	Deletion	Establishes new privacy protection agency	Recognize universal opt out signals	Enforcement actions published



Scope:

- Applies to organizations that:
 - Control or process the personal data of not less than 50,000 consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction; or
 - Control or process the personal data of not less than 25,000 consumers and derive more than 25% of gross revenue from the sale of personal data



Effective date:

October 1, 2024



Consumer rights: Deletion; portability; opt out of profiling; opt in to processing of sensitive data; opt out of automated decision making; opt out of sales



Wildcard: Personal data controlled or processed solely for the purpose of completing a payment transaction is excluded



Controller obligations:

- Impact assessments; data minimization; purpose limitation; reasonable data security measures; non-discrimination; privacy notice



Enforcement:

- No private right of action
- Right to cure within 60 days
- Remedies unspecified by Act