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STATE OF COLORADO
DEPARTMENT OF LAW

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Consumer Protection Section

July 10, 2023

[Company Name]
[Physical Address]

Re: Notice of Colorado Privacy Act Effective Date

To whom it may concern,

This letter is being sent to [Company Name] to provide notice that the Colorado Privacy Act, C.R.S. §§ 6-1-1301, et seq., and Colorado Privacy Act Rules, 4 CCR 904-3, (together, the “CPA”) went into effect on July 1, 2023, and may apply to your business. **This letter is informative and is not a notice of violation pursuant to C.R.S. § 6-1-1311(1)(d).**

The CPA is a comprehensive state privacy law protecting Colorado consumers, which applies to a business that “conducts business in Colorado or produces or delivers commercial products or services that are intentionally targeted to residents of Colorado,” and either (a) “controls or processes the personal data of one hundred thousand consumers or more during a calendar year” or (b) “derives revenue or receives a discount on the price of goods or services from the sale of personal data and processes or controls the personal data of twenty-five thousand consumers or more.” (C.R.S. § 6-1-1304(1)).

Businesses that fall within the CPA’s application thresholds have several obligations, including, but not limited to:

- providing consumer rights (C.R.S. § 6-1-1306; 4 CCR 904-3, Part 4);
- providing consumers with a reasonably accessible, clear, and meaningful privacy notice (C.R.S. § 6-1-1308(1); 4 CCR 904-3, Rule 6.02);
- collecting only that personal data which is adequate, relevant, and limited to what is reasonably necessary in relation to the specified purposes for which the data are processed (C.R.S. § 6-1-1308(3); 4 CCR 904-3, Rule 6.07)
- obtaining consent before processing personal data for purposes that are not reasonably necessary to or compatible with the processing purpose specified in the business’s privacy notice (C.R.S. § 6-1-1308(4); 4 CCR 904-3, Rule 6.08);
- obtaining consent before processing sensitive data (C.R.S. § 6-1-1308(7); 4 CCR 904-3, Rule 6.10); and

- abiding by provisions governing vendor relationships (C.R.S. § 6-1-1305).

We urge you to assess whether the CPA applies to your business, and if so, ensure that you are in full compliance with its terms. To learn more about the CPA or to submit a question for consideration in our FAQs, please visit our website at <https://coag.gov/resources/colorado-privacy-act/>.

We thank you for your help in protecting the data privacy and security of Colorado consumers.

Sincerely,

FOR THE ATTORNEY GENERAL

Stevie DeGroff
ASSISTANT ATTORNEY GENERAL

Jill Szewczyk
ASSISTANT ATTORNEY GENERAL

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