

Texas Consumer Data Protection Act (TX CDPA) – 2023

The Texas Consumer Data Privacy Act establishes consumer privacy rights and data processing obligations for businesses handling personal data.



What it is

The U.S. Texas Consumer Data Protection Act (TX CDPA) is a state privacy regulation that helps organizations strengthen data protection practices and safeguard the personal information of Texas residents. The law establishes privacy rights for individuals and imposes obligations on entities that process or control consumer data, supporting regulatory compliance and risk management across diverse industries.

Enacted by the Texas legislature and enforced by the Office of the Attorney General, the TX CDPA applies to businesses operating in Texas that meet specific data processing thresholds. The act focuses on areas such as privacy governance, data subject rights, transparency, security controls, and accountability measures aligned with broader U.S. data privacy trends and similar frameworks like the Virginia CDPA or California CCPA.

At a glance

PUBLISHER Texas Attorney General's Office	TYPE Regulation	VERSION 2023
EFFECTIVE July 1, 2024	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Texas	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Moderate

Source: <https://statutes.capitol.texas.gov/Docs/BC/pdf/BC.541.pdf>

Why it matters

- **Strengthen data privacy governance** Promote robust data oversight by clarifying organizational responsibilities for handling and protecting consumer information.
- **Enhance regulatory compliance** Align business practices with evolving Texas privacy laws, reducing legal risk and supporting regulatory reporting requirements.
- **Improve incident response capabilities** Enable timely detection and resolution of data breaches through mandated processes and clear notification obligations.
- **Support consumer trust** Demonstrate a commitment to data protection and transparency, fostering confidence among customers and other stakeholders.

How SmartSuite supports TX CDPA

Consumer Data Governance Framework Structure requirements for data collection, use, sharing, and purpose limitation under Texas privacy law.	Data Inventory and Processing Mapping Track personal data categories, processing activities, and systems subject to TX CDPA requirements.	Consumer Rights Request Management Manage access, deletion, correction, and portability requests with tracking and response timelines.
Consent and Sensitive Data Controls Track consent requirements and manage processing of sensitive personal data.	Third-Party Data Protection Compliance Monitoring Monitor third-party relationships and ensure contractual compliance with data protection obligations.	Consumer Request and Privacy Program Readiness Reporting Provide dashboards showing consumer request status, data usage compliance, and overall privacy program readiness.

Common framework mappings

CCPA/CPRA

CIS Controls v8.1

GDPR

HIPAA

ISO 27001:2022

ISO 27701

NIST CSF 2.0

NIST Privacy Framework v1.0

NIST 800-53 Rev.5

SOC 2

Official resources

Texas Data Privacy and Security Act — Texas Attorney General Overview Provides an official summary of the Act's consumer rights, controller obligations, enforcement, and compliance obligations. texasattorneygeneral.gov/consumer-protection/file-consumer-complaint/consumer-privacy-rights/texas-data-privacy-and-security-act	Texas Business & Commerce Code, Chapter 541 — Full Statutory Text Defines the legal requirements, definitions, consumer rights, controller and processor duties, exemptions, enforcement provisions, and penalties. statutes.capitol.texas.gov/Docs/BC/pdf/BC.541.pdf
Report on the Implementation of the Texas Data Privacy and Security Act — Texas Department of Information Resources Outlines implementation status, public feedback, and legislative recommendations for the Act's execution. dir.texas.gov/technology-legislation/texas-data-privacy-and-security-act	Texas Data Broker Act — Office of the Attorney General Describes official requirements for entities defined as data brokers, including registration, disclosures, security obligations, and enforcement authority. oag.state.tx.us/consumer-protection/file-consumer-complaint/consumer-privacy-rights/texas-data-broker-act

Frequently asked questions

What is the Texas Consumer Data Protection Act (TX CDPA) used for? The TX CDPA is designed to provide Texas residents with greater control over their personal data by imposing specific obligations on entities that collect, process, or share personal information. Its goal is to enhance consumer privacy rights and establish clear requirements for businesses regarding data processing and transparency.
Is TX CDPA compliance mandatory for organizations? Yes, TX CDPA compliance is mandatory for covered entities that conduct business in Texas or target products and services to Texas residents, provided they meet certain processing thresholds. Failure to comply can lead to enforcement actions by the Texas Attorney General and potential penalties.
Who does TX CDPA apply to? TX CDPA applies to entities that control or process the personal data of at least 100,000 consumers in a calendar year or derive over 25% of gross revenue from selling personal data of at least 25,000 consumers. It generally excludes certain entities such as government agencies and organizations already regulated by federal privacy laws.

What are the key consumer rights under TX CDPA?

Consumers have rights to access, correct, delete, and obtain a copy of their personal data, as well as to opt out of the sale and targeted advertising of their data. Businesses must have transparent privacy notices and mechanisms to honor these requests.

What are the main implementation steps for TX CDPA compliance?

Organizations must conduct data mapping, implement privacy policies, and establish processes for consumer rights requests. Additional technical controls include enforcing data minimization, purpose limitation, and conducting regular data protection assessments.

How does TX CDPA relate to other privacy laws such as CCPA or GDPR?

TX CDPA shares core principles with frameworks like CCPA and GDPR, including consumer rights and business obligations. However, it contains unique definitions, thresholds, and requirements specific to Texas, so organizations must carefully assess differences when aligning multi-jurisdictional privacy programs.

What are the ongoing compliance requirements under TX CDPA?

Organizations must continuously monitor data processing activities, update privacy notices, maintain records of processing, and regularly train staff. Periodic assessments of data protection practices and prompt handling of consumer requests are ongoing obligations.

How would SmartSuite support the Texas Consumer Data Protection Act (TX CDPA)?

SmartSuite enables organizations to manage TX CDPA compliance by documenting data flows, tracking privacy risks, managing technical and organizational controls, and collecting evidence of compliance. The platform supports readiness for audits through workflow automation, dashboard reporting, and centralized tracking of data subject requests and regulatory responses.

License included / downloadable: Yes The Texas Consumer Data Privacy Act is publicly available via the Texas Legislature Online and official state websites. License included with platform

Full framework page and mappings: smartsuite.com/frameworks/us-texas-consumer-data-protection-act-tx-cdpa