

Virginia CDPA (Va. Code § 59.1-571 et seq.)

Virginia CDPA establishes data protection requirements and consumer privacy rights for businesses handling Virginia residents' personal data.



What it is

The Virginia Consumer Data Protection Act (CDPA) is a comprehensive privacy regulation that defines rights and obligations related to the collection, processing, and protection of consumers' personal data. Its primary purpose is to establish data protection standards for businesses operating in Virginia, ensuring transparency, data subject rights, and security controls for personal information.

Enacted by the Virginia General Assembly and enforced by the Virginia Attorney General, the CDPA applies to entities conducting business in Virginia or targeting Virginia residents, provided certain thresholds are met. The Act focuses on privacy governance, data protection obligations, consumer rights management, and the implementation of reasonable administrative, technical, and physical security safeguards.

At a glance

PUBLISHER Virginia General Assembly	TYPE Regulation	VERSION Virginia Consumer Data Protection Act (CDPA)
EFFECTIVE January 1, 2023	DOMAIN Privacy	FAMILY Global Privacy Regulations
REGION Virginia	ADOPTION MODEL Regulatory Compliance	IMPLEMENTATION COMPLEXITY Moderate

Source: <https://law.lis.virginia.gov/vacode/title59.1/chapter53/>

Why it matters

- **Strengthen privacy governance** Clarifies organizational responsibilities for processing personal data, improving oversight, accountability, and transparency in privacy practices.
- **Enable consumer rights management** Facilitates structured responses to consumer data requests, enhancing user trust and enabling consistent data access and correction procedures.
- **Enhance regulatory alignment** Aligns data protection measures with state and global privacy standards, streamlining compliance and supporting comprehensive risk management.
- **Protect sensitive personal information** Imposes robust technical and organizational safeguards to reduce risks of unauthorized access, data breaches, and misuse of personal data.

How SmartSuite supports VCDPA

Processing Inventory and Accountability

Document personal data categories, purposes, sharing, and retention across systems.

Consumer Rights Request Workflows

Manage access, deletion, correction, portability, and opt-out requests with evidence.

Data Protection Assessments

Track assessments for higher-risk processing and manage mitigations through closure.

Processor and Vendor Oversight

Manage processor contracts, safeguards, and ongoing monitoring requirements.

Security and Incident Alignment

Track security safeguards and incident handling evidence tied to personal data risk.

Compliance Reporting

Report request metrics, open actions, and accountability evidence across teams.

Common framework mappings

APEC PF

CCPA/CPRA

CPA (CO)

CTDPA

GDPR

ISO 27701

NIST Privacy Framework v1.0

Utah UCPA

Official resources

Virginia Consumer Data Protection Act (CDPA)

Provides the official legal text defining data protection requirements in Virginia.

law.lis.virginia.gov/vacode/title59.1/chapter53

Virginia CDPA Overview by Virginia General Assembly

Outlines the scope and application of the Consumer Data Protection Act.

law.lis.virginia.gov/vacode/title59.1/chapter53

CDPA Regulatory Guidance

Defines implementation and enforcement guidelines for the Virginia CDPA.

oag.state.va.us/consumer-protection

Frequently asked questions

What is the Virginia CDPA used for?

The Virginia Consumer Data Protection Act (CDPA) is designed to protect the personal data of Virginia residents by establishing privacy rights and organizational obligations. It sets standards for how businesses collect, process, and secure consumer data, promoting transparency and consumer control over personal information.

Is compliance with the Virginia CDPA mandatory?

Yes, organizations that meet the CDPA's applicability thresholds are legally required to comply. The Act is enforced by the Virginia Attorney General, and non-compliance may result in significant penalties and enforcement actions.

Who does the Virginia CDPA apply to?

The Virginia CDPA applies to entities that conduct business in Virginia or produce products or services targeted to Virginia residents, and either control or process personal data of at least 100,000 consumers or derive over 50% of gross revenue from processing personal data of at least 25,000 consumers.

What are some key concepts or artifacts required by the Virginia CDPA?

Key requirements include privacy notices, data protection assessments for high-risk processing, consumer rights management systems, documented purpose limitations, data minimization practices, contracts with data processors, and breach notification procedures.

How do organizations implement the Virginia CDPA?

Organizations implement CDPA by conducting data mapping, establishing and maintaining privacy policies, creating mechanisms for responding to consumer requests (such as access or deletion), performing mandatory risk and data protection assessments, and implementing administrative, technical, and physical security safeguards.

How does the Virginia CDPA compare to other privacy laws like GDPR or CCPA?

While the Virginia CDPA shares similarities with GDPR and CCPA, such as a focus on consumer rights and data protection, it has unique requirements for data protection assessments, specific applicability thresholds, and a distinct framework for controller and processor obligations.

What are the ongoing compliance requirements for the Virginia CDPA?

Ongoing compliance requires continuous monitoring of data processing activities, routine updates to privacy notices and policies, regular risk and data protection assessments, management of consumer rights requests, and maintaining robust security controls and incident response processes.

How would SmartSuite support Virginia CDPA (Consumer Data Protection Act)?

SmartSuite can support Virginia CDPA compliance by enabling organizations to track privacy risks, manage and monitor control implementation, collect and maintain evidence of compliance activities, facilitate audit readiness, and provide reporting dashboards to ensure continuous compliance and easy demonstration to regulators.

License included / downloadable: Yes The Virginia Consumer Data Protection Act is publicly available through official Virginia government publications.

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