



SPONSOR: Rep. Shupe & Sen. Pettyjohn
Reps. Hilovsky, Lynn, Parker Selby, Yearick; Sens.
Hocker, Lawson

HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 359

AN ACT TO AMEND TITLE 6 OF THE DELAWARE CODE RELATING TO PERSONAL DATA PRIVACY AND
CONSUMER PROTECTION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 12D-103, Title 6 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 12D-103. Applicability of chapter [Effective Jan. 1, 2025].

4 (a) This chapter applies to persons that conduct business in the State or persons that produce products or services
5 that are targeted to residents of the State and that during the preceding calendar year did any of the following:

6 (1) Controlled or processed the personal data of not less than 35,000 consumers, excluding personal data
7 controlled or processed solely for the purpose of completing a payment transaction.

8 (2) Controlled or processed the personal data of not less than 10,000 consumers and derived more than 20% of
9 their gross revenue from the sale of personal data.

10 (b) This chapter does not apply to any of the following entities:

11 (1) Any regulatory, administrative, advisory, executive, appointive, legislative, or judicial body of ~~the State or~~
12 a political subdivision of the State, including any board, bureau, commission, agency of ~~the State or~~ a political
13 subdivision of the State, but excluding any institution of higher education.

SYNOPSIS

This Act expands the protections offered to consumers under the Delaware Personal Data Privacy Act by applying
the Delaware Personal Data Privacy Act to the State government.