

The RIDPA (effective January 1, 2026) governs certain entities that control (“controllers”) or process (“processors”) and, as applicable, sell, the personal data of Rhode Island residents, other than in the employment or business-to-business contexts (“consumers”). It also grants Rhode Island residents certain rights with respect to their personal data.

Applicability

The RIDPA applies to persons or entities conducting business for-profit in Rhode Island or producing products or services targeted to consumers, and who during the preceding calendar year either:

- Controlled or processed the personal data of at least **35,000** consumers, excluding personal data controlled or processed solely for the purpose of completing a payment transaction, or
- Derived more than **20%** of their gross revenue from the sale of personal data and controlled or processed the personal data of at least **10,000** consumers.

Practical Application for Businesses

Consumer Rights:

- (1) **Right to Access**: the right to confirm whether a controller is processing personal data and access such data, unless it would require the controller to reveal a trade secret.
- (2) **Right to Correct**: the right to correct inaccuracies in the consumer’s personal data.
- (3) **Right to Delete**: the right to delete personal data concerning the consumer.
- (4) **Right to Data Portability**: the right to obtain the personal data in a portable and, to the extent technically feasible, readily usable format that allows the consumer to transmit the data to another entity without undue delay, where the processing is carried out by automated means, provided the controller will not be required to reveal any trade secret.
- (5) **Right to Opt Out**: the right to opt out of the processing of personal data for purposes of (i) targeted advertising, (ii) the sale of personal data, or (iii) profiling for decisions that significantly affect a consumer.

Controller Obligations:

- Publish a privacy notice that contains requisite details, is reasonably accessible, clear, and meaningful.
- Obtain consent to collect sensitive data and process sensitive data of any consumers under **13** per COPPA, and provide consumers a mechanism to revoke such consent.
- Provide consumers with sufficient methods to exercise their rights.
- Act on consumer requests within **45 days**; provide notice of extensions and the appeals process as necessary.
- Enter into binding data processing agreements with requisite limitations for third-party processors.
- Conduct and document a data protection assessment for each processing activity **generated after January 1, 2026** that poses a “heightened risk of harm” to the consumer (e.g., selling personal data, processing sensitive data, or targeted advertising or profiling with certain foreseeable risks).
- For any commercial website or internet service provider that sells personal data, identify all categories of personal data it collects about customers online, all third parties to whom it has sold or may sell customers’ personal data, and an active email address or other online mechanism that the customer may use to contact the controller.

Recommendations for Controllers:

- Regularly update data maps to detail personal data collection, including sensitive data and targeted advertising.
- Train employees how to handle consumer inquiries and requests.
- Maintain clear and executable data retention policies and procedures.

Penalties:

- The Rhode Island Attorney General has exclusive enforcement authority. A violation of the RIDPA will constitute an unfair method of competition or unfair practice with civil penalties up to **\$10,000 per violation** and up to **\$500 per intentional disclosure** of personal data in violation of the RIDPA.