



IOWA

Consumer Data Protection Act

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Please note this is a highlighted overview and not a complete overview of privacy laws for this state. If you would like a complete review of this state's privacy laws or a multi-state privacy compliance cheat sheet on specific topics, please contact Vivien Peaden at vpeaden@bakerdonelson.com.

Disclaimer: These materials do not constitute legal advice and should not be substituted for the advice of legal counsel.

The Iowa Consumer Data Protection Act (Iowa CDPA)

Effective Date: January 1, 2025

1. **Applicability Thresholds:** Subject to certain entity-level and data-level exemptions, the Iowa CDPA applies to a legal or natural person doing business in Iowa or producing products/services that are targeted to residents of Iowa that during a calendar year, controls or processes personal data of:



100,000+ Iowa consumers;

or



25,000+ Iowa consumers **and** derive more than **50 percent of revenue** from the sale of personal data.

2. **Key Definitions:**



Sales of Personal Data: Narrowly defined as "the exchange of personal data for monetary consideration by the Controller to a third party" subject to a few exemptions.

3. **Business Obligations:** Iowa CDPA imposes additional obligations on individuals or legal entities that determine the purpose and means of processing personal information (**Controller**).



Data Processing Agreement (DPA): Processing activities by a supplier (known as **Processor**) shall be governed by a DPA between the Controller and Processor.



Privacy Notice: Yes, a Controller must provide consumers with a privacy notice, including:

- **Disclosure of Data Sales and Targeted Advertising:** Controllers must "clearly and conspicuously disclose" the fact that they sell personal data to third parties or engage in targeted advertising, as well as the manner through which a consumer may opt out of such activity. **Notably**, Iowa CDPA is one of those outliers that do not provide a definition for "profiling" or require a Controller to conduct any data protection assessment.

4. **Consumer Rights:** Under the Iowa CDPA, Iowa consumers have the right to:



Confirm whether a Controller is processing their personal data and provide access to that data;



Notably, the **Iowa CDPA does not provide** consumers the **right to correct** inaccuracies in their personal data;



Delete personal data subject to certain exceptions;



Obtain a copy of or summary of their personal data provided to the Controller in a readily usable format; and



Opt-out of the sale of personal data (but no right to opt out of target advertising or profiling).

5. **Enforcement and Penalties:**



Private Right of Action: None.



Penalties: The state attorney general has sole authority to enforce the statute, at a maximum of \$7,500 per violation.



Cure Period: 90-day cure period, which is longer than the standard 30-day cure period seen in other state privacy laws; unlike some states, this is a permanent cure period that does not have a cutoff date.