

US state privacy laws: processor contract requirements by state

What each state's comprehensive privacy statute says a controller-processor (service provider) contract must contain. Each row was checked against the statute as of the date shown. Description, not legal advice. Pending and unverified states (Connecticut, Indiana, Tennessee, Utah; Oklahoma and Alabama from 2027) are listed on the web page. Live version: <https://pacts.io/guides/state-privacy-law-contract-requirements-by-state>

State	Instructions and scope	Confidentiality	Delete or return	Compliance info and audits	Subcontractors	Statute	As of
California	Specific business purposes, not described generically; bars selling or sharing and any use outside those purposes	No separate term; must provide the same level of privacy protection the CCPA requires	Not among the listed contract terms	Business may take reasonable steps to check compliance (e.g. assessments or audits at least every 12 months) and to stop unauthorized use; processor must say if it can no longer comply	Notify the business; written contract binding the subcontractor to the same terms	Cal. Civ. Code § 1798.100(d); § 1798.140(ag); 11 CCR § 7051	2026-10-04
Colorado	Instructions, nature and purpose, data type, duration; security measures and who is responsible for them	Required	Required, at the controller's choice	Information to show compliance; allow audits and inspections, or (with the controller's consent) an independent audit at least annually at the processor's expense	Only after giving the controller an opportunity to object; written contract binding the subcontractor	C.R.S. § 6-1-1305(3)-(5)	2026-10-04
Delaware	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Only after giving the controller an opportunity to object; written contract binding the subcontractor	6 Del. C. § 12D-107(b)	2026-10-04
Iowa	Instructions, nature and purpose, data type, duration, rights and duties of both parties	Required	Required, at the controller's direction	Information to show compliance on request; no assessment term	Written contract binding the subcontractor or agent to the processor's duties	Iowa Code § 715D.5(2)	2026-10-04
Kentucky	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Written contract binding the subcontractor to the processor's obligations	KRS 367.3619(2)	2026-10-04
Maryland	Instructions, nature and purpose, data type, duration, rights and obligations of both parties; security practices; stop processing on an authenticated consumer request	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments by the controller, its assessor or an independent assessor	Only after giving the controller an opportunity to object; written contract binding the subcontractor	Md. Code, Com. Law § 14-4708(a)	2026-10-04
Minnesota	Instructions, nature and purpose, data type, duration, rights and obligations of both parties; security measures and who is responsible for them	Required	Required, at the controller's choice	Information to show compliance; allow assessments and inspections, or an independent assessment at least annually at the processor's expense	Only after giving the controller an opportunity to object; written contract binding the subcontractor	Minn. Stat. § 325M.13(c)-(e)	2026-10-04
Montana	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Written contract binding the subcontractor to the processor's obligations	Mont. Code Ann. § 30-14-2813(2)	2026-10-04
Nebraska	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Written contract binding the subcontractor to the processor's obligations	Neb. Rev. Stat. § 87-1115(2)-(3)	2026-10-04
New Hampshire	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Only after giving the controller an opportunity to object; written contract binding the subcontractor	N.H. Rev. Stat. § 507-H:7(II)	2026-10-04
New Jersey	Instructions, nature and purpose, data type, duration; security measures and who is responsible for them	Required	Required, at the controller's discretion	Information to show compliance; allow assessments and inspections, or (with the controller's consent) an independent assessment at least annually at the processor's expense	Written contract binding the subcontractor to the processor's obligations	N.J.S.A. 56:8-166.16(c)-(e)	2026-10-04
Oregon	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to verify compliance on request; allow assessments by the controller, its designee or an independent person	Written contract binding the subcontractor to the processor's obligations	Or. Rev. Stat. § 646A.581(2)	2026-10-04

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Rhode Island	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Only after giving the controller an opportunity to object; written contract binding the subcontractor	R.I. Gen. Laws § 6-48.1-7(c)	2026-10-04
Texas	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Written contract binding the subcontractor to the processor's obligations	Tex. Bus. & Com. Code § 541.104(b)-(c)	2026-10-04
Virginia	Instructions, nature and purpose, data type, duration, rights and obligations of both parties	Required	Required, at the controller's direction	Information to show compliance on request; allow assessments, or an independent assessment	Written contract binding the subcontractor to the processor's obligations	Va. Code § 59.1-579(B)	2026-10-04

Sources (primary statutes, opened 2026-10-04):

- Cal. Civ. Code § 1798.100(d): https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1798.100
- Cal. Civ. Code § 1798.140(ag): https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=1798.140
- 11 CCR § 7051: https://cippa.ca.gov/regulations/pdf/ccpa_statute_eff_20260101.pdf
- C.R.S. § 6-1-1305(3)-(5): <https://leg.colorado.gov/sites/default/files/images/olls/crs2024-title-06.pdf>
- 6 Del. C. § 12D-107(b): <https://delcode.delaware.gov/title6/c012d/index.html>
- Iowa Code § 715D.5(2): <https://www.legis.iowa.gov/docs/code/715D.5.pdf>
- KRS 367.3619(2): <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=55840>
- Md. Code, Com. Law § 14-4708(a): <https://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gcl§ion=14-4708&enactments=false>
- Minn. Stat. § 325M.13(c)-(e): <https://www.revisor.mn.gov/statutes/cite/325M.13>
- Mont. Code Ann. § 30-14-2813(2): https://archive.legmt.gov/bills/mca/title_0300/chapter_0140/part_0280/section_0130/0300-0140-0280-0130.html
- Neb. Rev. Stat. § 87-1115(2)-(3): <https://nebraskalegislature.gov/laws/statutes.php?statute=87-1115>
- N.H. Rev. Stat. § 507-H:7(II): <https://gc.nh.gov/rsa/html/LII/507-H/507-H-mrg.htm>
- N.J.S.A. 56:8-166.16(c)-(e): https://pub.njleg.gov/bills/2022/PL23/266_.HTM
- Or. Rev. Stat. § 646A.581(2): https://www.oregonlegislature.gov/bills_laws/ors/ors646a.html
- R.I. Gen. Laws § 6-48.1-7(c): <https://webserver.rilegislature.gov/Statutes/TITLE6/6-48.1/6-48.1-7.htm>
- Tex. Bus. & Com. Code § 541.104(b)-(c): <https://statutes.capitol.texas.gov/Docs/BC/htm/BC.541.htm>
- Va. Code § 59.1-579(B): <https://law.lis.virginia.gov/vacode/title59.1/chapter53/section59.1-579/>

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