

# People's Privacy Act

## *HB 1433 – F.A.Q. Information Sheet*

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### What entities does the People's Privacy Act cover?

**All provisions apply to:** Non-governmental entities that conduct business in Washington, process captured personal information, and during the course of a calendar year either earn at least \$10 million annually through at least 300 transactions or process and/or maintain the captured personal information of 1,000 or more unique individuals.

**Provisions regarding biometric information and protections against data discrimination also apply to:** Washington governmental entities.

### What rights does the People's Privacy Act protect?

- The right to know what personal information companies collect, access, use, retain, share, monetize, and analyze about you.
- The right to easily access and review free of charge your personal information being held by a covered entity.
- The right to refuse consent for any use of your captured personal information beyond the specific transaction (like a purchase) for which it was given. Companies cannot use your information in any way without obtaining your fully informed opt-in consent unless it is necessary for the primary purpose of the transaction that you have specifically requested.
- The right to correct inaccurate personal information held by a covered entity.
- The right to require a covered entity and/or a data processor to delete all captured personal information about you held by the covered entity or data processor except the record of the primary transaction or as required to be maintained as a legal record.
- The right to not be subject to secret surveillance.
- The right to have the personal information collected about you safeguarded in a manner similar to that expected of banks, lawyers, and medical providers.
- The right to enforce any violations of your privacy rights in court.

### What does the People's Privacy Act prohibit?

- Using captured personal information in order to discriminate on the basis of: age; race; creed; color; national origin; sexual orientation; gender identity or expression; sex; disability; predisposing genetic characteristics; or domestic violence victim status.
- Operating, installing, or commissioning the operation or installation of face recognition technology or equipment incorporating artificial intelligence-enabled profiling in any place of public accommodation;
- Monetizing or profiting from biometric information (data on an individual's physical characteristics or mannerisms), except to specifically provide an individual with actions or products that have been specifically requested by the individual, and provided that the biometric information is not be shared or used for any other purpose.