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PREPARE FOR NY DATA PRIVACY LAW TO CATCH UP TO CALIF.

To Our Clients and Friends:

Gov. Andrew Cuomo's recently released 2022 budget includes a proposal for a comprehensive data privacy bill, and with Democratic supermajorities in both houses of the state Legislature for the first time in history, it is likely that New York may soon have a comprehensive data privacy law that rivals the California Consumer Protection Act and the newly enacted California Privacy Rights and Enforcement Act.

This focus on data protection is not new in New York — the state recently enacted the Stop Hacks and Improve Electronic Data Security, or SHIELD, Act, an update to the state data breach notification law, and the New York Department of Financial Services, or NYDFS, has increased pressure on companies regarding data security.

The continuing shift in data privacy and data security law is set to have a significant impact on businesses' compliance efforts and operational risk, as well as on the expectations of consumers. Below we discuss what businesses can do to prepare.

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Gibson Dunn's lawyers are available to assist in addressing any questions you may have regarding these developments. Please contact the Gibson Dunn lawyer with whom you usually work, any member of the firm's Privacy, Cybersecurity and Consumer Protection practice group, or the following authors in New York:

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