



Vermont Data Privacy and Online Surveillance Act Compliance Snapshot

Understand the Law. Identify Your Obligations. Prepare for Compliance.

This CLIClaw Compliance Snapshot provides a concise overview of the Vermont Data Privacy and Online Surveillance Act, including its applicability, consumer privacy rights, key business obligations, third-party requirements, enforcement provisions, and compliance considerations.

Designed as a practical reference for businesses, the snapshot helps organizations understand the law's principal requirements, evaluate potential applicability, and identify areas that may require additional compliance planning or operational review.

Use this snapshot as a starting point for understanding Vermont's privacy requirements and determining whether further assessment, implementation, or legal guidance is needed.

DISCLAIMER

These materials are provided for informational and compliance support purposes only and are not intended as legal advice. Use of these materials does not establish an attorney-client relationship.

Organizations are responsible for evaluating applicable legal requirements and should consult qualified legal counsel regarding specific obligations.

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VERMONT DATA PRIVACY AND ONLINE SURVEILLANCE ACT COMPLIANCE SNAPSHOT

Act 145 (S.71) | Enacted June 16, 2026 | Effective January 1, 2028



The Vermont Data Privacy and Online Surveillance Act (the “Act”) establishes consumer privacy rights and compliance obligations for businesses that collect, use, or disclose personal data and that engage in online surveillance.

The Act includes general consumer privacy provisions and additional protections for consumer health data. Statutory exemptions apply.



APPLICABILITY

Which Businesses are Covered?

The Act generally applies to a person conducting business in Vermont or producing products or services targeted to Vermont residents that, during the preceding calendar year:

- 1 Controlled or processed personal data of at least **35,000 consumers**; or
- 2 Controlled or processed sensitive data of at least **3,000 consumers**; or
- 3 Offered for sale in trade or commerce personal data of at least **3,000 consumers**.



Statutory exemptions apply.

Consumer health data provisions may apply even if a business does not meet the above thresholds.



VERMONT CONSUMER RIGHTS

What Rights Do Consumers Have?



Access and Confirm Processing
Confirm whether personal data is being processed and access it, including certain inferences.



Correct
Request correction of inaccuracies.



Delete
Request deletion of personal data provided by or obtained about them.



Data Portability
Obtain a portable copy of personal data processed by automated means.



Opt Out
Opt out of the sale of personal data, targeted advertising, and qualifying profiling.



Third-Party Disclosure List
Obtain a list of third parties to which the controller sold their data, or a broader list if a consumer-specific list is not maintained.



Additional Profiling Rights
For qualifying profiling decisions, consumers may question the result, obtain the reason for the decision, review the data used, and, for housing-related decisions, request correction and reevaluation.



Response Timeline
Controllers generally must respond within 45 days. Appeals must be decided within 60 days.



KEY COMPLIANCE OBLIGATIONS

What Must Covered Businesses Do?



Data Minimization and Purpose Limitation
Collect, use, and retain only personal data that is adequate, relevant, and reasonably necessary for disclosed purposes. Obtain consent for certain new or incompatible purposes.



Privacy Notice
Provide a clear and accessible privacy notice, including required disclosures (such as the use of personal data for large language model training).



Sensitive Data Consent
Obtain consent before processing sensitive data and comply with additional requirements, including protections for known children and teens.



Processor Contracts
Use contracts that meet statutory requirements for processors.



Data Protection Assessments
Conduct assessments for processing that presents a heightened risk of harm to consumers.



Data Security
Implement and maintain reasonable administrative, technical, and physical safeguards to protect personal data.



OPT-OUTS AND PREFERENCE SIGNALS

Website Requirements



Clear Website Opt-Out Link
Provide a clear and conspicuous website link through which consumers or authorized agents can exercise applicable opt-out rights.



Opt-Out Preference Signals
Allow qualifying opt-out preference signals for targeted advertising and personal data sales.



CONSUMER HEALTH DATA

Additional Protections



Confidentiality and Safeguards
Maintain confidentiality and implement processor access requirements for consumer health data.



Consent for Sales
Obtain consent before selling or offering to sell consumer health data.



Geofencing Restrictions
Prohibits specified geofencing uses within 1,850 feet of health care facilities, subject to statutory details and exceptions.



ENFORCEMENT

How is the Law Enforced?



Vermont Attorney General
Enforced by the Vermont Attorney General. There is no private right of action.



Cure Period
From January 1, 2028 through June 30, 2029, the Attorney General may provide a conditional 60-day cure period for a violation if the Attorney General determines that a cure is possible.



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Center for Legal Internet Compliance

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