

# H4541 • South Carolina

## Child Data Privacy and Protection Act

Introduced

Risk: High

Comprehensive

Last Action (Jan 10, 2024): Member(s) request name added as sponsor: Felder

## Summary

The Child Data Privacy and Protection Act mandates data protection assessments, prohibits certain data activities, and requires a public awareness campaign and report.

## Business Impact

If you operate a platform collecting children's data in South Carolina, you must ensure compliance with new data protection requirements or face legal consequences.

## Key Provisions

- Entities must conduct data protection impact assessments.
- Certain personal data of children cannot be collected, retained, processed, or sold.
- Privacy by default must be utilized by relevant entities.
- Users must have access to their accounts.
- Privacy policies must be prominently displayed.
- Expedited handling of subpoenas and warrants related to data privacy.
- A public awareness campaign and report are required.

## Compliance Checklist

- Conduct data protection impact assessments. | Who: Entities collecting children's data. | Penalty: Potential civil actions for non-compliance.
- Ensure privacy policies are prominently displayed. | Who: All relevant entities. | Penalty: Legal consequences for failing to comply.

## Industries Affected

Consumer Protection

Law Enforcement

Education

Technology

Online Services

## Topics

Automated Decision-Making

AI Privacy

## Bill Sponsors

Name	Party	Role
Brandon Guffey	R	Sponsor
Thomas Pope	R	Sponsor
Patricia Henegan	D	Sponsor
Don Chapman	R	Sponsor
Bill Taylor	R	Sponsor
Raye Felder	R	Sponsor

## Related Bills

- H3400 (SC)

## Official Source

<https://www.scstatehouse.gov/billsearch.php?billnumbers=4541&session;=125&summary;=B>

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