

2026

# PRIVACY READINESS:

## Kentucky & Indiana Compliance Checklist

Effective January 1, 2026, both Kentucky and Indiana will enforce comprehensive consumer data privacy laws. Use this checklist to assess your readiness and identify key compliance gaps:

### 1. Determine If the Laws Apply to You

- ☐ We process the personal data of 100,000+ KY or IN residents annually
- ☐ OR we process data of 25,000+ KY or IN residents and derive 50% revenue from data sales
- ☐ We've confirmed we are not exempt (e.g., nonprofit, HIPAA/GLBA-covered entity, utility, higher education)

### 2. Review and Update Privacy Notices

- ☐ Our privacy policies are accessible, clear, and reflect current data practices
- ☐ Notices include categories of data collected, purposes, consumer rights, and third-party disclosures
- ☐ We specify how consumers can exercise their rights and opt out of certain data uses

### 3. Map and Classify Your Data

- ☐ We've inventoried all personal data collected, stored, and processed
- ☐ We've identified sensitive data (e.g., health, biometric, race/ethnicity, children's data)
- ☐ We track how and where data flows, including vendors and third parties

### 4. Ensure You Can Support Consumer Rights Requests

- ☐ We have a process to confirm and respond to access, correction, and deletion requests
- ☐ We can provide personal data in a portable format
- ☐ We offer opt-outs for:
  - Data sales
  - Targeted advertising
  - Profiling that affects legal or significant decisions

## 5. Get Consent Where Required

- ☐ We collect opt-in consent before processing sensitive data
- ☐ For known children under 13, we comply with parental consent under COPPA
- ☐ We have records of when and how consent was obtained

## 6. Assess Vendor and Processor Relationships

- ☐ Contracts clearly define roles, responsibilities, and data handling practices
- ☐ We ensure processors assist with compliance, security, and consumer rights
- ☐ We've reviewed and updated contracts to reflect new legal requirements

## 7. Prepare for Data Protection Assessments (DPAs)

- ☐ We understand when DPAs are required (e.g., for targeted ads, sensitive data, profiling)
- ☐ We've started or scheduled assessments for high-risk processing activities
- ☐ We can document our risk-benefit analysis for processing activities
- ☐ We are prepared to share DPAs with the Attorney General if requested

## 8. Train Your Team

- ☐ Staff understand consumer privacy rights and how to respond
- ☐ We provide role-specific training for those who handle personal data
- ☐ Training covers new policy updates and ongoing compliance responsibilities

## 9. Plan for Enforcement & Deadlines

- ☐ We're tracking key dates:
  - January 1, 2026 – Laws go into effect
  - June 1, 2026 – Kentucky DPIA requirements begin
- ☐ We understand enforcement will be led by the Attorney General and includes a 30-day cure window



## Need Help?

Clark Schaefer Consulting can guide you through the entire compliance process—from data mapping and DPIAs to policy updates and team training. Let's build a proactive privacy strategy that protects your business and earns customer trust.

**Connect with us** to get started.

**CONTACT US**