Ulyx Advisory

MODPA READINESS CHECKLIST

Maryland Online Data Privacy Act · 24-point operational self-check

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Twenty-four things you should be able to show a regulator, with a document, before April 1, 2027.

MODPA has the lowest coverage thresholds and the strictest data-minimization rules of any state privacy law, and it reaches most nonprofits. Whether it applies to you is your counsel's determination. This checklist covers the operational evidence a covered organization needs to have in hand. Check each item only if you could hand the document to someone today.

1 KNOW WHAT YOU HOLD

- ☐ A written inventory of the personal data you keep about Maryland residents: what it is, where it lives, why you collect it, and how long you keep it.
- ☐ Your 2025 count of Maryland consumers and how you counted them (data used only to complete a payment is excluded). This is the fact your counsel needs for the 35,000 / 10,000-plus-20%-of-revenue test.
- ☐ Sensitive data flagged by system: health, precise location, biometrics, citizenship or immigration status, data about anyone under 18, and inferences or scores you create.
- ☐ A written retention schedule that staff actually follow.

2 CONTROL WHO ELSE GETS IT

- ☐ A vendor register: every vendor or partner that receives personal data, what they do with it, and the data they get.
- ☐ A written contract on file for each processor, with privacy terms your counsel has reviewed.
- ☐ Every exchange of personal data for money or value (list rentals, ad-tech sharing, data co-ops, referral deals) identified and documented.
- ☐ Confirmation that you do not sell sensitive data, and do not sell any personal data for immigration enforcement.

3 HONOR CONSUMER RIGHTS

- ☐ One intake channel for requests to access, correct, delete, or export data, with a named owner who receives it.
- ☐ A request log that tracks the 45-day response clock, the one 45-day extension, and the 60-day appeal window.
- ☐ A written procedure for verifying the requester's identity before you act.
- ☐ A way to withdraw consent that is as easy as giving it, with processing stopped within 30 days.

4 FIX THE WEBSITE AND THE ADS

- ☐ A privacy notice with every required element, including whether you sell data or run targeted ads and how to opt out (counsel approves the text).
- ☐ A working opt-out for targeted advertising, sale, and profiling.
- ☐ Global Privacy Control honored on every website and app, tested, with the test written down.
- ☐ An inventory of tracking pixels and tags, and no targeted ads or sale where users may be under 18.

5 ASSESS HIGH-RISK PROCESSING

- ☐ A list of the activities that need a data protection assessment: targeted advertising, sale, sensitive data, and profiling (counsel decides which).
- ☐ An inventory of every algorithm or AI tool used in those activities; MODPA assessments cover each one.
- ☐ Completed assessments on file and retrievable the day the Attorney General asks.
- ☐ No location-based messaging within 1,750 feet of a mental-health or reproductive-health facility.

6 RUN THE PROGRAM

- ☐ A named privacy owner with time on their calendar for it.
- ☐ Reasonable security safeguards documented: the framework you follow, your last assessment, and a tested incident plan.
- ☐ Training for everyone who handles personal data, with completion records you can produce.
- ☐ A review cycle and an intake step for new data uses, new vendors, and new AI tools.

The Short Version

THREE DATES

Oct 1, 2025 — MODPA took effect
Apr 1, 2026 — Attorney General enforcement began
Apr 1, 2027 — 60-day cure period ends; after this the AG can act without notice

WHO IS COVERED

Organizations doing business in Maryland that in the prior year processed data of **35,000+** consumers, or **10,000+** with 20%+ of revenue from selling data. Most nonprofits, schools, and associations are covered. Your counsel makes the call.

EXPOSURE

Up to **$10,000** per violation and **$25,000** per repeat violation under the Consumer Protection Act, plus injunctions and restitution. No private lawsuits.

HOW TO SCORE

0–4 unchecked: confirm with counsel and keep records current.
5–12: a two-week Readiness Snapshot ($4,500) maps the gaps and routes the legal questions to counsel.
13+: the six-week Readiness Program builds the workflows, opt-outs, and assessments.

NEXT STEP

Book a 30-minute discovery call:
ulyxadvisory.com/book
Fixed quote before any work starts.

WHO DOES WHAT

Ulyx builds the inventories, registers, workflows, and assessment files. Your counsel decides whether the law applies, what the notice says, and whether the assessments are sufficient.

Maryland VSBE · Maryland Certified Small Business · Montgomery County MFD & Veteran Business Preference · IAPP CIPP/US · CIPM

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