

# State Attorneys General 2022 Predictions

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State Attorneys General are already off to the races in 2022 – both with a significant number of election campaigns in full swing and an uptick in their consumer protection enforcement efforts. As a result, State AG consumer protection topics will play a big part of 2022. Our Kelley Drye State Attorneys General team will present a [webinar on these State AG priorities on January 27](#). In the meantime, we provide a snapshot of what’s to come this year.

**A unique year will bring extra attention to state consumer protection enforcement.** State Attorneys General are in a prime position to dominate the consumer protection news of 2022. With over 30 AG seats up for election or appointment and an increased use of broad consumer protection laws to promote social agendas, expect consumer protection topics to be a focal point of some campaigns. Add to that the FTC’s increased reliance on State AGs to secure monetary relief following the Supreme Court’s 2021 [AMG decision](#), AGs complaining that investigations are moving too slowly, and an increased desire to publicize AG investigations, and you should expect to hear a lot more about AG actions this coming year.

**New laws will lead to new privacy and marketing priorities.** Keeping up with new privacy laws is on the forefront of businesses’ minds these days, with significant new laws in California, Colorado, and Virginia. Not only are states involved in rulemaking and implementation of those laws, but they will be under pressure to quickly bring enforcement proceedings. New marketing laws, especially in the area of subscription services in states like Delaware and Colorado, will have a similar effect. Expect to see other states trying to keep up by stepping up enforcement under existing state and federal authority, while their legislatures consider new state-specific laws.

**Technology and public health issues will remain a focus for Attorneys General.** 2021 saw a number of enforcement actions by Attorneys General combatting “big tech,” both under antitrust and general consumer protection laws. For instance, 33 State Attorney General recently [weighed in on the CFPB’s November Notice and Request for Comment on Big Tech Payment Platforms](#), highlighting their unique position to discuss concerns regarding consumer complaints on a range of issues. In addition, State AGs have been at the forefront of addressing [public health crises](#), notably regarding marketing practices in the opioids and vaping industries. These efforts will not only remain priorities, but can expect increased attention in 2022 as State AGs expand their efforts -- including along party lines, with topics such as content moderation and climate change.

**Proactive partnership opportunities will be plentiful.** One notable theme that emerged at the end of 2021 was a renewed call by Attorneys General for the corporate world to partner with them in combatting intractable frauds, especially those that have become more pervasive through new technology. With NAAG President Attorney General Miller's [Presidential Initiative of "Consumer Protection 2.0: Tech Threats and Tools"](#) comes opportunity for business to engage with the AG community to educate consumers about scams and innovate to benefit consumers and businesses alike.

And of course, all of these priorities can change at the drop of a hat when emergency situations call for immediate reaction. For example, the recent Omicron surge has led to additional warnings of price gouging on [COVID tests](#) and [fake test kits](#), areas you can expect the Attorneys General to aggressively pursue in early 2022. It is more important than ever to watch the State AG actions and keep up with their enforcement priorities, and we hope you can join us on January 27 to hear more from our team.

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As mentioned above, please [join](#) Kelley Drye State Attorneys General practice Co-Chair [Paul Singer](#), Advertising and Marketing Partner [Gonzalo Mon](#), Privacy Partner [Laura VanDruff](#), Senior Associate [Beth Chun](#) for [State Attorney General Consumer Protection Priorities for 2022](#). This webinar will provide discussion and practical information on the topics mentioned above and other state consumer protection, advertising, and privacy enforcement trends. Register [here](#).

Also join us for [Privacy Priorities for 2022: Legal and Tech Developments to Track and Tackle](#), a joint webinar between [Kelley Drye's Privacy Team](#) and [Ketch](#), a data control and programmatic privacy platform. This Data Privacy Week webinar will highlight key legal and self-regulatory developments to monitor, along with practical considerations for how to tackle these changes over the course of the year. This will be the first in a series of practical privacy webinars by Kelley Drye to help you keep up with key developments, ask questions, and suggest topics that you would like to see covered in greater depth. Register [here](#).