



# California Consumer Privacy Act (CCPA)

A quick reference guide to assist in preparing for the CCPA

## TIMELINE

- June 28, 2018**  
CCPA signed into law
- January 1, 2020**  
Requirements go into effect
- July 2, 2020**  
Deadline for CA Attorney General to publish regulations

## WHO NEEDS TO COMPLY?

If you are a **for-profit business** that collects personal information from CA residents and ...

... your revenue is **\$25 million** or greater

✓ *Comply*

... you buy, receive, sell or share the personal information for **50,000+ consumers**

✓ *Comply*

... you generate at least **50%** of your annual revenue from selling personal information

✓ *Comply*

## HOW DOES CCPA IMPACT CONSUMERS?

Under the CCPA, consumers have new data privacy rights:



### The right to knowledge.

- Consumers have the right to request information about:
- What information a company is collecting about them
  - How that information will be used
  - If and with whom that information will be shared



### The right to be forgotten.

Companies must delete all information they have about a consumer at the consumer's request. However, exceptions include data being processed and retained to complete a consumer-requested transaction, specific research purposes, limited analytical uses, and other regulatory and contractual exceptions.



### The right to control who has access to their information.

Consumers must be able to opt out of the sale of their information to third parties.

## WHAT DOES THAT MEAN TO BUSINESS?



### Disclosure obligations.

Anywhere that personal information is collected, companies must inform consumers:

- What their rights are under the CCPA
- What categories of information they collect
- How the information they collect will be used (including if it will be shared with third parties)
- What categories of information have been shared with third parties in the last year

Organizations cannot “discriminate against a consumer” based on the exercising of any of the rights granted in the bill.



### Satisfy consumer requests.

Companies must put in place processes to comply with consumer requests to:

- View all of the information the company has about them
- Delete all of the information the company has about them
- Opt out of the sale of their information (or in the case of children under 16, to affirmatively opt in)

Organizations will need to have verification/authentication processes in place to confirm the identity of the consumer making the request.



### Opt-out mechanisms.

Companies are required to place a link titled “Do Not Sell My Personal Information” conspicuously on their homepage.



### Authorization of minors.

The sale of children’s data will require express opt-in consent. If the child is between 13 and 16 years of age, express opt-in consent can be collected directly from the child. If the child is under 13 years of age, express opt-in consent will be required from the parental guardian.

## ARE THERE PENALTIES?



For noncompliance, the penalties per violation are

**\$2,500**

(if unintentional) or

**\$7,500**

(if intentional)

If personal information is exposed in a data breach, consumers can sue for

**\$100–\$750**

per incident—or greater if the actual damages exceed

**\$750**

The CCPA is coming soon, and it is likely that additional data privacy regulations will follow in the United States and globally. Planning for the CCPA, and the potential variety of similar regulations, will require focused effort from across an organization.

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