



What Marketers Need to Know About the CCPA

The Basics

The California Consumer Privacy Act (CCPA), is a new state law protecting the privacy of California residents. Business in California will be required to adhere to new data collection and protection procedures, requiring new privacy agreements that include opt-out and delete language.

California Consumer Privacy Act of 2018

Data

Under the Act, personal information and data refers to anything that: *"identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer of household."* It is a more thorough description than ever, including cookies and IP addresses.

Any and all personal data is treated alike under **the Act**, making no distinction between everyday details and more sensitive data, such as medical information.

Affected Parties

The CCPA refers to businesses in California - i.e. any collective or entity doing business in California - collecting the state's residents' personal data, that also meet at least one of these criteria:

1

Over 50% of their year's annual revenue is made from the sale of residents' personal data.

2

Over \$25 million USD is made in gross revenue.

3

Over 50,000 California households' or consumers' personal data is held by said entity.

Business Requirements

There are several specific rights under the **CCPA** with which California businesses must **comply**.



Business

The business is required to provide the requested and required data via mail (electronic or snail) at no cost within a 45-day period of receiving the request.

Right to Know (Collected)

The business must disclose the preceding 12 months of information before the request data - also within 45 days.

Right to Know (Shared)

The same criteria as above, except two lists must also be disclosed detailing (a) personal information sold and (b) personal information disclosed for business purposes.

Right to Delete

Consumer data must be deleted by the business.

Right to Opt-Out

The business must cease the sale of consumer data.

Right to Opt-Out for Children

A child between the ages of 13-16 must personally opt-in, while children under 13 must obtain consent of a parent or guardian.

Right to Equal Service & Price

There must be no discrimination against those who opt-out or exercise any of their CCPA rights.

Business Protection

A few steps can be taken by businesses to ensure they are thoroughly compliant with the **CCPA**.

Websites should be updated to include the statement that they may be sharing consumer information. Including a 'do not sell' link will be legally mandatory as of January 1, 2020.

Privacy policies should include language referring explicitly to California residents and the Act, detailing the "do not sell" link.

A 1-800 "do not sell" number must be included, also by January 1, 2020.

Websites should be updated to include the statement that they may be sharing consumer information. Including a 'do not sell' link will be legally mandatory as of January 1, 2020.

Customers should be explicitly notified that their information could be shared. Directing them to the resources above is appropriate, as well.

Third parties must also be informed of any opt-out requests. Ensure they follow through.

Keep any and all processes well documented.

Contact Us



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