Privacy Bingo

State Privacy Law Edition

California Consumer Privacy Act (CCPA)

B I N G O

SCOPE	CONSUMER RIGHTS	WILDCARD	OBLIGATIONS	ENFORCEMENT
Includes processing threshold	Correction	Grants rulemaking authority	Impact assessments	AG has exclusive enforcement authority
Applies to B2B data	Portability	"Sensitive data" includes biometric data	Data minimization	Defined statutory penalties
Applies to employment data	Appeal		Non-discrimination	30 Day Cure Period
Entity-level GLBA exemption	Obtain list of third-party recipients	"Sale" includes money OR other valuable consideration	Security measures	Private right of action for unauthorized access
All non-profit organizations exempt	Deletion	Establishes new privacy protection agency	Recognize universal opt out signals	Enforcement actions published

California Privacy Rights Act (CPRA) amends California Consumer Privacy Act (CCPA) and adds new provisions

Scope:
- Applies to for-profit organizations operating in CA that meet one of the following criteria:
  1. Gross global annual revenue at least $25 million
  2. Buy, sell, or share the personal information of 100,000 consumers annually; or
  3. Derive 50% or more of annual revenues from selling or "sharing" data

Effective date:
January 1, 2020 (CCPA);
January 1, 2023 (CPRA)

Consumer rights: Access; correction; deletion; opt out of sensitive data processing; automated decision making; opt out of sales; portability

Enforcement:
- Up to $7,500 per intentional violation or $2,500 per unintentional violation
- Limited private right of action
- Creates the California Privacy Protection Agency