TrustArc

California Consumer Privacy Act:

PATH TO COMPLIANCE

The California Privacy Rights Act (CPRA) amendment to the CCPA requires businesses, services providers, contractors, and third parties additional obligations when collecting, using, and disclosing Personal Information or Sensitive Personal Information (geolocation, religion, race, etc.).

WHAT'S NEW

- Consumers have the right to opt out of the sale or share of their personal information and sensitive personal information.
- Express consent is required to process sensitive personal information.
- High risk data processors must perform regular risk assessments and cybersecurity audits.
- Employee and B2B personal information are no longer exempt.
- Websites and apps must honor users' Global Privacy Control (GPC) consent preferences.

Meet CCPA Compliance Requirements

1 Ensure Consent Mechanisms are in Place.

- Businesses that sell and or share sensitive personal information must honor and process a user's GPC signal and have opt-out links:
  - Do Not Sell/Share
  - Restrict/Limit Use of Sensitive Personal Information or an alternative opt-out link.
- Operationalize and test consent mechanisms for opt-outs & GPC requests (cookie preferences, GPC, DNSMPI links, and DSR requests)
  - Ensure no dark patterns exist in the consent user interface.

2 Ensure What is Stated in the Privacy Notice is True

- Perform assessments and audits of practices, policies, and procedures.
- Ensure your privacy policy reflects reality, complies with new disclosure requirements, including accessibility requirements (printability, mobile viewability), and is free from dark park patterns.

3 Be Ready to Comply with the Rights and Requests of Consumers and Employees

- Ensure compliance with all requests, including 12 month look back, categories of PI sold/shared, and categories of parties sold to.
- Test and DSR workflows to ensure they're in place and compliant.
- Confirm Do Not Sell/Share labels on necessary forms.

4 Identify and Ensure Business Partners (Service Providers, Contractors, and Third Parties) are Compliant with CCPA

- Categorize business partners as either SP/Contractors/3p and update contracts accordingly.
- Require CCPA compliant assessments to show due diligence.
- Conduct regular scans of online trackers for CCPA compliance.

5 Future Proof Compliance and Drive Growth

- Leverage assessments to demonstrate CCPA compliance for enforcement & trade partners.
- Strengthen your policies and contracts with privacy professional expertise.
- Operate an automation solution for multi-jurisdiction privacy compliance in other states and jurisdictions.

No matter where your business falls on the path to CCPA compliance, TrustArc has the tools to support consent management, data subject requests, global privacy controls, and vendor assessments.

Talk to a CCPA Compliance Expert

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