



Your California Consumer Privacy Act Checklist

The California Consumer Privacy Act (CCPA) goes into effect January 1, 2020. CCPA can apply to businesses located outside of California collecting, selling, or otherwise processing personal information of California consumers.¹ This checklist is for businesses who are caught up in and must comply with the CCPA.



Locate, map, and inventory personal information of California consumers that the business collects or sells

Although the CCPA does not directly require businesses to map their data, understanding how personal information is collected, stored, and shared through its lifecycle is helpful in meeting other requirements under the CCPA, including complying with California consumers requests to opt-out or to delete their personal information. Businesses should:

- Identify collection points, sources and storage of personal information of California consumers.²
- Identify third parties with whom the business shares personal information of California consumers.
- Create a data inventory record of data collected, characteristics of processing activity and systems where data is processed and stored.
- Develop a process for regular updating of the data inventory.



Review and update required disclosures including privacy notices and web pages

Business must provide California consumers notice of their rights under the CCPA. Businesses should:

- Update privacy notices to provide California consumers notice of their rights under the CPCA including the right to know, access, erase, and port their personal information as well as how to exercise those rights. Privacy notices may be global to or specific to a particular audience, such as employees.
- If a business sells information to third parties, or otherwise discloses it for valuable consideration, the business must provide a link to the business “Do Not Sell My Personal Information” internet page.



Create processes to fulfill requests from California consumers to exercise their CCPA rights and respond to alleged violations

CCPA requires that businesses respond within 45 days to verified requests from California consumers to exercise their rights. To prepare, businesses should:

- Create a mechanism for California consumers to make CCPA requests.
- Establish a process to verify the identity of California consumers who make requests and to fulfill verified requests.
- Develop a process to allow California consumers to opt-out of sale of personal information.
- Produce a recordkeeping process to document verified requests from California consumers.
- Create a process to respond to allegations of non-compliance within 30 days.



Review and update third-party agreements

In cases where the business shares personal information with third parties, including service providers who process data on the businesses' behalf, business should review and update their agreements so that the agreements:

- Clarify that personal information is not being sold.
- Invoke statutory exceptions for service providers and other third parties.
- Provide notice to the business in the event of a data security incident.

¹For more information about whether the CCPA could apply to your organization, see *Does the California Consumer Privacy Act (CCPA) apply to you?* available on our website.

²The CCPA defines consumer to be any natural person who is a resident of California, under the California Revenue and Taxation Code.



Review and implement security practices and procedures³

Although the CCPA does not directly address security measures, other California statutes require that businesses that own, license, or maintain personal information about California consumers provide reasonable security for that information. Businesses should evaluate existing security measures and integrate data privacy into security risk assessments and information security policy.



After CCPA's effective date, respond to California consumer's verified request

Businesses should respond within 45 days to consumers' requests to exercise their rights under the CCPA.



Comply with sales opt-out and opt-in requests from California consumers

If a California consumer opts-out or refuses to opt-in, businesses must be able to comply with this request and not sell the consumer's personal information unless the consumer subsequently expressly authorizes the sale of the consumer's personal information.



Do not discriminate against California consumers who exercise their CCPA rights

Businesses must not discriminate against California consumers who exercise their CCPA rights. If a California consumer exercises a CCPA right, businesses should not:

- Deny goods or services to the California consumer.
- Charge different prices or rates.
- Provide different levels or quality of goods or services.
- Suggest that the California consumer will receive a different level or quality of goods or services.



Conduct employee training

Businesses should train persons responding to requests from California consumers to exercise their CCPA rights on the law's requirements. These persons should be trained on:

- How to verify, document, and respond to requests from California consumers to exercise their CCPA rights.
- How to respond to opt-out and opt-in requests from California consumers.
- How to refrain from discrimination.

Personnel who may access or use personal information—for example, sales and marketing personnel—should be trained on CCPA's limitations on the use of personal information of California consumers.

For more information about the CCPA and your organization's compliance obligations, please contact Frost Brown Todd's Privacy and Data Security team leaders:

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³Although the CCPA does not directly address security measures, other California statutes require that businesses that own, license, or maintain personal information about California residents provide reasonable security for that information. Cal. Civ. Code § 1798.81.5(a).