



June 4, 2020

FINAL PROPOSED CCPA REGULATIONS SUBMITTED TO CALIFORNIA OFFICE OF ADMINISTRATIVE LAW

On June 1, 2020, the California Attorney General submitted the final proposed regulations package ("Final Proposed CCPA Regulations") under the California Consumer Privacy Act ("CCPA") to the California Office of Administrative Law ("OAL"). The Final Proposed CCPA Regulations do not vary in substance from the second set of proposed CCPA regulations released by the California Attorney General in March 2020. See our prior ALERT of March 13, 2020.

OAL has 30 working days, plus an additional 60 calendar days under California Executive Order N-40-20 related to the COVID-19 pandemic, to review the Final Proposed CCPA Regulations for procedural compliance with the California Administrative Procedure Act. The California Attorney General submitted a "Written Justification for Earlier Effective Date and Request for Expedited Review" requesting that the OAL complete its review within 30 business days and make the regulations effective the date they are filed with the California Secretary of State so that the Final Proposed CCPA Regulations can be adopted by the July 1, 2020 statutory mandated effective date. If OAL does not expedite its review and alter the effective date, the Final Proposed CCPA Regulations would take effect on October 1, 2020.

The CCPA has an enforcement date of the earlier of July 1, 2020 or six months after the publication of the final regulations. In March, an advisor to the California Attorney General responded to a letter sent by 34 leading industry members requesting that enforcement of the CCPA be delayed due to COVID-19, stating that there is no current plan to delay enforcement of the CCPA. See our prior ALERT of March 23, 2020.

We will continue to monitor and provide updates regarding the CCPA. We can assist businesses in developing compliance programs that comply with the CCPA requirements. Please let us know if you have any questions. □

✧ *Mike Tomkies and Lindsay Valentine*

Darrell L. Dreher
ddreher@dtlaw.com

Elizabeth L. Anstaett
eanstaett@dtlaw.com

Emily C. Cellier
ecellier@dtlaw.com

Susan L. Ostrander
sostrander@dtlaw.com

2750 HUNTINGTON CENTER
41 S. HIGH STREET
COLUMBUS, OHIO 43215
TELEPHONE: (614) 628-8000 FACSIMILE: (614) 628-1600
WWW.DTLAW.COM

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Michael C. Tomkies
mtomkies@dtlaw.com

Susan M. Seaman
sseaman@dtlaw.com

Lindsay P. Valentine
lvalentine@dtlaw.com

Judith M. Scheiderer
jscheiderer@dtlaw.com

Robin R. De Leo
robin@deher-la.com