



CALIFORNIA ATTORNEY GENERAL'S OFFICE ANNOUNCES FINAL VERSION OF CCPA REGULATIONS WERE APPROVED AND TAKE EFFECT IMMEDIATELY

On Friday, August 14, 2020, the California Attorney General's Office announced that the final version of the California Consumer Privacy Act ("CCPA") regulations were approved by the Office of Administrative Law ("OAL") and *will take effect immediately*.

An addendum was included with the final regulations to explain additional changes that were made to the proposed regulations during the OAL's review process. Most of these revisions made were non-substantive, including changes to terminology and removing certain phrases to align the regulations with the express language of the CCPA statute.

The following requirements that were included in the proposed regulations have been withdrawn with the caveat that the Office of the Attorney General may resubmit each section after further review and possible revision:

- A business must directly notify the consumer and obtain the consumer's explicit consent if the business seeks to use a consumer's previously collected personal information for a purpose materially different than what was previously disclosed to the consumer in the notice at collection;
- A business that substantially interacts with consumers offline must also provide notice to the consumer by an offline method that facilitates consumer awareness of their right to opt-out;
- A business's methods for submitting requests to opt-out must be easy for consumers to execute and must require minimal steps to allow for opt-out;
- A business may deny a request from an authorized agent that does not submit proof that they have been authorized by the consumer to act on their behalf; and
- The severability section has been deleted, as it was deemed unnecessary.

The option to provide the notice of the right to opt-out by providing a link stating "Do Not Sell My Info" has been deleted. Businesses must now provide the notice of right to opt-out by

providing a link stating "Do Not Sell My Personal Information."

The final version of the CCPA regulations will be added in our Marketing and Privacy Digest <https://www.dtlaw.com/multistate-digests/>. Let us know if you have any questions. □

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