



October 14, 2020

THIRD SET OF MODIFICATIONS RELEASED FOR CA-CCPA REGULATIONS

Only two months after the California Consumer Privacy Act ("CCPA") implementing regulations went into effect, the California Attorney General's Office has released a third set of proposed modifications. When the final CCPA Regulations went into effect on August 14, 2020, a handful of requirements were removed during the Office of Administrative Law's review process. See our prior ALERT dated [Aug. 14, 2020](#). Among the provisions that were removed were the requirements that (i) a business must provide notice to the consumer by an offline method and (ii) the method for submitting requests to opt-out must be easy for consumers to execute and require minimal steps to allow for opt-out.

In response to the removal of such provisions, the proposed modifications make the following changes:

- Requiring businesses that collect personal information offline must provide notice by an offline method. The proposed modifications include two illustrative examples of providing "offline" notice of right to opt-out;
- Requiring that a business's method for submitting requests to opt-out must be easy for consumers to execute and providing five examples of how the method for submitting such requests should appear to consumers; and
- Allowing businesses to require that an authorized agent must provide proof to the business that the consumer gave the agent signed permission to submit the request.

The Attorney General's office will accept written comments regarding the proposed changes until October 28, 2020. On November 3, 2020, Californians will vote on the California Privacy Rights Act ballot initiative, also known as "CCPA 2.0." If the CCPA 2.0 receives a majority of "yes" votes, then it will become law and expand and amend the CCPA creating new consumer privacy rights, privacy requirements and enforcement mechanisms. See our prior ALERT dated [July 7, 2020](#).

We continue to monitor updates on the CCPA. If you have any questions regarding the CCPA or need help developing a compliance program that complies with the CCPA, please let us know.

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