

# A Glossary Guide to the CCPA

To get prepared for the California Consumer Privacy Act (CCPA), get a grasp of the basic jargonese and terms involved.



## Anti-discrimination

Under the CCPA, a business cannot discriminate against a customer for exercising their CCPA rights. They may, though, charge different prices or provide a different level of goods and services if the difference is related to the value of the consumer's personal data.



## Business

The CCPA definition of a "business" is very narrow: It is a for-profit entity doing business in California and must have one of these characteristics: a gross revenue or over \$25MM per year; it buys, sells, and shares personal data from over 50,000 consumers, household, or devices per year; or it makes half or more of its revenue from selling personal data. It's estimated over 500,000 U.S. companies may fit these parameters.



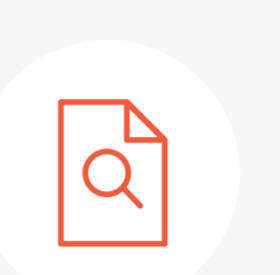
## CaIOPPA

The California Online Privacy Protection Act, launched in 2003 and focused at first on personally-identifiable information (PII). CaIOPPA required websites and online services to display Privacy Policies, and its scope broadened in recent years. The CCPA is an extension of it meant to give consumers more control over their data.



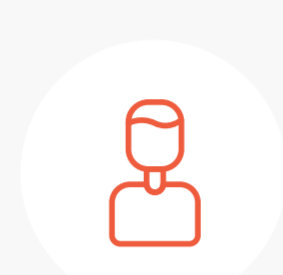
## CCPA

The California Consumer Protection Act (CCPA) is one of the first U.S. efforts to enact a comprehensive personal data protection law. It has already been a template for regulation in other states and may even provide one for (eventual) federal legislation.



## CCPA Amendments

Numerous bills have been proposed to modify or supplement the CCPA in areas such as data brokering, social networking services, facial recognition, disclosing the monetary value of consumer data, and so on. None of the proposals, however, are grounds for a business to delay compliance.



## Consent

The CCPA doesn't require websites or online services to receive consent before collecting personal data (unless a consumer is under 16). This is a major difference between it and the GDPR.



## Consumer

This means a California resident: (1) every individual who is in the State for other than a temporary or transitory purpose, and (2) every individual who is domiciled in the State who is outside the State for a temporary or transitory purpose. In other words, this includes anyone who lives in California, even if they're temporarily outside of the state. It does not include visitors to the Golden State.



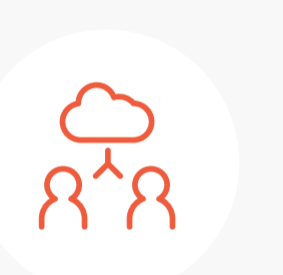
## Copycat Laws

Hawaii, Maryland, Massachusetts, Mississippi, New Mexico, and Rhode Island have proposed laws very similar to the CCPA. Other states have laws with similarities but more marked differences. Fifteen different state laws are under consideration at the moment.



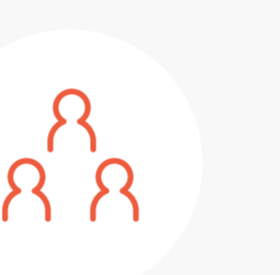
## Deletion

If a consumer makes a verifiable deletion request, the business must delete personal data collected about that consumer, and direct vendors / service providers to do the same.



## De-Identified Data

This refers to data stripped of identifying qualities, "anonymized" so businesses can use it safely. The data must be incapable of being later re-identified with consumers, and businesses must install procedures for preventing re-identification.



## Household

A household, under the CCPA, is defined as a collective of individuals (such as a family or occupants of a residential address). Households and individuals are treated identically in terms of data identification. For instance, using data to narrow a list of consumer identities to a single household is considered to be the same as identifying an individual.



## Opt-Out

A business must provide notice to consumers that they sell their personal data, and a consumer has the right to opt-out of it being sold. The business' website homepage must have a "Do Not Sell My Personal Information" link to a web page where consumers can opt-out.



## Penalties

Violations of the CCPA would be enforced by the California Attorney General's office. Civil penalties can consist of \$2,500 for each violation or \$7,500 for each intentional violation after 1) notice and 3) a 30-day "opportunity to cure" period have been provided. Enforcement will be delayed until six months the A.G.'s office publishes its implementation guidelines or July 1, 2020, whichever comes first.



## Personal Information

Generally defined as any type of data that identifies an individual or might be linked to an individual or household. "Personal information" also includes non-identifying data such as behavioral and transactional behavior on a website. It also includes any insights and inferences drawn from that data, such as attaching buyer segmentations or personas to a user.



## Processing

"Processing" data refers to collection, possession, or other handling of data, whether manually or via automation, under the CCPA. Data a consumer enters on a form is considered "processed" the same as data collected via cookies. Certain types of data are excluded but businesses and service providers are liable for non-compliance with processing protections.



## Right of Data Portability

When requested, a business must provide personal information in a readily useable format to enable a consumer to transmit the data from one entity to another without hindrance.



## Right of Disclosure or Access

Consumers have a right to request disclosure of their personal data and to receive additional details regarding the personal information a business collects and how it is used, even by third parties with whom it shares data.



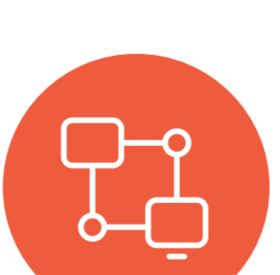
## Selling Data

This applies to a wide range of transactions involving the renting, transfer, or trade of private consumer data. Money does not have to be involved, as any benefit or compensation the seller receives may be a violation if the data being passed along is that of consumers who have opted out.



## Service Provider

This refers, under the CCPA, to a specific type of vendor whose contract states how they can use consumer data, such as ad agencies and martech vendors, and they are banned from retaining consumer data once they've delivered services for their client. However, the client is still allowed to share the data with other vendors.



## Third-Party

This applies to any organization (other than the first-party business) that is gathering data via consumer interaction. It also refers to service providers receiving consumer data from a company in order to satisfy its business goals. Most often, "third parties" are data brokers. However, if a large number of consumers opt-out of having their data sold, third-party data will become less available (and less attractive) for businesses.

Learn about Mitratesh's solutions for legal and GRC compliance with the CCPA and other regulations.

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