

CCPA EXPLAINED

Everything You Need to Know about
California's New Privacy Law



eSales Data

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What

Is the AB 375 or the California Consumer Privacy Act (CCPA)?

The California Consumer Privacy Act (CCPA) will be effective from January 1, 2020. Also known as Assembly Bill (AB) 375, the CCPA was signed on June 28, 2018, by Governor Brown to become a law. As per new privacy law enforced by the act, California consumers are all set to get new consumer rights with respect to how their personal information is collected, used, shared, and accessed. Businesses dealing with Californians data will have to make necessary changes to their privacy setup and adhere to the regulations and measures as stated by the act. With the new data privacy rights, California residents will have greater control over their personal information.



Who

Is a Consumer as per CCPA?

As per the CCPA, 'consumer' is defined as "a natural person who is as defined in Section 17014 of Title 18 of the California Code of Regulations is a California resident." According to 18 CCR § 17014, 'resident' is referred to:



1

An individual living in the State for other than a transitory or temporary purpose.



2

An individual from outside the State who is domiciled in the State for a temporary or transitory purpose.

" The regulation consists of guidance on what is considered as a "temporary or transitory purpose."

What

CCPA Identifies as ‘Personal Information’ of California Consumers?

By ‘personal information,’ CCPA refers to any information that directly or indirectly describes, relates to, identifies, reasonably linked to or can be associated with a particular consumer in the state of California. The various types of personal information under the CCPA list include:

- ➔ Real name, postal address, IP address, driver’s license number, account name, unique personal identifier, passport number, email address, social security number, or other such personal identifiers.
- ➔ Commercial information such as purchasing or consuming history, personal property records, products, and services obtained, purchased, or considered.
- ➔ Consumer’s education and employment information.
- ➔ Internet activity-related information like search history, browsing the history, and any information derived from California resident’s interaction with a web application, website, or advertisement.
- ➔ Geo-location data
- ➔ Biometric, visual, electronic, audio, thermal and other related information.

What

Are the Consumers Privacy Rights Under CCPA?

The new privacy law introduces the following rights for California residents with regards to their personal information as a consumer:

The right to know for what reason their personal data is being collected.

The right to ask why and to whom their personal information is disclosed or sold.

The right to say no to companies on the sale of their personal data.

The right to request businesses to delete their personal information through a verified request.

The right to request for access to personal information.

The right to be notified on financial incentives as compensation for sale, collection.

When

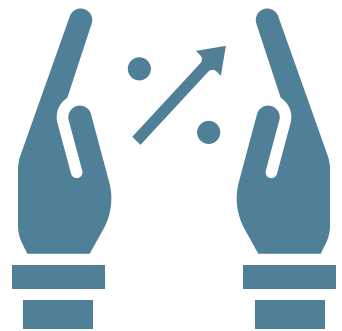
The CCPA Applies to a Business?

A legal entity which is operated for the financial benefit or profit of its owner comes under the CCPA radar. Besides, the law applies to businesses and their business partners when either of the following criteria are met:

The company earns **\$25 million** or more as annual gross revenue.



In combination or alone when the company buys, receives, sells, and shares personal information of **50,000** or more consumers, devices, and households for commercial purposes.



The company generates **50%** or more annual revenue from the sale of its consumers' personal information.














Does

The CCPA Apply to Businesses with No Physical Presence in California?

Yes, CCPA applies to online retailers as well who may not have a physical presence in California, but they sell to the state residents. By 'business' the CCPA refers to any entity who does business in California.

What

Businesses Must Do to Comply with CCPA Privacy Requirements?

-  Make a separate form with a link to the "Do Not Sell My Personal Information" web page to provide consumers the right to opt-out from the sale of their personal information.
-  Ensure that there is no discrimination against consumers while they exercise their rights. Should respond to consumers' verified request to delete or access any specific piece of personal information.
-  Allow consumers to implement their right to request for personal information deletion.
-  Businesses should update their online privacy policy at least once in every 12 months with a detailed description of consumer privacy rights.
-  Should inform requesting customers the specific piece and categories of personal information that the business has collected.
-  Companies on their web page should have proper disclosures to inform consumers what data is collected and shared with third parties.
-  Deliver or disclose personal information to requesting consumers at free of cost.
-  Update all the third party contracts and agreements including vendor data inventories, onsite assessment and auditing, inserting standard-contractual clause language and so.
-  Businesses should train their employees to ensure CCPA requirements are met on time.
-  Include a toll-free telephone number to help consumers in submitting data access requests.
-  Do not request opt-in consent within 12 months after the California resident opts out from sharing or selling their personal information.

What

Are the Penalties for CCPA Violation?

All the penalties, legislation and enforcement for non-compliance to CCPA are governed by the Attorney General's Office in California. On failing to respond to non-compliance notification from the state within 30 days, businesses and service providers will be levied with the following penalties:



For each violation a civil penalty of up to **\$2,500** and for each intentional violation, a civil penalty of up to **\$7,500**.



Consumers can file civil cases of up to **\$750** or actual damage cost per incident.



A hefty fine of up to **\$7.5 million** for violations affecting **10,000** California consumers.

Are

There Any CCPA Exceptions?

Yes, of course, there are exceptions where CCPA privacy requirements don't apply. And these include:



If companies use, collect, sell, disclose, or retain consumer information of California residents that don't fall under the CCPA's consumer information category.



If the commercial conduct selling or collecting consumer's information happened outside California, no sale of personal information took place in California, and no information collected in California is sold.



Information that is subject to federal and state law including the Gramm-Leach Bliley Act (GLBA), the Drivers' Privacy Protection Act (DPPA), the Health Insurance Portability and Accountability Act (HIPAA), and the Fair Credit Reporting Act (FCRA).

What

Steps eSalesData has taken to Comply with CCPA Guidelines?

Customers, associates and partners of eSalesData need not worry as we have already ensured that all our privacy checks are in place and in compliance with the CCPA requirements. CCPA applies to business-to-business (B2B) companies as well as long as they fall under the categories mentioned in the CCPA regulation regarding which companies are subject to the law. Hence, before the final implementation of CCPA, we have prepared our data privacy system and processes beforehand to avoid any non-compliance issues in the future.



Yes, of course, there are exceptions where CCPA privacy requirements don't apply. And these include:



Updated our data inventory with well-defined business record systems and designated data sets.

As per the CCPA's consumer privacy rights, we have update our privacy policies.

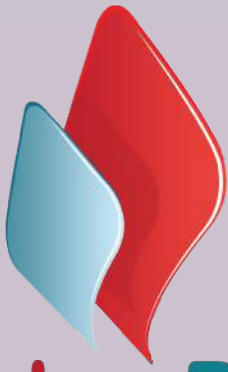


To respond to data subject requests, updated policies with the inclusion of a toll-free number and proper web page disclosure forms and mentions.

We have come up with a proper protocol to document, authenticate and timely respond to consumer's data requests.



Trained employees to handle consumer requests, update data inventory, ensure timely processing and monitoring of privacy policies.



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About Us

As a leading business database provider, eSalesData has taken marketing to a new level. With the offering of accurate and verified contacts, we help businesses reach a wider audience via multichannel marketing campaigns. We have a large data repository with millions of B2B records of prospects across various industries. From technology user to healthcare professionals, we have a comprehensive set of information ready to address any marketing need.

Besides data solutions, we also offer a wide range of support services such as data cleansing, data reselling, data appending, data profiling, etc. We have expertise and experience of over ten years in the industry which makes us a trusted source that B2B marketers can rely on. When it comes to the right data, we are unmatched in the market.



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