

CCPA COMPLIANCE CHECKLIST

- 1** **Review the consumer personal information you collect and determine whether it is subject, or may become subject, to the CCPA.**
- 2** **Determine how the consumer information you collect is shared or used, including if sharing it may constitute a "sale."**
- 3** **Determine where all consumer information is stored within your company and how it moves.**
- 4** **Draft documents covering notice requirements: Collection, Opt-out, Financial Incentive, and Online Privacy Policy (see page 2 for more information).**
- 5** **Develop a recordkeeping protocol.** Keep track of requests and responses for two years. Retain declarations signed in support of requests for specific information.
- 6** **Develop a method of consumer verification.** You may use your existing method if you maintain a password-protected account. Try to use information you already know about the consumer.
- 7** **Develop a process for responding to right-to-know requests.** Acknowledgements are due in 10 days and responses are due in 45 days. Keep in mind that certain information should not be disclosed (Social Security numbers, driver's license numbers, financial information, etc.).
- 8** **Develop a process for addressing deletion requests.** Acknowledgments are due in 10 days and responses are due in 45 days. Process should allow you to analyze whether any exception to deletion applies and if it is possible to de-identify instead of deleting.
- 9** **Develop a process for responding to opt-out requests.** Create a "Do Not Sell My Info" button and display it on your website. Requests should be processed in (at most) 15 days. Process should allow you to detect browser settings (i.e. "Do Not Track") and implement as opt-out requests. Process should also include notifying all parties to whom you have sold information in the last 90 days of the opt-out request.
- 10** **Revise third-party agreements.** Agreements should address service providers' treatment of consumers' requests and limit the use of personal information. Consider including indemnification provisions.

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11 Develop an employee training program.

12 Review insurance policies.

NOTICE REQUIREMENTS

Notice of collection

Must inform consumers of the categories of personal information the business collects and the purposes for which they will be used. Must also include a "Do Not Sell My Info" link and a link or web address of the online privacy policy.

Notice of opt-out

Must include a description of the consumer's right to opt-out, a webform by which the consumer can exercise that right, instructions on any other ways the consumer can exercise that right, any proof required from an authorized agent designated to exercise that right, and a link or web address of the online privacy policy.

Notice of financial incentive

Must include a succinct summary of the financial incentive or price of service difference (including the categories of personal information implicated), a description of the incentive's material terms, an explanation of how the consumer can withdraw from the incentive, and an explanation of why the incentive is permitted under the CCPA, including a good-faith estimate of the value of the consumer's data to the business and a description of the method used to calculate that value.

Online privacy policy

The policy must explain:

- a. Right to know (including instructions on how to exercise that right)
- b. Right to opt-out (including instructions on how to exercise that right)
- c. Right to delete (including instructions on how to exercise that right)
- d. Right not to be discriminated against
- e. Method of verifying identity
- f. Method of designating an authorized agent
- g. By category, what information the business collects
- h. Whether information is disclosed and/or sold
- i. Contact for more information
- j. Date the policy was last updated
- k. If you collect the information of 4 million or more consumers, must include metrics relating to the last 12 months of CCPA compliance



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The choice of a lawyer is an important decision and should not be based solely upon advertising.