

DATA PROTECTION IN THE US: CALIFORNIA

APPLIES TO:

Businesses operating in **California** which **collect personal data** and choose the purposes or means of processing that data.

PERSONAL DATA BREACH:

Breach of security leading to **unencrypted personal information** being acquired by unauthorized persons.

CONSEQUENCES OF CPRA VIOLATIONS:



\$7,500 for each: intentional violation **OR** violation involving minors
\$2,500 for each unintentional violation

Risk of **class action lawsuits** from affected data subjects:
Statutory damages from **\$100 - \$750 per consumer per incident**

DATA COLLECTION NOTICE OBLIGATIONS

Clearly explain:

- * The **categories of data** to be collected & their purposes.
- * Whether categories of **data will be sold** or shared.
- * The **length of time** for which each category will be retained.
- * The rights individuals hold to **opt-out of the sales of their data**.
- * Provide method for users to opt-out of the sales of their personal data.
- * Collect only the data specified & only use data for the stated purposes.

BREACH NOTIFICATION OBLIGATIONS

Notify the California residents whose **personal data was compromised**.

- * Written in plain language and delivered without undue delay.
- * Explain what happened & inform them of their rights.
- * Notify California's Attorney General in cases of more than **500 victims**.

Consumers Rights



- Right to **access** personal data records
- Right to **erase** personal data records
- Right to **correct** personal data records
- Right to opt-out of personal data sales
- Right of **non-discrimination**
- Right to restrict use of sensitive data
- Right to **explanation** of profiling tools
- Right to opt-out of automated decision making
- Right to opt-out of cross-context targeted ads

**CPRA RULES
EFFECTIVE IN 2023**

**FOR MORE INFORMATION ON
COMPLIANCE:**
[US, EU & China's Data Protection Frameworks - Summarized](#)