

Definitions

California Consumer Privacy Act (CCPA)

The California Consumer Privacy Act (CCPA) is a state statute intended to establish privacy rights and consumer protection for residents of California, United States. Similar to the European Union's General Data Protection Regulation (GDPR), CCPA applies to California residents regardless of where the merchant is based or operates.

Common consumer data privacy rights include the right to:

- Access and know what personal information has been collected and how it is being used
- Request deletion of personal information
- Rectify errors in your personal information
- Restrict processing and/or sharing of personal information
- Opt-out of the sale of personal information

CCPA & Personally Identifiable Information

CCPA's broad legal language greatly expands the amount of personal data in scope for this state privacy regulation.

CCPA Definition:
 Personal information that "identifies, relates to, describes, is reasonably capable of being associated with or linked, directly or indirectly, with a particular consumer, household, or device."

For now, the CCPA does not cover employee/applicant personal information or business contact personal information (the representative of a customer).

Data Privacy Momentum

More than 25 States have considered, started or are in the process of passing data privacy legislation; federal privacy law has been debated in Congress.

June 2018
 CCPA signed into law

January 2020
 CCPA went into effect

November 2020
 Updated law (CPRA) adopted by referendum

January 2023
 CPRA law will go into effect

CCPA applies if...

CCPA applies to companies that meet any **one** of the following criteria:

\$25m

Annual gross revenue in excess of \$25 million

Any operator owning 5+ c-stores is likely to meet this threshold, meaning it is in scope for CCPA requirements.

50k

Alone or in combination with its common business affiliates, annually buys, receives for the business's commercial purposes, sells, or shares for commercial purposes, the personal information of 50,000* or more California consumers, households, or devices, or:

Likely only met by operators that:
 (1) offer loyalty programs;
 (2) are based in CA or nearby states.

*number of consumers will increase to 100,000 in 2023 due to modifications to CCPA by the California Privacy Rights Act (CPRA).

50%

Derives 50 percent or more of its annual revenues from selling consumers' personal information.

Unlikely that a c-store operator would meet this requirement.

CCPA: Penalties and Costs

\$2,500
 per consumer for CCPA violations, increasing to **\$7,500** for intentional violations

\$100 - \$750
 per consumer for data breaches that result in civil suits (class action litigation)

Average cost to process one Data Subject Request:

\$1,406
 (source: Gartner)