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California Privacy Protection Agency Votes to Approve Submission of CCPA Regulations to OAL*

In November 2020, California voters approved Proposition 24, “The California Privacy Rights Act of 2020” (CPRA). The CPRA is a comprehensive privacy statute that made a number of significant changes to the California Consumer Privacy Act (CCPA). The statutory amendments to the CCPA, created by the CPRA, went into effect on January 1, 2023.

In July 2022, the California Privacy Protection Agency (CPPA), the new California state agency responsible for issuing updated CCPA regulations to address the CPRA’s amendments, issued a first draft of proposed CCPA regulations. In November 2022, the CPPA issued another updated proposal of the CCPA regulations (the “November Proposal”). As of January 1, 2023, the CCPA had yet to issue final regulations.

On February 3, 2022 the CPPA voted to approve a final version of the updated CCPA regulations at its monthly board meeting (a copy of the final version of the regulations voted on at the CPPA’s board meeting can be found at <https://cppa.ca.gov/meetings/materials/20230203.html>). The CPPA indicated that the version of the regulations voted on at this meeting are not substantively different from the November Proposal.

Institutions should note that this approval by the CPPA does not mean the CCPA regulations are final. Rather, the CPPA will now proceed to prepare a final rulemaking package for submission to California’s Office of Administrative Law (OAL), which may take up to two weeks to prepare. Once the OAL receives the final rulemaking package, a 30-day mandatory review period will go in to effect, after which the OAL may finalize the regulations or make additional changes. Thus, institutions will need to wait a bit longer before we have a final set of updated CCPA regulations.

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