

GDPR/CCPA High-Level Comparison Chart

	GENERAL DATA PROTECTION REGULATION (GDPR)	CALIFORNIA CONSUMER PRIVACY ACT (CCPA)
Scope	Applies to any entity processing personal data that has an establishment in EU, offers goods and services in EU, or monitors behavior of individuals in EU	Applies to any for-profit entity doing business in California that annually: exceeds \$25 million in gross revenue, handles the personal information of 50,000 or more consumers, households, or devices, or derives more than 50% of its annual revenue from selling consumers' personal information
Covered Information	Data that relates to a person (includes device IDs and any data associated with a device or person)	Any information that "is capable of being associated with" either a consumer or household
Covers Employees	✓	?
Distinguishes Between Processors and Controllers	Yes, with different obligations for each	Distinguishes between service providers and businesses, but obligations not clearly defined
Additional Restrictions on Sensitive Data	✓	X
Access	✓	✓
Deletion	✓	✓
Rectification	✓	X
Portability	✓	Yes, implied in connection with a consumer's right to access their personal information
Restrictions on Use	✓	X
Consent	Consent must be freely given, specific, informed, unambiguous and revocable (usually opt-in)	Opt-out consent related to sale of personal information; a few scenarios require opt-in consent, including selling kids' data
Privacy Policy Disclosures	✓	✓

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New Homepage Link Required	X	Yes, must add link that states “Do Not Sell My Personal Information” if selling personal information
Data Retention Obligations	✓	X
Restrictions on Profiling	✓	X
Restrictions on Cross-Border Data Transfer	✓	X
Special Considerations for Children	✓	✓
Data Security Obligations	✓	✓
Data Breach Reporting Obligations	✓	✓
Contracts with Service Providers	✓	Not mandated, but helps
Privacy by Design Obligations	✓	X
DPO Obligations	✓	X
Enforcement	DPA’s and private right of action in some cases	California AG; private right of action only for breaches reportable under existing law