

## Privacy Laws at a Glance: Comparing the GDPR, CCPA and CPRA

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	General Data Protection Regulation (GDPR)	California Consumer Privacy Act (CCPA)	California Privacy Rights Act (CPRA)
Applicability	Applies to any entity processing personal data that (1) has an establishment in the EU, (2) offers goods and services to individuals in the EU, or (3) monitors the behavior of individuals in the EU	Applies to any for-profit entity doing business in California that (1) exceeds \$25 million in annual gross revenue, (2) buys, receives, sells or shares the personal information of 50,000 or more consumers, households, or devices, or (3) derives 50% or more of its annual revenue from selling consumers' personal information	Applies to any for-profit entity doing business in California that (1) as of January 1 of the calendar year, exceeded \$25 million in gross revenue <b>in the preceding calendar year</b> , (2) buys, sells, or shares the personal information of <b>100,000 or more consumers or households</b> , or (3) derives 50% or more of its annual revenue from selling <b>or sharing</b> consumers' personal information
Covered Information	Personal data = information relating to an identified or identifiable natural person	Personal information = information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked with a particular consumer or household	Personal information = information that identifies, relates to, describes, is <b>reasonably</b> capable of being associated with, or could reasonably be linked with a particular consumer or household
Covers Employees	✓	Broad exemption for employee and job applicant personal information that is collected and used by a business solely within the context of the individual's role as an employee or job applicant, maintaining emergency contact information, or the administration of benefits	✓
Covers B2B Information	✓	Broad exemption for personal information collected about a consumer acting on behalf of his/her employer in the context of providing or receiving a product or service to or from the business	✓
Imposes Obligations and Direct Liability on Processors / Service Providers	✓	✓	✓

Special Protections for Sensitive Personal Information	✓	X	✓
Access & Transparency	✓	✓	✓
Opt-Out of “Sales” or “Sharing”	X	✓	✓
Deletion	✓	✓	✓
Rectification	✓	X	✓
Portability	✓	Yes, implied in connection with a consumer’s right to access personal information in a portable and usable format	Yes, implied in connection with consumer’s right to access personal information in a portable and usable format
Object to Processing / Opt-Out of Automated Decision-Making, including Profiling	✓	X	✓
Restrict Processing	✓	X	✓
Non-Discrimination	X	✓	✓
Requirements to Obtain Opt-in/Opt-Out Consent	Imposes strict requirements for obtaining valid opt-in consent	Generally, an opt-out regime (except for financial incentives and selling data of consumers younger than 16)	Generally, an opt-out regime (except for financial incentives and selling or sharing data of consumers younger than 16)
Privacy Policy Disclosures	✓	✓	✓
Mandated Home Page Link(s)	X	“Do Not Sell My Personal Information” link, if applicable	“Do Not Sell or Share My Personal Information” and “Limit the Use of My Sensitive Personal Information” links, if applicable
Data Retention	✓	X	✓
Data Minimization/Purpose Limitation	✓	X	✓

<b>Cross-Border Transfer Restrictions</b>	✓	X	X
<b>Special Considerations for Children</b>	Ages 13-16 depending on member state	Under 16 years old	Under 16 years old
<b>Data Security Requirements</b>	✓	✓	✓
<b>Liability for Data Breaches</b>	✓	✓	✓
<b>Requirements for Processor/Service Provider Contracts</b>	✓	✓	✓
<b>Data Protection Impact Assessments</b>	✓	X	Yes, to be determined by regulation
<b>Recordkeeping</b>	✓	✓	Yes, and additional recordkeeping obligations to be determined by regulation
<b>Cybersecurity Audit</b>	X	X	Yes, to be determined by regulation
<b>Data Protection Officer</b>	✓	X	X
<b>Enforcement</b>	Data protection authorities and private right of action	California Attorney General; private right of action only for breaches reportable under existing law	California Privacy Protection Agency; private right of action only for breaches reportable under existing law