

COMPLIANCE WITH THE CCPA

Revision 11/7/2019

Starting January 1, 2020, we must comply with the CCPA. The below is a summary of the requirements. You will need to take a number of affirmative steps to comply with the new requirements, including the following:

1. Prepare data maps, inventories or other records of all personal information pertaining to California residents, households and devices. This will include the following:

- categories of personal information collected;
- categories of sources from which information was collected;
- categories of information that we have disclosed;
- categories of third parties to whom information was disclosed;
- business or commercial purpose for collecting the information;
- specific information collected;
- sources of information;
- usage of information; and
- entities with whom information may be or was shared.

2. Be prepared to take steps to do the following for any California resident:

Upon his/her request, Ed Graf will contact you and may request that you:

- delete, his/her stored personal information and direct any service providers to delete his/her personal information from their records. However, it may be retained pursuant to an allowed exception if applicable;
- provide, his/her personal information in a structured, commonly used and machine-readable format such that those data may be transmitted to another entity;
- provide the categories and the specific pieces of personal information you have collected about him/her and all purposes for which his/her personal information was collected;
- provide the categories of third parties with whom his/her personal information may be shared; and

- provide if personal information has been obtained from other than from him/her and the categories of sources from which his/her personal information was collected.

3. We will prepare a means by which all request will go to Ed Graf for responding. He, in turn, will contact you for the information required for his response.

4. Be prepared to provide Ed Graf with information to assist him to verify the identity and authorization of California residents who make requests pertaining to their personal information. For more insight, please see our Consumer Rights – Response and Verification Policy and Procedures.

The CCPA requires businesses to take steps to verify the legitimacy of consumer requests for access and deletion. As now amended the law permits businesses to design criteria for verification that are “reasonable in light of the personal information requested.” Although businesses cannot require consumers to create an account in order to make a request, if a consumer does have an existing account with the business, the amendment allows the business to require that the consumer submit their request through that account.

Additionally, an amendment to the law clarifies that if a business cannot verify a consumer request, it is not obligated to respond to access or deletion requests. It also makes explicit that in complying with the CCPA, a business cannot be required to either collect personal information it would not otherwise collect in the ordinary course of its business or retain personal information for longer than it would otherwise retain such information in the ordinary course of its business.

5. Be prepared to respond to all requests within 45 days of receipt.

6. Implement and maintain reasonable security procedures and practices.

The penalties for non-compliance are:

- \$2,500 per violation; \$7,500 per intentional violation, enforceable by the Attorney General;
- limited private right of action for data breaches if occur as a result of a company's breach of its duty to implement and maintain reasonable security procedures and practices.