

US Privacy laws - What to look out for in 2024

A comprehensive overview of recent
and upcoming changes



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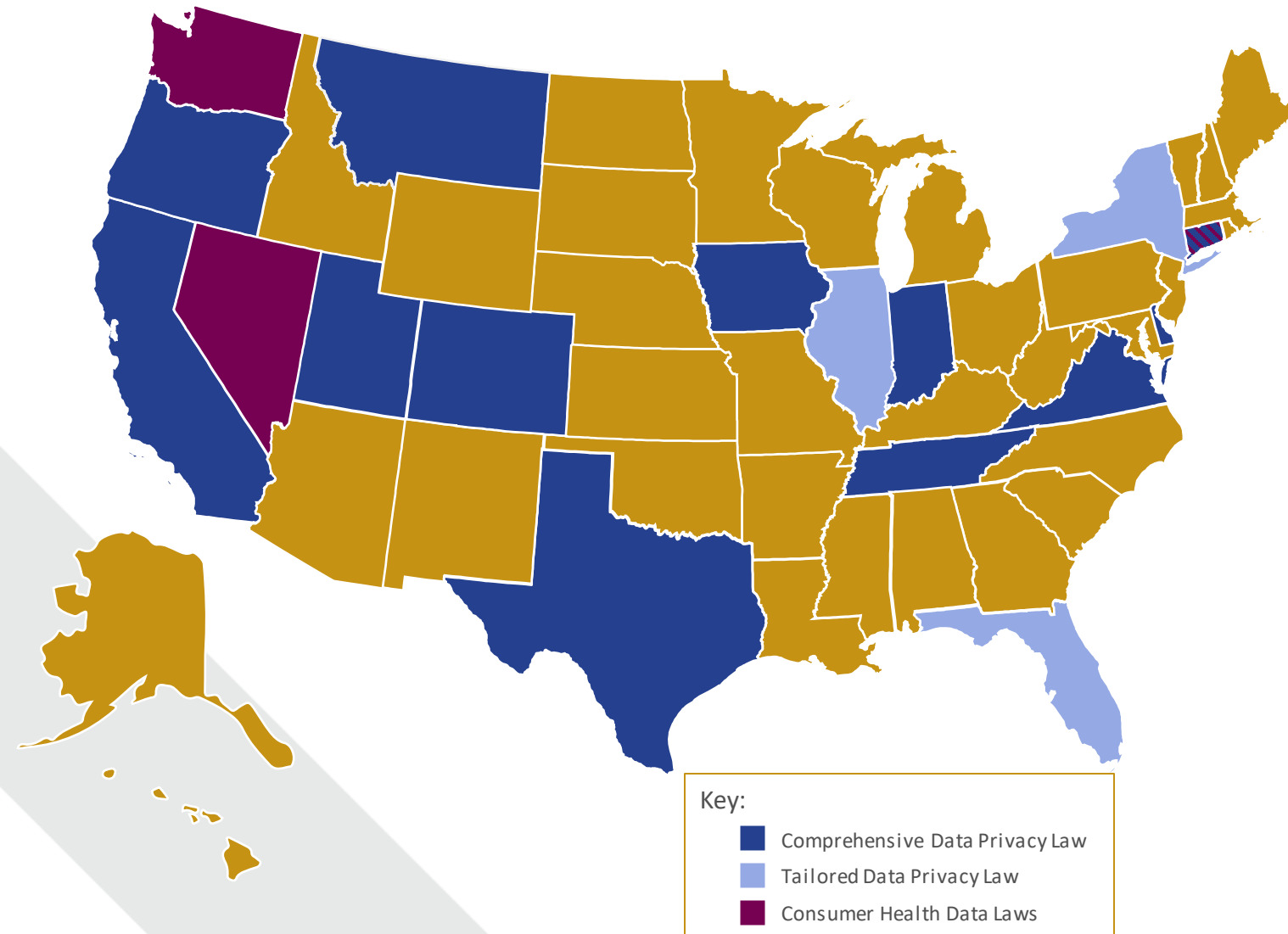


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Prighter

United States Privacy & Security Snapshot



HIPAA/HITECH

SEC

FERPA

TCPA

FTC Act

VPPA

GLBA

CAN-SPAM

FCRA/FACTA

COPPA



Trends in U.S. State Privacy Laws

Rapidly Evolving Legal Space



Key Updates at US Federal Level



General Trends in US Privacy and Security Law



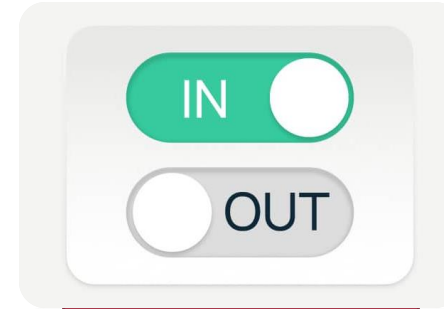
FTC Updating
COPPA Rules



Website
Accessibility



VPPA Claims



Global Opt-
Out
Requirements



Data Broker
Regulations



Timeline/Status of CPRA Regulation Enforcement



CPRA Regulations § 7301(b): As part of the Agency's decision to pursue investigations of possible or alleged violations of the CCPA, the Agency may consider all facts it determines to be relevant, [including the amount of time between the effective date of the statutory or regulatory requirement\(s\) and the possible or alleged violation\(s\)](#) of those requirements, and good-faith efforts to comply with those requirements.

Key Impacts of CPRA Amendment/Regulations

Obligations and Considerations for Businesses

**Data Minimization
(Collection & Retention)**

**Service Provider/ Contractor/
Third Party Agreements**

**Global Privacy Control/ Browser
Opt Out Signals**

Audits & Risk Assessments

**Transparent Disclosures/
Avoiding Dark Patterns**

**Automated Decision Making/
Profiling**

Key Impacts of CPRA Amendment/Regulations

New Consumer Rights/Requirements

Right to Know/Access

Right to Delete

Right to Correct

Right to Limit Use of Sensitive PI

**Expansion of Rights to
Employees/Job Applicants**

Right to Opt Out of Sale

Right to Opt Out of Sharing

Opt-In for Minor Data Sharing

**Rights Regarding Automated
Decision Making**

**Creation of Privacy Protection
Agency**

CCPA/CPRA Action Items for Businesses



Update Data Mapping/Data Flows,
including for:

- Sensitive Personal Information
- Employee/Job Applicant Data
- Data Selling/Sharing



Inventory Website
Technologies/Analytics



Prepare/Update Privacy
Policies & Notices



Update/Implement Service Provider
& Contractor Agreements



Implement Consumer Request
Response Mechanisms

- Website Links
- Browser Signal Opt-Outs



Monitor New Regulations on Risk
Assessments and Automated
Decision Making

Public CCPA Enforcement Actions

Sephora

\$1.2M

+ Injunctive Relief

- Failure to inform consumers that they sold data (including via Google Analytics)
- Failure to have service provider agreements in place for data disclosure
- Failure to honor opt-outs via Global Privacy Control

Door Dash

\$375,000

+ Injunctive Relief

- Failure to inform consumers that they sold data (including via marketing cooperatives)
- Failure to Post “Do Not Sell My Personal Information” Link or provide opt-out methods
- Failure to identify the third-party entities with whom information was shared (CalOPPA)

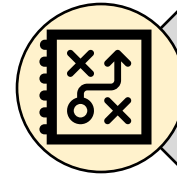
Role of DPOs & Operationalizing Privacy Laws

PERSPECTIVE

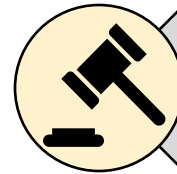
Establish, maintain, improve privacy capabilities to reduce risk:

- *Data Subjects (customers, employees, etc.)*
- *The Company (fines, reputation)*
- *Partners or Customers (contractual obligations)*

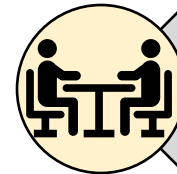
KEYS TO SUCCESS



Strategy: The Rationalized Approach



Governance: Policy, Program Management



Partnerships: Collaborate Cross-Functionally



Empower: Educate, Cultivate Privacy Culture

**Global
privacy
representation
services
and
automated
data
protection
solutions**

Q&A and Outlook

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