

Businesses Should Prepare for a New Phase of Privacy Regulation and Enforcement in the United States

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Californians have ushered in a law protecting individuals' privacy unlike any other in the United States, and businesses are well-advised to evaluate its impact and prepare to comply. Proposition 24, which passed during this month's vote, establishes the California Privacy Rights Act (CPRA), which will take effect Jan. 1, 2023. If this seems like déjà vu, it is because just two years ago, the California legislature passed an unprecedented privacy law, the California Consumer Privacy Act (CCPA), which the CPRA amends. The continuing shift in privacy law embodied by the CPRA is set to make a significant impact on businesses' compliance efforts and operational risk, as well as individuals' expectations.

Businesses should take comfort that the Jan. 1, 2023 effective date, and delayed enforcement start (July 1, 2023), means there is time to come into compliance. However, the law imposes various changes that will require businesses to address new considerations—even factoring in the efforts many already have made to comply with the CCPA.

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