



## CPPA Approves Final CPRA Regulations, Invites Comments on Future Rulemaking Topics

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On February 10, 2023, the California Privacy Protection Agency (CPPA) issued an [invitation for public commentary](#) on the topics that will be included in their future rulemaking: cybersecurity audits, risk assessments and automated decision-making. This invitation was among the decisions made by the CPPA at their [public board meeting](#) on February 3, where they voted unanimously to approve the [final text](#) of the California Privacy Rights Act (CPRA) regulations, the implementing regulations for the CPRA, which amends the existing California Consumer Privacy Act (CCPA).

Cybersecurity audits, risk assessments and automated decision-making are all areas of CPPA rulemaking authority added by the CPRA. The CPPA's invitation for commentary specifies questions the agency has for each of these topics, including but not limited to:

- **Cybersecurity Audits** – What are some of the current laws requiring cybersecurity audits and what models do they use?
  - The CPPA is looking to learn about the processes businesses have implemented to comply with these laws, as well as any gaps or weaknesses and their impact on consumers.
- **Risk Assessments** – How should the CPPA determine what processing of personal information presents significant risk to consumer privacy or security?
  - Here the CPPA is interested in hearing about different models or factors for determining when processing requires a risk assessment due to consumer risk, including the European Data Protection Board (EDPB) [Guidelines on Data Protection Impact Assessments](#).

- **Automated Decision-making** – How should the CCPA handle access and opt-out rights for businesses using automated decision-making?
  - The approach of existing laws, frameworks or best practices and their weaknesses is of interest to the CCPA. The CCPA is also looking for details on the prevalence of algorithmic discrimination and how access and opt-out rights may address it.

Companies that have been on the sidelines observing the CCPA regulatory process before taking action now have a final blueprint for what is required of them. Compounding the urgency, the final regulations arrive on the heels of the California Attorney General's (AG) publishing of enforcement examples from mobile app companies over compliance with provisions of the CCPA. Meanwhile, the CCPA's administrative enforcement powers take effect July 1, 2023. This comment period presents a great opportunity to help shape key lingering regulatory issues for California's flagship privacy agency.

Comments are due by March 27, 2023, at 5:00 p.m. ET.

## Categories

CCPA

State Privacy Policy

Cybersecurity & Information Security

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