






# Data Regulation Update:

New CCPA, SHIELD Act and GDPR Laws May Apply to Your Business - Even if You're Not Located in California, New York or Europe.

	CCPA	SHIELD Act	GDPR
<b>WHAT</b>	<b>The California Consumer Protection Act (CCPA)</b> protects the privacy rights of consumers in California.	<b>The Stop Hacks and Improve Electronic Data Security (SHIELD) Act</b> requires businesses to implement safeguards to protect private information of New York residents, and it broadens security breach notification requirements.	<b>The General Data Protection Regulation (GDPR)</b> protects the privacy rights of consumers in the European Union. The law is extra-territorial in scope and affects U.S. businesses.
<b>WHEN</b>	<b>The CCPA took effect on 1-1-2020.</b>	<b>The SHIELD Act took effect on 3-21-20.</b>	<b>The GDPR took effect on 5-28-2018.</b>
<b>WHO</b>	The CCPA applies to businesses that: <ul style="list-style-type: none"> <li>• Have annual gross revenue of \$25 million or more - or -</li> <li>• Buy, sell or share personal information of 50,000 or more - or -</li> <li>• Derive at least 50% of annual revenue from selling personal information</li> </ul>	Every employer with employees in New York and businesses that maintain the private information of New York residents must comply with the SHIELD Act.	The GDPR applies to any organization that processes the personal data of people in the European Union. <ul style="list-style-type: none"> <li>• Personal data can include names, email addresses and any other type of personal information.</li> <li>• Any U.S. business with a website could inadvertently collect data on a European website visitor.</li> </ul>
<b>COST OF NON-COMPLIANCE</b>	The possible fine for each intentional violations of the CCPA is <b>\$7,500.</b>	<b>\$5,000</b> per data security violation. \$20 per failed breach notification up to a maximum penalty of <b>\$250,000.</b>	The possible fine for GDPR violations is <b>€20 million or 4% of global revenue.</b>
<b>RESOURCES</b>	CCPA Fact Sheet <a href="https://oag.ca.gov/privacy/ccpa">https://oag.ca.gov/privacy/ccpa</a>	<a href="https://ag.ny.gov/internet/data-breach">https://ag.ny.gov/internet/data-breach</a> <a href="https://ag.ny.gov/press-release/2019/attorney-general-james-statement-shield-act">https://ag.ny.gov/press-release/2019/attorney-general-james-statement-shield-act</a> <a href="https://www.nysenate.gov/legislation/bills/2019/s5575">https://www.nysenate.gov/legislation/bills/2019/s5575</a>	The Complete Guide to GDPR Compliance: <a href="https://gdpr.eu/">https://gdpr.eu/</a>

## Essential Steps

Regardless of your location, if your business collects, stores or processes data on consumers in California, New York or Europe, you may need to take immediate action.

-  1. Determine if these laws affect your business.
-  2. Review and update data security and data breach notification procedures. Update your site's privacy policy and terms of use.
-  3. Create opt out, know and delete methodologies.
-  4. Respond to data removal requests promptly and document your actions.
-  5. Consult with legal counsel to understand how these laws apply to your circumstances.

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