



Florida Business and the Impact of the California Consumer Privacy Act

Commentary by
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Don't let the name fool you. The California Consumer Privacy Act protects—and affects—more than consumers in the Golden State. Signed into law in 2018 to enhance consumer privacy rights and protections for California residents, the law is relevant to any company doing business out of, into, or with the state's residents.



Gellen

The CCPA took effect on Jan. 1 of this year; enforcement has been delayed until July 1, by which time the California Attorney General's Office is required to adopt and finalize regulations relating to the CCPA. Private civil suits are also permitted in limited circumstances.



Chronicle

Companies should be using this window to learn whether they are affected by the law, and, if so, what must be done to ensure compliance.

The first step is to determine whether your company meets the requirements. Any company that "does business in California" is covered by the CCPA if it meets one of three thresholds. It must have annual gross revenues in excess of \$25 million; buy, receive, collect or share data of more than 50,000 people, households, or devices; or derive at least 50% of annual revenues from the sale of consumers' personal information.

If your company meets any of these thresholds, the law requires that your company "implement and maintain reasonable security procedures and practices" to protect consumer data it collects from California residents. Note that the definition of "consumer" is broad—it applies not only to individuals who are customers or potential customers of the business, but also any employees or business contacts that reside in California.

What does "protection" mean? The CCPA grants California residents rights regarding their information that a company collects and how it—and its partners—use, share, sell, or otherwise handle it. Many think data privacy laws apply only to personal information collected online, such as through a website or app. But it is particularly important to note that, at least in the case of the CCPA, the law covers data collected both *online* and *offline*.

This goes beyond the use of cookies and targeted advertising and takes a much deeper dive into your information database. Consumers that are California residents now have a right to know what personal data is being collected about them, whether that data is being sold or disclosed and to whom, to access or request the deletion of that personal data, and to opt out of such data being sold or shared with third parties for compensation.

The law also prohibits discrimination against anyone who exercises their privacy rights. For example, a business

cannot refuse to sell, charge different prices for, or provide lower quality goods or services to a consumer as a result of exercising their CCPA rights.

When the EU's General Data Protection Regulation (GDPR) went into effect in 2018, many businesses, even in the US, to the extent they thought it may apply, updated their privacy policies to comply with GDPR requirements.

Assuming you meet the minimum thresholds, consider these five steps to begin preparing your company for CCPA compliance:

- Develop a data map. Trace how your organization currently handles any personal information it collects for California residents, whether they are customers or employees. This practice categorizes the *who, what, where, when, and why* of the information you're gathering and how your organization is storing, disclosing, and protecting it.

- Perform a risk allocation analysis. Working with your privacy law advisers and IT team, explore how your organization will manage data online and offline to ensure compliance beginning on July 1 and beyond. A thorough review of the practices at your company, and its partners, vendors, subcontractors, agents, and service providers, as well as the applicable agreements in place, can help determine if you and they are in compliance. From a business-to-business (b2b) standpoint, review all existing agreements to ensure third-party vendors and subcontractors are in compliance as well. Addenda should be added to existing agree-

ments to ensure compliance by service providers.

- No copy/paste. Companies often use cookie or privacy policy "generators" to create website visitor notifications and acceptance apps. This doesn't apply to CCPA. Generators, templates or addenda from another site source copy/pasted to your terms of service, cookie policy, or privacy guarantees will be insufficient and may either mischaracterize your current business practices, or even add unnecessary obligations, both of which could create liabilities for your company. Business, operational, sales and marketing, and legal teams must collaborate to customize a privacy program unique to your circumstances.

- Train employees. A privacy policy may be beautifully drafted and technically compliant, but it is only as good as the people who implement it. Businesses need to monitor and train staff on compliance with their privacy programs to make sure the business makes good on its promises.

- Update as needed. The CCPA requires that your online privacy policy be updated at least once every 12 months. Both the CCPA, and to a lesser extent for US companies, the EU's GDPR, set the stage for how companies must master personal data and business relationships in the future. For this reason, companies must review and update privacy policies and practices as needed.

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BOARD OF CONTRIBUTORS



CITY OF DORAL NOTICE OF PUBLIC HEARING

All residents, property owners and other interested parties are hereby notified of a **VIRTUAL LOCAL PLANNING AGENCY MEETING** on **Wednesday, May 13, 2020 beginning at 11:00 AM**, to consider the following text amendment to the City of Doral's Land Development Code. The meeting will be held with the elected officials, administration and City staff participating via video conferencing.

Governor DeSantis' Executive Order Number 20-69 suspended the requirements of Section 112.286, Florida Statutes and the Florida Sunshine Law, that a quorum to be present in person, and that a local government body meet at a specific public place. The Executive Order also allows local government bodies to utilize communications media technology, such as telephonic and video conferencing for local government body meetings.

Public Comment: members of the public that wish to provide comments may do so by emailing the City Clerk at cityclerk@cityofdoral.com. Comments must be submitted with your name and full address by **Tuesday, May 12, 2020**. The comments will be circulated to the elected officials and administration, as well as remain as a part of the record for the meeting.

The meeting will be broadcasted live for members of the public to view on the City of Doral's website (<https://www.cityofdoral.com/government/city-clerk/council-meetings>) as well as Channel 77 and Facebook Live.

The City of Doral proposes to adopt the following Resolution:

RESOLUTION No. 20-

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, SITTING AS THE LOCAL PLANNING AGENCY, RECOMMENDING APPROVAL/DENIAL OF, OR GOING FORWARD WITHOUT A RECOMMENDATION, TO TRANSMIT TO THE LOCAL GOVERNING BODY TEXT AMENDMENTS TO THE CITY OF DORAL LAND DEVELOPMENT CODE, CHAPTER 68 "LAND USES AND ZONING DISTRICTS", ARTICLE VI "INDUSTRIAL DISTRICTS", CREATING DIVISION 5, "DOWNTOWN ARTS REUSE DISTRICT" TO ALLOW FOR MODIFIED REQUIREMENTS WITH DEVELOPMENT STANDARDS THAT MODIFY AND SUPPLEMENT THE EXISTING INDUSTRIAL DISTRICT STANDARDS AND CRITERIA FOR APPROXIMATELY 113 ACRES, BOUNDED BY NW 87 AVENUE ON THE WEST, NW 58 STREET ON THE NORTH, NW 79 AVENUE ON THE EAST AND NW 54 STREET ON THE SOUTH, TO ALLOW THE REUSE OF BUILDINGS AND TRANSITION OF THE AREA NORTH OF DOWNTOWN DORAL FROM AN AREA DOMINATED BY HEAVY COMMERCIAL AND INDUSTRIAL USES TO A MORE VIBRANT MIX OF USES THAT CAPITALIZE ON ITS PROXIMITY TO THE DOWNTOWN CORE; AND PROVIDING FOR AN EFFECTIVE DATE

HEARING NO.: 20-05-DOR-04

APPLICANT: City of Doral

LOCATION: Area located north of Downtown Doral, bounded by NW 87th Avenue on the west, NW 58th Street on the north, NW 79th Avenue on the east and NW 54th Street on the south.

REQUEST: The City of Doral (the "Applicant") is requesting Mayor and City Council approval for a text amendment to Chapter 68 "Land Uses and Zoning Districts" to create Division 5, "Downtown Arts Reuse District" to allow for modified requirements with development standards that modify and supplement the existing Industrial District standards and criteria for approximately 113 acres.

Location Map



Inquiries regarding the item may be directed to the Planning and Zoning Department at 305-59-DORAL.

Pursuant to Section 286.0105, Florida Statutes If a person decides to appeal any decisions made by the City Council with respect to any matter considered at such meeting or hearing, they will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law. In accordance with the Americans with Disabilities Act, any person who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Planning and Zoning Department at 305-59-DORAL no later than three (3) business days prior to the proceeding.

Connie Diaz, MMC
City Clerk
City of Doral

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