California recently passed AB 694, which makes a few “technical” changes to the California Privacy Rights Act (CPRA). Importantly, this amendment clarifies the timing for the new California Privacy Protection Agency’s (CPPA) rulemaking authority.

Previously, CPRA provided two different dates for when the Agency would assume responsibility for rule-making. One section said it was the **earlier** of July 1, 2021, or six months after the Agency provides notice to the Attorney General that it is prepared to begin rulemaking. However, a different section of the statute said it was the **later** of these two dates. Because the appointments to the CPPA were just made, the amendment clarifies that it is the **later** of these two dates – i.e., six months after notice to the Attorney General.

Putting it Into Practice: Though in the past, Companies now have clarity that CPPA’s
rule-making authority was not in fact tied to July 1, 2021. Instead, the Agency's authority will be tied to 6 months after it provides its notice of proposed rule-making (which we expect later this year/early 2022 as discussed here).

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