

Policy Paper Five: CCPA Overall Effectiveness

Ned Smith

Old Dominion University School of Cybersecurity

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Professor Teresa Duvall

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The California Privacy Protection Act seems to have had good intentions but overall seems to be an ineffective and rushed policy that has not been as effective as it aimed to be when originally implemented.

It is difficult overall to assess the effectiveness of the CCPA directly, as it provides protections for arguably the largest state in the US and many other factors can affect privacy within the state. However, the consensus on the CCPA seems to be that it had good intentions but did not accomplish what it wanted to do and has overall had negative consequences. These consequences vary, but the most obvious was the quick but sloppy way the legislation was drafted and implemented in its original form. The CCPA's original drafted form has been described as a "Frankenstein's-monster-like piece of legislation" and criticism has been levied at it for completely ignoring the precedent set by the GDPR (Yallen, 2019). By ignoring the groundwork that the GDPR had laid, the CCPA was hastily constructed and implemented without much thought for its potential consequences. The numerous amendments added after its original implementation as well as the creation of an enforcement agency to ensure compliance show this, as none of these rules and regulations were included in the original act and had to be added afterwards. In addition, the original targets of the CCPA were large tech conglomerates who misused the data of the public, but it seems they targeted smaller companies instead. For the CCPA to apply to a company, it needs to make \$25 million in gross revenue a year, which would impact up to 75% of companies that operate within California (Yallen, 2019). This clearly impacts more than just the top tech companies, yet smaller companies will have a much harder time being compliant with the CCPA due to potential costs associated with compliance. The CCPA targets larger companies but unfortunately misses the mark and affects companies that it

did not intend to specifically target. In addition, the CCPA has strict requirements for businesses for them to stay in accordance with the law, such as creating a system to address CCPA complaints from users and to answer within a specific 45-day period with ample information and a reasonable response (Bushey, 2023). These regulations will likely not be an issue for the larger companies to stay in-line with, but smaller companies will likely have issues managing all the possible complaints they may have to deal with, again putting more strain on smaller companies. There are, however, some positive effects of the legislation, the main one being that many states seek to emulate successful bills that California implements. While the CCPA is not a perfect bill, there is a chance that due to its publicity and popularity, other states may try and implement their own privacy bills. This has already been seen in other states such as New York and Delaware, although the success of these bills has been mixed, with the New York bill being struck down before it could be passed (Putman, 2020). Still, California is generally seen as a leader among US states and implementation of a privacy bill, whether successful or not, can lead to successful privacy bills across the US being implemented.

Conclusion

Overall, the CCPA is flawed, and its effectiveness has not been up to par with what was expected when the bill was first implemented. It has some major flaws and tends to target the incorrect business and corporations, hampering smaller corporations rather than larger ones. However, the impact it could have on the US at large could be positive should other states adapt their own privacy laws and learn from the mistakes of the CCPA.

References

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