CCPA Frequently Asked Questions

This document is an overview of the California Consumer Privacy Act (CCPA) and does not provide legal advice. We encourage you to consult your own legal counsel to familiarize yourself with the requirements that govern your situation.

What is the CCPA?

The CCPA is a new consumer data privacy law. The law is effective January 1, 2020, with enforcement by the California Attorney General beginning six months after the Attorney General issues final regulations, or July 1, 2020, whichever is sooner. Similar to the sweeping changes that came with the EU’s General Data Protection Regulation (GDPR), the CCPA represents the highest standard of data protection yet in the United States and will require companies to carefully assess their data practices.

Essentially, the CCPA grants California residents several new rights over their personal information. These include the right to access or delete personal information collected by a business and the right to opt out of a business’s “sale” of the individual’s personal information. The opt-out right is particularly significant because the CCPA defines “sale” in very broad terms that encompass many commonplace data sharing arrangements, even where no money is exchanged. However, transfers to “service providers” are not considered “sales.”

Does the CCPA affect my organization?

The CCPA applies to any “business” anywhere in the world that collects, receives or “sells” California consumers’ personal information while doing business in California. It regulates the collection, use, and disclosure of personal information belonging to a “consumer,” which the CCPA defines as “a natural person who is a California resident” (including residents who are temporarily out of the state). It also applies to “service providers” who process personal information on behalf of a business, and to other “third parties” who receive “sales” of personal information from a business.

What is a “business” covered by the CCPA?
A “business” is any for-profit entity that collects, and determines the purposes and means of processing, California consumers’ personal information while doing business in California and that: (1) has annual gross revenues in excess of $25 million; (2) processes the personal information of 50,000 or more consumers, households, or devices, for its own commercial purposes; or (3) earns more than half of its annual revenue from “selling” consumers’ personal information.

**What is considered a “sale” under the CCPA?**

“Selling” is defined very broadly to cover most transfers of personal information for monetary or other value. However, unlike other transfers, a transfer to an entity that qualifies as a “service provider” under the CCPA is not considered a “sale.” Transfers that are directed by the consumer or where a consumer uses a business to intentionally interact with a third party are also not considered “sales,” but other exceptions are limited.

**What is a “service provider” under the CCPA?**

A “service provider” under the CCPA is any for-profit entity that processes a consumer’s personal information on behalf of another business, which discloses the personal information for a business purpose. To be a service provider, the entity must also receive the personal information under a written contract that limits the service provider’s processing to purposes specified in the contract or otherwise permitted by the CCPA. Salesforce is a service provider to its customers, and offers a Data Processing Addendum containing CCPA-specific terms.

**What are my main obligations under the CCPA?**

The answer largely depends on whether your organization would be a “business,” a “service provider,” or a “third party” under the CCPA.

For businesses, the main obligations include:

- Notifying consumers of the types of personal information collected and how that information will be used. This notice must be provided at or before the point where personal information is collected.
- Providing a more detailed privacy policy explaining personal information collection and sharing practices and describing consumers’ rights.
- Providing consumers with ways to submit requests to access or delete their personal information or to know more about how it is processed and shared, and responding to those requests.
- Providing a clear and conspicuous link on the business’s website entitled “Do Not Sell My Personal Information” so that consumers may exercise their right to opt-out of “sales” of their personal information, if the business sells personal information.
- Not discriminating against consumers who exercise their rights under the CCPA.
- Providing reasonable security to protect personal information from unauthorized access or acquisition.

For service providers, the main obligations include:
- Processing personal information only for the purposes specified in the written contract with the business customer, and not for the service provider’s own commercial purposes.
- Deleting personal information about a consumer when instructed to do so by the business customer.

For third parties that receive personal information in a “sale,” but that are not service providers, CCPA prohibits the third party from further “selling” that personal information unless the consumer received “explicit notice” and an opportunity to opt out of “sales.” “Explicit notice” is not defined by the CCPA, and third parties may wish to consult their own legal counsel to assess their obligations.

**What is Salesforce doing to prepare for CCPA?**

Salesforce qualifies as a service provider under the CCPA, and Salesforce is dedicated to helping our customers comply with the CCPA when using our services. We have a new Data Processing Addendum (DPA) available on our website [here](#), that can be signed and returned to Salesforce following the instructions on page 1.

**Do I need a new Data Processing Addendum in place for CCPA?**

It's likely that most Salesforce customers’ existing Data Processing Addenda (DPA) contain the necessary provisions to accommodate CCPA. However, customers should consult their own legal counsel to make this determination. Alternatively, if customers prefer a DPA with CCPA-specific terms, they can execute our most recent DPA, available [here](#).

**How can I find out more information about the CCPA?**

Stay tuned to our website for more CCPA information and materials. Additionally, the text of the CCPA is available [here](#).