

## CALIFORNIA PRIVACY PROTECTION AGENCY

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## Tips for Submitting Effective Comments

The California Privacy Protection Agency (“Agency”) was established by Proposition 24, the California Privacy Rights Act (“CPRA”), and is vested with full administrative power, authority, and jurisdiction to implement and enforce the California Privacy Rights Act of 2018 (“CCPA”).<sup>1</sup> The Agency’s responsibilities include updating existing regulations and issuing new regulations.<sup>2</sup>

The Agency will be requesting public comments as part of its regulatory process. Interested persons can provide public comments during the Agency’s preliminary information-gathering activities, and again during the formal rulemaking process to consider the proposed regulations.

The Agency **welcomes public participation in the regulatory process and encourages all interested persons to comment**. Comments provide the Agency with additional facts or perspectives that can assist the Agency in drafting the initial text of the regulations and improve on the proposed regulations before they become final.

The tips below are intended to **help the public submit effective comments**.

### General Tips for All Comments

- Effective comments are supported by factual information, sound reasoning, and/or include specific examples of how you or your organization would be impacted negatively or positively. When applicable, provide references to any reports, articles, or other source material that support your comment.
- Address the pros and cons of your position. Consider other points of view and respond to them with facts and sound reasoning.
- Proofread written comments before submission.

### Tips for Comments During Preliminary Information-Gathering Activities

- Before submitting a comment during the informal rulemaking activities read the relevant statutory provisions and the Invitation for Comments.
- Comments can be directed to any topic related to the regulations. However, the Agency is particularly interested in comments that address the new rights and obligations imposed by CPRA and the need to issue rules in areas where there is no specific mandate for rulemaking. If you are unsure as to what those are, refer to the list provided in the Invitation for Comments.

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<sup>1</sup> See Civil Code, § 1798.199.10.

<sup>2</sup> See Civil Code, § 1798.185.

## **Tips for Comments During the Formal Rulemaking Process**

- Before submitting comments, read the complete text of the proposed regulations and the initial statement of reasons (which sets forth the reasons for the regulations).
- Once the proposed regulations are published, comments should be directed at the text of the proposed regulations and/or the rulemaking procedures the Agency follows in proposing the regulations.
- Clearly identify the specific section and/or subsection number of each proposed regulation that you are commenting on. For example, § 999.123(a). If you are addressing multiple sections, clearly identify the section or subsection for each comment.
- If you disagree with a proposed regulation, suggest an alternative that includes revised language. Include an explanation and/or analysis of how this alternative will meet the same objective or be more effective.

## **Additional Tips for Oral Comments at a Public Hearing**

- Speak slowly and clearly as your statement will be transcribed by a court reporter.
- Unless you wish to remain anonymous, identify yourself and any organization you represent. Provide the court reporter with a business card if you have one.
- Use respectful language and be courteous to all present.
- If you have submitted or intend to submit written comments, state so.
- Keep in mind the length of your remarks and speakers waiting to comment. A reasonable time limit may be imposed to provide everyone attending the hearing an opportunity to speak.