

POTENTIAL REGULATION PROPOSALS

The following chart is a list of potential future rulemaking topics to be discussed by the Board at the May 15, 2023 meeting.

SECTION	DESCRIPTION	DIFFICULTY
7004	Include language that was previously held back to ease implementation and harmonizes with Colorado regulations.	EASY (Language readily available and public record exists)
7013	Include language that was previously held back to ease implementation.	EASY (Language readily available and public record exists)
Article 3	Require businesses to include in their responses denying consumer requests information about where the consumer can submit a complaint.	EASY (Language readily available)
Article 3	Include language harmonizing requirements for the different consumer rights.	EASY (Language readily available and public record exists)
7024(h)	Revise language to ensure that businesses provide consumers the opportunity to request all their personal information (not just 12 months of it).	EASY (Language readily available and public record exists)
7028	Reinsert language regarding opting back in after having exercised request to limit.	EASY (Language readily available and public record exists)
7302(c)(1)	Clarify that an in-person hearing can be requested even when it is not a hearing open to the public.	EASY (Language readily available)
7002(e)	Insert language that a consumer can withdraw consent at any time.	EASY to MEDIUM (Requires additional research)
7026	Insert language requiring businesses comply with the request to opt-out of sale/sharing in a time frame that is commensurate to the time frame it sells/shares it.	EASY to MEDIUM (Requires additional research)
7003	Require specific disclosures (e.g., Notice at Collection) for mobile apps to be accessible in the app store prior to downloading.	MEDIUM (Requires significant research and pre-rulemaking activities)

SECTION	DESCRIPTION	DIFFICULTY
7050(a)(4)	Revise data security purposes for which service providers and contractors can use personal information.	MEDIUM (Requires significant research and pre-rulemaking activities)
7027	Revise and/or add exceptions to the right to limit, including for HR/employee data, a prohibition on health-related research, and changes to the security incidents language.	MEDIUM to HARD (Requires significant research and pre-rulemaking activities)
7002	Identify purposes for which businesses can use consumer personal information (i.e., exceptions to purpose limitations).	MEDIUM to HARD (Requires significant research and pre-rulemaking activities)
Article 4	Provide template or standard forms for service provider or contractor contracts.	MEDIUM to HARD (Requires significant research and pre-rulemaking activities)
Voluntary Certification	Draft regulations to implement this option.	MEDIUM to HARD (Requires significant research and pre-rulemaking activities)
7003	Include a reading standard for disclosures and other provisions that make disclosures more accessible.	HARD (Requires substantial research and pre-rulemaking activities)
Article 2	Provide model notices and other disclosures.	HARD (Requires substantial research and pre-rulemaking activities)
Article 7	Provide additional guidance regarding financial incentive programs.	HARD (Requires substantial research and pre-rulemaking activities)
Business-to-Business Data	Draft regulations regarding this. Consider whether employment-related communications during employment falls within the “trade secret” exception.	HARD (Requires substantial research and pre-rulemaking activities)
Employee Data	Draft regulations regarding this. Consider whether any exceptions or specific rules should apply to employee data.	HARD (Requires substantial research and pre-rulemaking activities)
Access to Social Media API	Require social media companies to provide API for consumers’ agents.	HARD (Requires substantial research and pre-rulemaking activities)