
CALIFORNIA PRIVACY PROTECTION AGENCY

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Date: November 6, 2026

To: Members of the Board
California Privacy Protection Agency

From: Lisa Kim, Senior Privacy Counsel & Advisor
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Subject: **Agenda Item Number 9 – Discussion and Possible Action on Proposed Amendments to Regulations, Sections 7025, 7026, 7060, 7102, 7122, 7124, 7157, 7221, and 7222, Regarding Opt-out Preference Signals and Other Regulatory Updates, Including Possible Advancement to Formal Rulemaking**

This memorandum provides a summary of staff’s recommendation that the Board initiate formal rulemaking to amend the Agency’s regulations relating to opt out preference signals (OOPS), to extend requirements to publish metrics regarding CCPA requests, and to amend specific sections of the regulations for clarity and readability. The proposed amendments include additional guidance to businesses regarding how to comply with existing OOPS obligations, increase transparency regarding businesses’ compliance with the law, and improve consistency throughout the regulations.

Background

At its November 7, 2025 meeting, the Board directed staff to conduct preliminary rulemaking activities on the topic of OOPS. As part of the preliminary rulemaking process, staff completed extensive stakeholder outreach, independent research, and a detailed review and analysis of the written comments¹ submitted during the preliminary input period. Staff also examined enforcement experience and developments in other states with similar universal opt out mechanisms. These activities highlighted several areas where additional regulatory clarity would support consistent implementation of existing statutory and regulatory requirements.

Following staff’s preliminary rulemaking activities, staff presented their findings to the Board at its August 6-7, 2026 meeting. Based on that presentation, the Board instructed

¹ See *generally*, Preliminary Comments on Reducing Friction and OOPS, California Privacy Protection Agency (2026), https://cppa.ca.gov/regulations/pdf/public_comments_reduce_friction_oops.pdf.

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staff to prepare all documents and materials necessary to open formal rulemaking for the regulatory changes staff recommended.

Summary of Proposed Regulations

The proposed regulations include targeted clarifications within multiple sections of the CCPA regulations to support clearer and more consistent implementation of existing requirements, and the extension of existing reporting requirements to more businesses to enhance transparency into compliance with the CCPA. The sections affected are: California Code of Regulations (CCR), Title 11, sections 7025, 7026, 7060, 7102, 7122, 7124, 7157, 7221, and 7222. The proposed regulations would:

- **Section 7025 (Opt-Out Preference Signals):** Identify Global Privacy Control (GPC) as an example of an opt-out preference signal; add an example addressing cookie-syncing; add examples addressing pseudonymous profiles; and add an example clarifying that browser features that disclose personal information must also forward the consumers OOPS.
- **Section 7026 (Requests to Opt-Out of Sale/Sharing):** Add an example clarifying timing expectations for honoring OOPS before setting cookies or other tracking technologies that sell or share personal information.
- **Section 7102 (Metrics Reporting Requirements):** Expand metrics reporting requirements to businesses that must conduct a cybersecurity audit or risk assessment and require businesses subject to metrics reporting to disclose how many opt-out requests were received through OOPS.
- **Sections 7060, 7122, 7124, 7157, 7221, and 7222 (Clarity-focused Revisions):** Include clarity-focused revisions, such as correcting typographical errors, aligning language with existing definitions, and improving internal consistency across related regulatory provisions.

Together, these proposed regulations are intended to enhance clarity of the overall regulations, improve statewide consistency in how OOPS obligations are implemented, strengthen transparency, and support consumers' ability to confirm that their privacy choices are being honored.

Conclusion and Recommendation

Staff recommend that the Board advance the proposed draft regulations to formal rulemaking and initiate the 45 day public comment period. Staff further requests authorization to make non-substantive or clarifying revisions necessary to incorporate the Board's direction and to comply with the Administrative Procedure Act.