

California Privacy Protection Agency

Notice of Proposed Rulemaking: Opt-Out Preference Signals (OOPS)

Title 11. Law

Division 6. California Privacy Protection Agency

Chapter 1. California Consumer Privacy Act Regulations

Notice published [date]

Sections Affected: California Code of Regulations (CCR), Title 11, sections 7025, 7026, 7060, 7102, 7122, 7124, 7157, 7221, and 7222.

The California Privacy Protection Agency (Agency) proposes to amend and adopt the proposed regulations described below, after considering all comments, objections, and recommendations regarding the proposed action.

Public Hearing

The Agency will hold a public hearing to provide all interested persons an opportunity to present oral or written statements or arguments with respect to the proposed regulations:

Date: [date]
Time: TBD
Location: TBD

To join this hearing by virtually by online video platform:
[zoom link]

Or Telephone:
USA (216) 706-7005 US Toll
USA (866) 434-5269 US Toll-free
Conference code: 682962

Please contact Candice Sanders at regulations@coppa.ca.gov or (916) 642-7558 by 4:30 p.m. on Friday, [date], if reasonable accommodations are necessary.

The hearing will proceed on the date noted above until all testimony is submitted or until 3:00 p.m., whichever is later. At the hearing, any person may present oral or written statements or arguments relevant to the proposed action described in the Informative Digest. Participants will be given instructions on how to provide oral comment once they have accessed the hearing. The Agency requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony at, or immediately following, the hearing via email to regulations@coppa.ca.gov.



Written Comment Period

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes on [date], at 5:00 p.m. Pacific Time. Only written comments received by that time will be considered. Within your comment, please indicate the proposed rulemaking action to which your comment refers to at the top of the page: Opt-out Preference Signals (OOPS) Regulations.

Please submit written comments to:

Email: regulations@coppa.ca.gov

Please include “Public Comment on Opt-out Preference Signals (OOPS) Regulations” in the subject line.

Mail: California Privacy Protection Agency
Attn: Legal Division – Regulations Public Comment
400 R. Street, Suite 350
Sacramento, CA 95811

Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and will be posted on our public website: <https://coppa.ca.gov/regulations/oops.html>.

Authority and Reference

Authority: Section 1798.185, Civil Code.

Reference: Sections 1798.100, 1798.105, 1798.106, 1798.110, 1798.115, 1798.120, 1798.121, 1798.125, 1798.130, 1798.135, 1798.140, 1798.185, Civil Code.

Informative Digest / Policy Statement Overview

Summary of Existing Laws and Regulations

The California Privacy Protection Agency (Agency) implements and enforces the California Consumer Privacy Act (CCPA). (Civ. Code, § 1798.199.10.)¹ The CCPA provides consumers with specific privacy rights and imposes obligations on businesses to respect those rights.

Under the CCPA, businesses must recognize and honor consumers’ opt-out preference signals, including Global Privacy Control (GPC), as valid requests to opt out of the sale or sharing of personal information. However, the Agency, the Attorney General’s office, and stakeholders have observed inconsistent compliance across industries. Since 2020,

¹ All references are to the Civil Code unless otherwise indicated.



enforcement actions by the Agency and the Attorney General's office have demonstrated that many businesses fail to detect, honor, or properly implement opt-out preference signals (OOPS) in accordance with existing law.

In November 2025, the Agency Board directed staff to conduct preliminary rulemaking on the topic area of OOPS. During preliminary rulemaking, the Agency conducted extensive stakeholder outreach, reviewed 376 pages of public comments, and performed a state-by-state analysis of laws pertaining to OOPS, or universal opt-out mechanisms, the synonymous term used by other states. This work revealed areas in which further guidance could be of assistance to the regulated community, which include how OOPS apply to pseudonymous profiles and cross-device or cross-platform tracking; the importance of determining whether a business has received an OOPS before setting cookies or other tracking technologies that facilitate the sale or sharing of personal information; and whether browser-enabled features that disclose personal information must also forward the consumer's opt-out signal. Stakeholders, including privacy-management platforms, advertising organizations, browser developers, consumer advocates, academics, and legal practitioners requested additional guidance.

Effect of the Proposed Rulemaking

For these reasons, the Agency proposes amendments to further clarify existing requirements. These amendments generally do not create new obligations; instead, they provide additional guidance to businesses regarding what is already required by statute and regulation.

The proposed amendments to section 7025 expressly identify GPC as an OOPS and adds examples of how OOPS applies to pseudonymous profiles, cookie-syncing, and browser features that disclose a consumer's personal information. Proposed amendments to section 7026 add an example demonstrating that, to meet timing requirements, a business must determine whether it has received an opt-out preference signal before setting cookies or other tracking technologies that facilitate the sale or sharing of personal information.

The proposed amendments to section 7102 expand metrics-reporting requirements to businesses that must conduct a cybersecurity audit or risk assessment, and they require businesses subject to metrics reporting to disclose how many opt-out requests were received through OOPS. These changes enhance transparency into how businesses honor consumers' opt-out choices and support more effective oversight.

Finally, the amendments include clarity-focused revisions to sections 7060, 7122, 7124, 7157, 7221, and 7222. These revisions correct typographical errors, align terminology with existing definitions, and improve internal consistency across related provisions, making the regulations easier for businesses to interpret and implement.



Anticipated Benefits of the Proposed Regulations

The CCPA provides numerous benefits to California consumers and businesses. Central to these benefits are the protection of personal information and the ability for consumers to easily exercise their privacy rights. The proposed regulations implementing CCPA provide a number of significant benefits to both Californians and businesses.

The proposed regulations improve clarity regarding how OOPS must be recognized and applied. This additional guidance helps businesses implement existing legal requirements more consistently and reduces confusion about compliance obligations. Greater clarity in the regulations also improves efficiency, reduces the likelihood of errors, and promotes fair and uniform treatment of consumer privacy choices. Businesses benefit from having clearer expectations, which reduces the risk of inadvertent noncompliance and supports more streamlined internal processes.

The metrics reporting requirements provide meaningful benefits for consumers and the public by increasing visibility into businesses' CCPA compliance, including their obligation to honor OOPS. Extending these requirements to businesses whose processing activities pose significant security or privacy risks, such as those subject to cybersecurity audits or risk assessments, strengthens accountability to the law. Consumers will be able to verify that businesses are properly honoring their requests, including those made through an OOPS. This increased transparency promotes public trust, encourages consumers to exercise their rights with confidence, and reassures Californians that OOPS are functioning as intended. Businesses also benefit from increased trust and credibility with consumers, especially in environments where responsible data practices are essential.

By making OOPS-related metrics publicly available, the regulations allow the Agency to more effectively identify trends, target guidance, and support improved statewide compliance. Increased visibility helps reduce regulatory uncertainty for businesses and contributes to more consistent, predictable privacy protections for Californians. Businesses also benefit from clearer expectations, which supports more effective compliance planning.

In addition to clarifying OOPS requirements, the proposed regulations also improve the overall clarity and internal consistency of the CCPA regulatory framework. Some sections have been refined to ensure terminology is used consistently, examples are aligned with existing statutory language, and regulatory text is easier for businesses and consumers to understand. These non substantive revisions benefits businesses by reducing ambiguity and supporting more accurate interpretation of existing obligations. It also benefits consumers by supporting more reliable and consistent implementation of their privacy rights.



Comparable Federal Regulations:

There are no existing federal regulations or statutes comparable to these proposed regulations.

Determination of Inconsistency / Incompatibility with Existing State Regulations

As required by Government Code section 11346.5, subdivision (a)(3)(D), the Agency has conducted an evaluation of these proposed regulations and has determined that they are not inconsistent or incompatible with existing state regulations.

Forms or Documents Incorporated by Reference

None.

Other Statutory Requirements

None.

Disclosures Regarding the Proposed Action

The Agency has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 et seq.: None.

Other non-discretionary costs or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Significant effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: None.

Cost impacts on representative private person or business: The only proposed amendments expected to result in any measurable cost to businesses are those expanding metrics-reporting requirements to businesses that must conduct a cybersecurity audit or risk assessment, including reporting the number of requests to opt-out of sale or sharing received through OOPS. All other proposed amendments merely provide examples, clarify existing requirements, and improve internal consistency and readability of the regulations. They do not impose new obligations or require new systems or create additional costs for businesses.



Businesses subject to the metrics-reporting requirement—both those that currently report them and those who would be newly required to report them under the proposed amendments—already generate the underlying metrics as part of existing processes. Because all businesses must update their privacy policies annually under existing law, preparing and posting these high-level metrics should require no more than an initial approximately half an hour of administrative or software-developer time. Using the Agency’s blended wage rate of \$62.93 per hour, the estimated cost for a typical business is approximately \$31.47. As businesses already maintain the underlying information, the overall cost impact is minimal and does not represent a significant statewide financial burden.

Business report requirement: The proposed regulations would require certain businesses to publish metrics within their privacy policy. It is necessary for the health, safety, and welfare of the people of the state that the regulation apply to these businesses.

Small business determination: The proposed regulations would apply to approximately 53,791 businesses of which approximately 6,915-27,659 are small businesses.

Results of the Economic Impact Assessment

The Agency has conducted an economic impact assessment and concluded:

Creation or Elimination of Jobs: The proposal would not result in the creation or elimination of jobs.

Creation or Elimination of Businesses: The proposal would not result in an elimination of businesses.

Expansion of Businesses: The proposal would not result in an expansion of businesses.

Worker Safety: The proposal would not benefit worker safety as the provisions do not pertain to, nor impact, worker safety.

Environment: The proposal would not benefit the state’s environment as the provisions do not pertain to, nor impact, the state’s environment.

Health, Safety and Welfare: The proposal would benefit the health, safety, and welfare of California residents by strengthening protections for personal information. The proposal improves how businesses honor consumers’ privacy choices and how they report on key compliance activities. The regulations make it easier for consumers to confirm that businesses are honoring their opt out of the sale or sharing of their personal information through OOPS, and they give businesses additional guidance on how to apply these signals. Together, the regulations improve clarity for businesses and enhance Californians’ control over their personal information.



Consideration of Alternatives

In accordance with Government Code section 11346.5, subdivision (a)(13), the Agency must determine that no reasonable alternative considered by the Agency or that has otherwise been identified and brought to the attention of the Agency would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Agency invites interested parties to submit alternatives with respect to the proposed regulations. The Agency's own alternatives to the proposed regulations are described in the Initial Statement of Reasons on pages 11-12.

Contact Persons

Inquiries concerning the proposed administrative action may be directed to:

Candice Sanders
California Privacy Protection Agency, Legal Division
400 R. Street, Suite 350
Sacramento, CA 95811
(916) 642-7558
regulations@coppa.ca.gov

In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Rianna Grenda
California Privacy Protection Agency, Legal Division
400 R. Street, Suite 350
Sacramento, CA 95811
(279) 400-3449
Rianna.Grenda@coppa.ca.gov

Availability of Statement of Reasons, Text of Proposed Regulations, and Rulemaking File

The Agency will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the "express terms" of the regulations), the Initial Statement of Reasons, STD. 399, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, and the Initial Statement of Reasons are available on the Agency's website at <https://coppa.ca.gov/regulations/oops.html>. Please refer to the contact information listed above to obtain copies of or inspect these documents.



Availability of Changed or Modified Text

After considering all timely and relevant comments, the Agency may adopt these regulations substantially as described in this Notice. If the Agency makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the Agency adopts the regulations, as modified. Please send requests for copies of any modified regulations to the contact person(s) indicated above. The Agency will accept written comments on the modified regulations for 15 days after the date on which they are made available.

Availability of the Final Statement of Reasons

Upon its completion, a copy of the Final Statement of Reasons will be available on the Agency's website at <https://cppa.ca.gov/regulations/oops.html>. Please refer to the contact information listed above to obtain a written copy of the Final Statement of Reasons.

Availability of Documents on the Internet

Copies of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Agency's website at <https://cppa.ca.gov/regulations/oops.html>.

