

CALIFORNIA PRIVACY PROTECTION AGENCY

TITLE 11. LAW

DIVISION 6. CALIFORNIA PRIVACY PROTECTION AGENCY

CHAPTER 3. DATA BROKER REGISTRATION

EXPLANATORY STATEMENT

The California Privacy Protection Agency (CPPA) is requesting that the Office of Administrative Law courtesy File & Print the attached regulatory amendment, which renumbers 11 CCR § 999.400 to 11 CCR § 7600.

Senate Bill 362 (Chapter 709, Statutes of 2023), which was signed into law this fall, transfers administration of the state’s data broker registry from the Attorney General to CPPA beginning January 1, 2024. This File & Print submission merely relocates the existing regulation that sets the annual registry fee from the Attorney General’s section of Title 11 of the California Code of Regulations at Chapter 20.5 of Division 1 to CPPA’s section at Chapter 3 of Division 6.

Senate Bill 364 adds to Civil Code section 1798.99.87(b), which states: “any regulation adopted by the California Privacy Protection Agency to establish fees authorized by this title shall be exempt from the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).” Accordingly, this regulatory amendment—which only moves the existing registration fee from the Attorney General’s regulations to the CPPA’s regulations—is properly made as a File & Print submission. CPPA requests expedited review and filing of this regulatory amendment to the Secretary of State by no later than January 2, 2024, to ensure a seamless transition in the ongoing requirement for a \$400 registration fee as administration of the registry moves from the Attorney General to CPPA.