



Don't Miss Out - Webinar - The CCPA Regs: What You Need to Know

Who - Venable LLP's Rob Hartwell and Tara Sugiyama Potashnik

What - A webinar that will provide a detailed summary of what advertisers and marketers need to know as we head toward final implementation of the CCPA.

When - Tuesday, March 10, 2020 at 1:00pm

Why - While a few of the suggestions made by ANA and the business community were incorporated, the regulations still contain provisions that would negatively impact both consumers and business.

How - [Click here to register now!](#)

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News of Interest

- [California Wants D.C. to Use CCPA as Privacy Law Model](#), *Multichannel News*, February 25, 2020
- [Irish Privacy Report Gives Glimpse Into GDPR Investigations](#), *Bank Info Security*, February 24, 2020
- [Comments On The AG's Updated Draft CCPA Regs Are A Case Study In Wildly Different World Views](#), *AdExchanger*, February 26, 2020

Word on the Street

The total number of bills introduced during this session of the California Legislature was 2,203. The deadline to introduce bills was February 21. This count does not include constitutional amendments and resolutions. Committees can still introduce bills past the deadline by using tactics such as rule waivers. 1,527 bills were introduced in the Assembly and 676 bills were introduced in the Senate.

By way of comparison, the following are the bill introduction totals from the past five years:

- Total in 2019: 2,576
- Total in 2018: 2,177
- Total in 2017: 2,495
- Total in 2016: 1,993
- Total in 2015: 2,297

Upcoming ANA Events

- [Legal & Regulatory Webinar Series - The CCPA Regs: What You Need to Know](#) – March 10 @ 1 PM ET.
- [Government Relations Committee Meeting](#) – March 23 in Washington DC
- [Privacy for America National Privacy Summit and Fly-In](#) – March 24 in Washington DC

Federal Affairs

FTC Publishes 2019 Data Privacy and Security Review

On February 25, 2020, the Federal Trade Commission (FTC) issued the [2019 version](#) of its annual Privacy & Data Security Update, a review detailing the FTC's 2019 data privacy and data security enforcement actions. Among other topics, the Update included descriptions of FTC actions including settlements obtained in the wake of data breaches and from alleged violations of the Children's Online Privacy Protection Act (COPPA), the EU-U.S. Privacy Shield framework, and

various FTC Orders.

The Update also examined 2019 FTC events that focused on privacy matters such as hearings within the FTC's now-completed series on "Competition and Consumer Protection in the 21st Century," a workshop on the FTC's COPPA Rule, a workshop on consumer reporting, and PrivacyCon 2019.

CFPB Holds Symposium on Consumer Authorized Data Sharing

On February 26, 2020, the Consumer Financial Protection Bureau (CFPB) convened a symposium addressing "Consumer Access to Financial Records and Section 1033 of the Dodd-Frank Act." The symposium entailed discussion of the following: (1) data privacy and security; (2) potential CFPB rulemaking; (3) existing privacy laws such as the California Consumer Privacy Act (CCPA) and the European Union's (EU) General Data Protection Regulation (GDPR); (4) potential development of industry standards pertaining to methods of authorized data access; and (5) credit reporting, among other topics.

Symposium participants included CFPB officials, representatives from industry, representatives from consumer advocacy groups, among others.

State Affairs

ANA Urges CA AG to Provide Further Clarity and Additional Time Regarding CCPA

On Tuesday, February 25 the ANA filed [comments](#) with the California Attorney General asking that his office clarify ambiguous provisions in its updated regulations and extended the enforcement start date to January 2021 in order to allow adequate time for companies to implement requirements.

ANA issued a press statement saying, "We and our members strongly support the responsible use of data and the underlying goal of enhancing consumer privacy that is inherent in the CCPA and its implementing regulations. We are encouraged that the updated rules provide some enhanced clarity surrounding a number of ambiguous provisions in the law. Nevertheless, the regulations remain significantly unclear in several areas of vital importance to both consumers and businesses. We urge the Attorney General to carefully consider the issues we address in these comments and to update the draft rules so they enhance consumer privacy and provide more clarity for businesses."

For our full press statement please click [here](#).

Ad Industry Declares Opposition to Hawaii Privacy Bill

On Monday, the ANA and other ad industry associations sent a [letter](#) to Rep. Lee (Chair of the Hawaii House Judiciary Committee) and Rep. Takumi (Chair of the Hawaii House Consumer Protection and Commerce Committee) declaring their opposition to [HB 2572](#).

ANA, along with the 4As, AAF, IAB, and NAI, stated that the law could harm consumers, while also being inconsistent with other privacy laws that have been passed in other states.

Private Right of Action Could Be Added to Washington State Privacy Bill, Hearing to be Held Today

Last Friday ANA SVP, Government Relations Chris Oswald testified in front of the Washington House Innovation, Technology & Economic Development (ITED) Committee in opposition to [SB 6281](#). To watch his testimony please click [here](#) (Oswald's testimony begins @ 1:53:20).

Today the House ITED will hold a hearing where an amendment will be introduced that would include a broad private right of action to the Washington Privacy Act. If adopted, the private right of

action amendment could subject companies and nonprofit organizations to “shakedown” lawsuits by plaintiffs’ attorneys for mere technical potential violations of data privacy.

ANA continues to urge its members to speak out against SB 6281. Contact information for members of the committee can be found [here](#).

ANA Testifies Against Digital Ad Tax In Maryland, ANA and Others File Opposition Letter

Today the ANA’s Chris Oswald (SVP, Government Relations) was in Annapolis to testify against HB 695 in front of the Maryland House Ways and Means Committee. The bill, if passed, would “impos(e) a tax on annual gross revenues derived from digital advertising services including advertisement services on a digital interface in the State.”

In addition, the ANA, along with others from the business community, filed a letter urging lawmakers to reject the digital ad tax. That letter can be found [here](#).

State Legislative Weekly Tracker

Click [here](#) for a summary report of this week’s legislative activity in the states.

Global Affairs

ePrivacy Regulations Move Forward

Last week the EU ePrivacy regulation was published after years long negotiations. The new draft regulations can be found [here](#). The new regulations would possibly allow the collection of specified types of data without consent from consumers.

Please keep in mind that this new proposal is far from final and has opposition among EU countries and members of the EU Parliament.

Contact Us

If you have questions on any of the issues mentioned in the ADviser, please feel free to contact ANA’s Government Relations team in Washington, D.C.:

- Dan Jaffe, Group Executive Vice President, Government Relations (djaffe@ana.net)
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You can also reach the D.C. office at any time at 202.296.1883

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