



CIVIL JUSTICE
ASSOCIATION OF CALIFORNIA

March 5, 2021

The Honorable Gavin Newsom
State of California
California State Capitol, Suite 1173
Sacramento, CA 95814

The Honorable Toni Atkins
California State Senate
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon
California State Assembly
State Capitol, Room 219
Sacramento, CA 95814

Subject: Business Appointees to the California Privacy Protection Agency Board

Dear Governor Newsom, President pro Tempore Atkins, and Speaker Rendon:

The Civil Justice Association of California¹ (CJAC) urges you to appoint individuals representing the business community to the California Privacy Protection Agency governing board. It is critical that this board – made up of appointees with near-decade terms and the ability to wield considerable authority in a policy area intertwined with business operations – have seasoned business representation and expertise among its members.

CJAC supports diversity of stakeholders on the board to facilitate balanced rulemaking and enforcement that weighs both consumer and business interests. To that end, business representatives should have a firm understanding of regulatory impact on businesses operations. They should also be well-versed in data security, technology and practical considerations surrounding consent mechanisms and data collection, storage and use by businesses of all types and sizes.

It is important that all board appointees have a demonstrated track record of working fairly and objectively with stakeholders in other policy-making contexts. Additionally, board appointees should appreciate the need for clear and workable compliance standards with reasonable implementation periods. This will facilitate development of a regulatory framework for privacy that avoids unnecessary, costly enforcement and litigation for the state and businesses.

¹ The Civil Justice Association of California offers research and guidance on policy issues that impact California's civil liability laws. A trusted source of expertise in legal reform and advocacy for almost half a century, we confront legislation and laws that create unfair burdens on California businesses, employees, and communities.

California is a pioneer in the global and national privacy regulatory space. In forming a board that equally represents both consumer and business needs, the state will send the message that it is serious about achieving an optimal and measured approach to privacy regulation. Thank you for considering this important request.

Sincerely,



Kyla Christoffersen Powell
President and Chief Executive Officer

cc:

Cathryn Rivera-Hernandez, Governor's Appointments Secretary

Cathryn.Rivera-Hernandez@gov.ca.gov

Lisa Chin, Appointments Director, Senate Rules Committee

Lisa.Chin@sen.ca.gov

Eric Dang, Principal Consultant

Eric.Dang@sen.ca.gov

Juan Torres, Appointments Staff

Juan.Torres@asm.ca.gov

Darci Sears

darci.sears@asm.ca.gov