

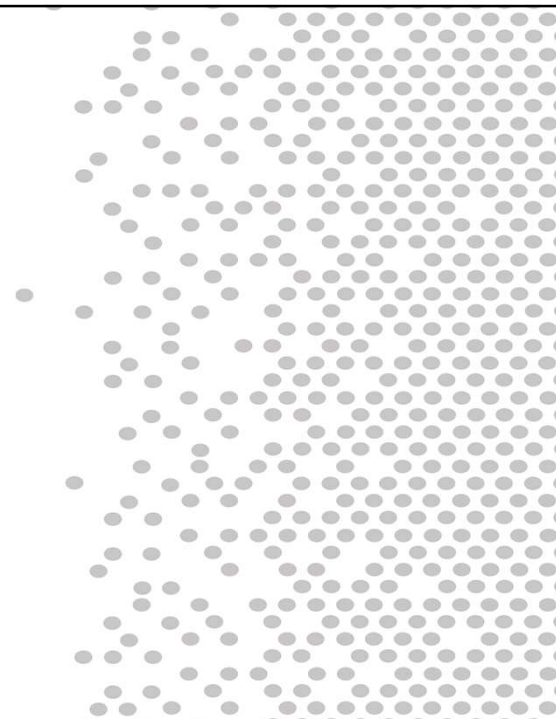
APRIL 3, 2020

Data Privacy: A Shifting Environment and Governance That Works

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Panelists



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Our Current and Future Data Environment

- Data collection and use practices over the past decade
- Factors that will most significantly impact data collection and use in the coming 1 – 3 years
- Balancing benefits and risks of data collection and use as businesses innovate with data



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Data Privacy: A Shifting Environment and Governance That Works

Update on CCPA/US State and Federal Laws

Peter Blenkinsop

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CCPA Proposed Regulations

- **Timeline**
 - Initial proposed regulations published on October 11, 2019
 - First set of modifications to proposed regulations published on February 10, 2020
 - Second set of modification published on March 11
 - Comments due March 27
- **Significant Change from February 10 to March 11**
 - *Guidance issued in the Feb 10 draft of the regulations:* information is not “personal information” if a business is unable to link that information to a particular consumer or household.
 - To illustrate a situation in which *personal information would not be collected*, the Attorney General provided an example of a business that collects the IP addresses of visitors to its website, but is unable to link the IP addresses to particular consumers or households.
 - This interpretation, which had the potential to significantly reduce the scope of the CCPA, has been removed.
- Cross-industry group letter asked AG for temporary forbearance from CCPA enforcement until January 2021 in light of COVID-19 situation.
 - Consumer groups opposed delay and AG has indicated no delay will be provided.

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California Privacy Rights Act of 2020

- **Timeline**
 - *November 13, 2019:* Final copy of the CPRA submitted to the California Attorney General.
 - *June 25, 2020:* Final date to determine whether the initiative qualifies for the November ballot.
 - *November 3, 2020:* Election day.
 - *January 1, 2021:* Adoption date of:
 - CPRA's final regulations. [1798.185(d)].
 - Provisions of the CPRA pertaining to the exemptions for job applicants/employees and B2B and the establishment of the California Privacy Protection Agency. [1798.145(m),(n) and 1798.199.10].
 - *January 1, 2023:* Full operative date of the CPRA.
 - The CPRA would apply to personal information collected by a business on or after January 1, 2022.
- **Amendment**
 - The CPRA may only be amended by the legislature if the amendment is consistent with and furthers the purpose and intent of the CPRA, which is to strengthen consumer privacy.

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2020 Privacy Bills

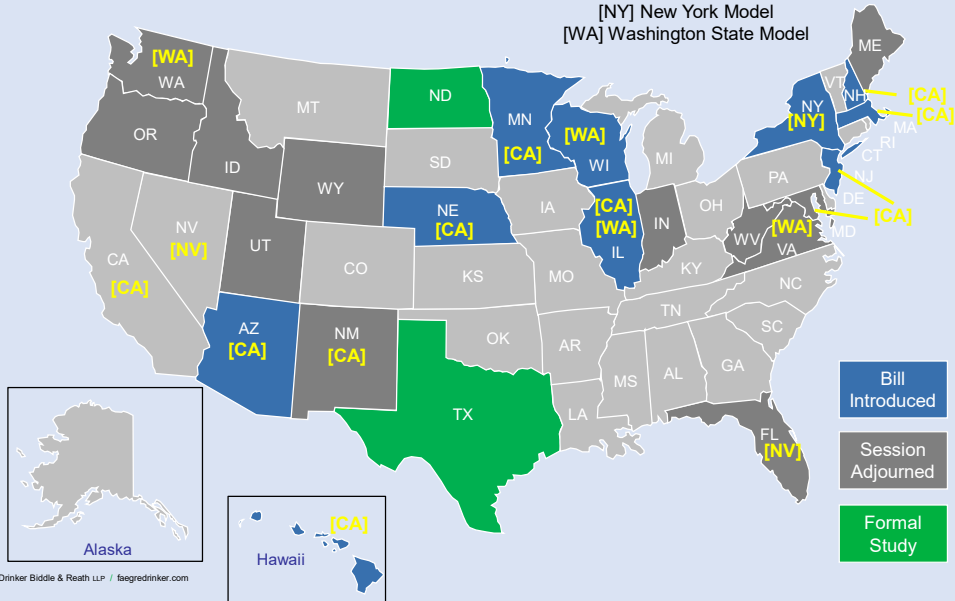
Comprehensive Bill Models

[CA] California Model

[NV] Nevada Model

[NY] New York Model

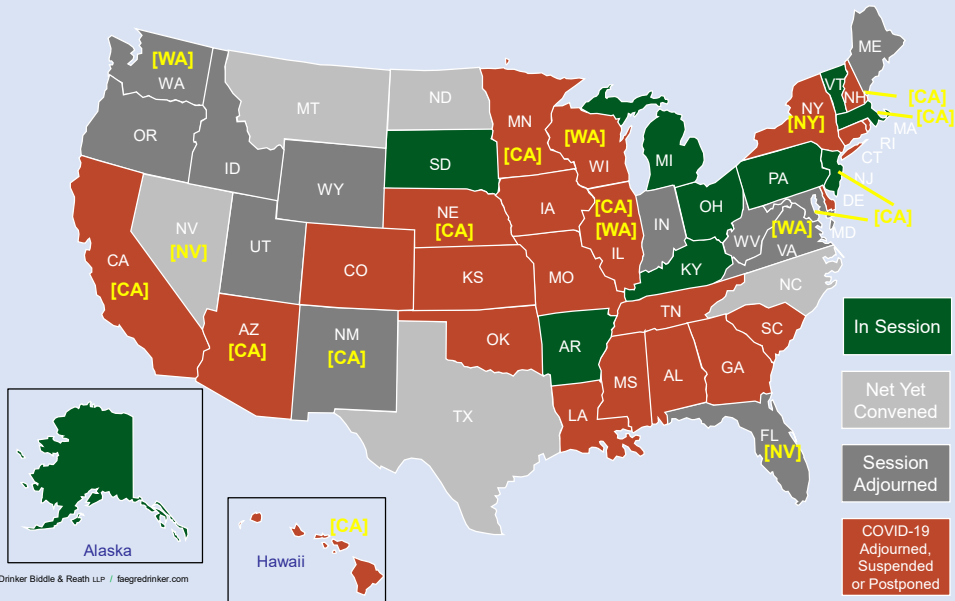
[WA] Washington State Model



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2020 Legislative Sessions

as of March 29



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Focus of Other State Privacy Bills

- Expansion of data breach notification laws
- Requirement to implement data security safeguards
- Restrictions on collection and use of biometric data
- Restrictions on collection and use of genetic data

Federal Privacy Legislation

- House Energy and Commerce – “_____ Act of 2019”
 - Bipartisan draft
- H.R. 2013 – Delbene (D – WA) – “Information Transparency & Personal Data Control Act”
- H.R. 4978 – Eshoo (D – CA) – “Online Privacy Act of 2019”
- S. [] – Wicker (R – MS) – “United States Consumer Data Privacy Act of 2019”
 - Roger Wicker = Senate Commerce Committee Chair
- S. 2968 – Cantwell (D – WA) – “Consumer Online Privacy Rights Act”
 - Maria Cantwell = Senate Commerce Committee Ranking Member
- S. 3456 – Moran (R – KS) – “Consumer Data Privacy and Security Act of 2020”
 - Jerry Moran = Commerce Subcommittee on Consumer Protection Chair

What We Are Seeing with CCPA Implementation

- Q1 2020 experiences with CCPA requests have varied by industry
 - MassMutual experience with website banner
- Challenges operationalizing a compliance program with late statutory amendments and draft regulations



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What We Are Seeing with CCPA Implementation

MassMutual

INSURANCE RETIREMENT INVESTMENT FINANCIAL WELLNESS FOR BUSINESS

California Consumer Privacy Rights

Effective Date: January 1, 2020

If you are a California resident, the California Consumer Privacy Act (CCPA) provides you with certain additional privacy rights related to the personal information MassMutual ("we," "us," or "our") collects about you. Generally, the CCPA provides you with rights to know about the personal information we collect about you and rights to have personal information we collected from you deleted in certain circumstances. Please see below to learn more about your rights under the CCPA and to learn more about MassMutual's CCPA Privacy Policy and practices.

Request to Know:

You may request and, subject to certain exemptions, we will provide:

- The categories of personal information we collected about you.
- The categories of sources of the personal information we collected about you.
- Our business or commercial purpose for collecting the personal information.
- The categories of personal information we disclosed about you to a service provider.
- The specific pieces of personal information we collected about you (data portability).

Request to Delete:

You may request that we delete personal information we have collected from you. Subject to exemptions, such as a need to retain the information to service products you have purchased from us, we will delete the personal information we have collected from you.

Beginning January 1st 2020, if you are a California resident and would like to submit a CCPA request, you may:

- Contact us by phone at 1-877-777-9154, or,
- Initiate a request by completing our online form.

[Initiate A Request](#)



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What We Are Seeing with CCPA Implementation

MassMutual FIND A FINANCIAL PROFESSIONAL FORMS CLAIMS BILLING AND PAYMENTS SIGN UP LOG IN

INSURANCE RETIREMENT INVESTMENT FINANCIAL WELLNESS FOR BUSINESS

Initiate a CCPA Request Online

At MassMutual, we recognize that our relationships with you are based on integrity and trust, so we first need to verify your identity. Please complete this form so that we may begin that process.

My Information
Only applicable to California residents
*Fields are required

First Name* Last Name*

Date of Birth*

Email*

Phone Number*

Address*

City* State* CA

ZIP code*

Submit

What happens next?
Once you submit the information collected here:

1. We will contact you at the phone number you provided to complete verification of your identity.
2. If we are able to verify your identity, we will begin work on your CCPA request.
3. When we have completed our work, we will provide you with the information you requested and any reasons for denial of your request in writing to your physical address.

This process may take up to 90 days to complete.

By submitting this request, you agree that you have read and understand the privacy notice above, located at [https://www.massmutual.com/privacy/2018/08/01/2018-08-01-ccpa-notice](#).

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Privacy Governance Model

- Privacy governance models currently used
- Opportunity for change

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Questions

