



## U.S. Online Privacy Laws – Coming to a State Near You

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Hosted By



# Today's Experts...



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# Agenda

1. Why you should pay attention to data privacy and consent management
2. A brief look at laws in the U.S.
3. Cookies and why they are important
4. CMPs - what they are & how to work with them
5. Ensuring you stay in compliance

# Why should businesses care?



## Protect brand reputation and build trust with website visitors

Online brand reputation is what consumers and users are looking at before purchasing from a business or interacting with a brand.



## Protection from fines and violations

“

It takes 20 years to build a reputation and five minutes to ruin it. If you think about that, you'll do things differently.

**Warren Buffet**

# Improper data handling and customer churn

80%

of consumers state that they are turning their backs to a brand which is using consumer data without consent.

Data source: [Statista Why do consumers break up with brands](#)

71%

of North America's consumers said that they would stop doing business with a company if it gave away sensitive data without permission. Data source: [McKinsey](#)

# The state privacy laws in the US

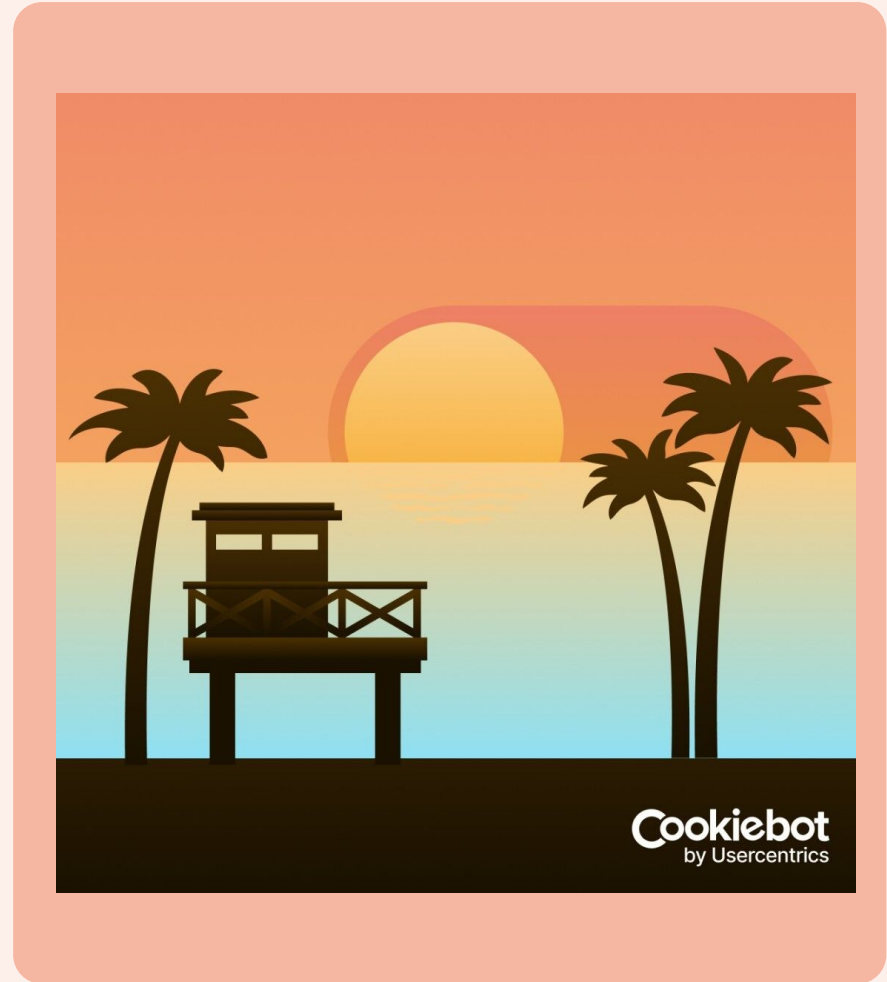
California's Consumer Privacy Act (CCPA)	passed in 2018	required 2020
California's Consumer Privacy Rights Act (CPRA)	passed in 2020	required January 2023 (enforcement July 2023)
Virginia's Consumer Data Protection Act (CDPA)	passed in 2021	required January 2023
Colorado's Privacy Act (CPA)	passed in 2021	required July 2023
Connecticut's Data Privacy Act (CTDPA)	passed in 2022	required July 2023
Utah's Consumer Privacy Act (UCPA)	passed in 2022	required at the end of December 2023

# California Consumer Privacy Act (CCPA)

## Consumer Privacy Rights Act (CPRRA)

The California data privacy laws apply to your company if you:

- have an annual gross revenue exceeding \$25 million  
or
- buy, sell or share the personal information of more than 100,000 California consumers or households per year  
or
- derive 50% or more of annual revenues from selling or sharing California consumers' personal information





# Virginia Consumer Data Protection Act (VCDPA)

The Virginia data privacy laws apply to your company if you:

- process the personal data from at least 100,000 Virginia consumers
- or process the personal data from at least 25,000 Virginia consumers
- and derive at least 50% of annual revenue from selling personal data



## Colorado Privacy Act (CPA)

The Colorado data privacy laws apply to your company if you:

- process the personal data from at least 100,000 Colorado consumers or
- process the personal data from at least 25,000 Colorado consumers and
- receive a discount on goods or services from selling personal data



## Utah Consumer Privacy Act (UCPA)

The Utah data privacy laws apply to your company if you:

- have gross annual revenue that exceeds US \$25 million for the preceding year and
- process the personal data from at least 100,000 Utah consumers or
- process the personal data from at least 25,000 Utah consumers and
- derive at least 50% of annual revenue from selling personal data



## Connecticut Data Privacy Act (CTDPA)

The Connecticut data privacy laws apply to your company in the preceding calendar year you:

- controlled or processed the personal data of 100,000 or more Connecticut residents (not including payment transactions)
- or
- controlled or processed the personal data of 25,000 or more Connecticut residents
- and
- derived at least 50% of gross revenue from selling personal data



# What are cookies and why they are important?

## What are cookies?

Cookies are text files with small pieces of data that are used to identify your computer..

Specific cookies known as HTTP cookies are used to identify specific users and improve your web browsing experience.

## What is their purpose?

- **Session management.** Cookies let websites recognize users and recall their individual login information and preferences
- **Personalization.** Cookies are used to personalize your sessions and enable building targeted/customized ads.
- **Tracking.** Shopping sites use cookies to track items users previously viewed, allowing the sites to suggest other items they might like

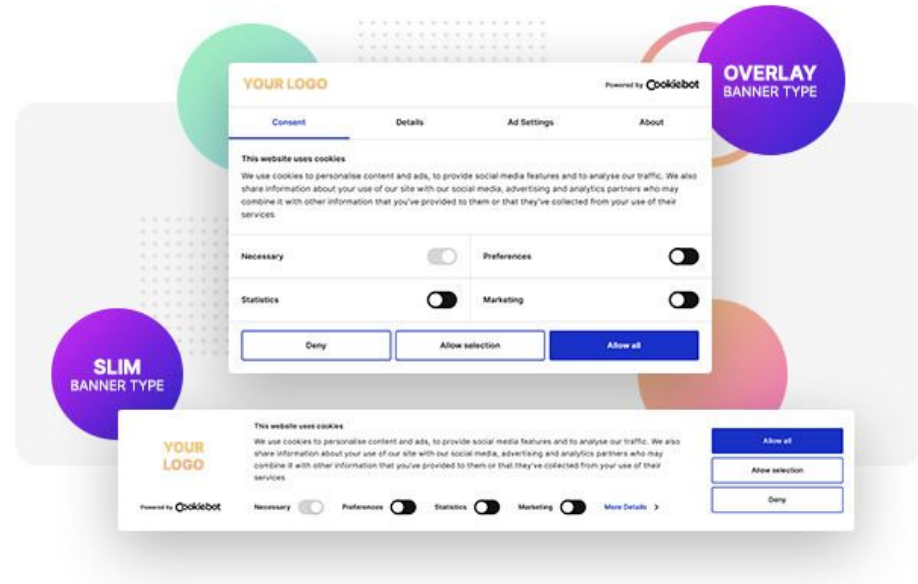


# What is a consent management platform?

A consent management platform – or “CMP” – is a technology that websites use to obtain the legal consents from users to process their personal data, typically through cookies and trackers in operation on the domain.

## The role of a CMP is to:

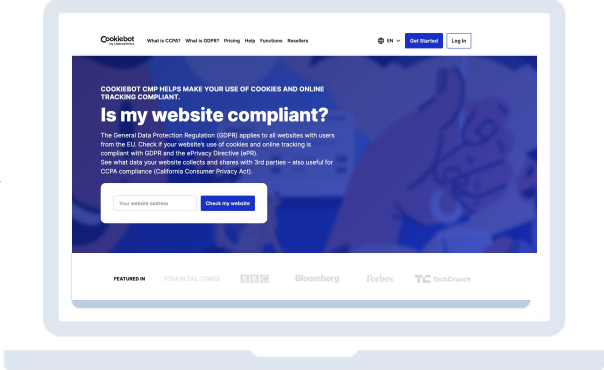
- Monitor & provide transparency on the use of cookies and trackers
- Obtain and manage user consents in a legally compliant way
- Control the cookies on the website according to the consent of each visitor



# Obtaining consent with a CMP



User visits



gives Consent

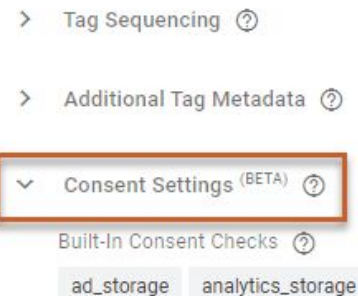


# Tracking and Consent

## Elevar respects the consent set in Cookiebot and other CMP banners for the web browser and server-side

### How does this happen?

- **In GTM:** Using GTM's consent mode, consent status is seamlessly pushed to GTM. Each tag in GTM is marked with its required permission. When an event fires, permissions are checked, and each tag is fired conditionally based on the permissions granted in the banner.
- **Server Side:** The same process occurs server side with each tag having assigned consent requirements. Before firing any server side tag, these requirements are checked against what was set in the browser. Tags can still fire, without cookies, rather than being blocked completely, enabling more data to flow to platforms like GA4, despite the consent of the user.





# How Cookiebot and Elevar can help

1

## Compliant with all major data privacy laws

Adheres to the data privacy regulations and updates the solution according to the latest legislation.

Offers Cookie Policy and auditable consent logs.

2

## The depth of the cookie scanner

Ability to discover, track and uphold all cookies and trackers.

Ensures that no cookies & trackers are set prior to consent.

3

## Automated cookie compliance

Simplicity in the implementation process for even non-tech savvy users.

Automated updates of cookies with limited ongoing maintenance.

4

## Customizable cookie banner

Provides a variety of customizable options of the cookie banner.

Along with personalization features for better customer experience.

5

## Elevar integration

Consent aware server side tracking

Dramatically reduced GTM complexity

Some web based tags can still fire cookieless preserving data

**THANK YOU!**