FREE GUIDE · 10-MINUTE CHECK

# Do you collect customer data the right way?

If your website has a contact form, a booking tool, an email signup, analytics or an ad pixel, you collect personal information. That's normal. Doing it carelessly is what creates risk. Here are five things every small business site should get right.

NOT LEGAL ADVICE. LAWS CHANGE AND VARY BY STATE; CHECK YOUR SETUP WITH A LAWYER.

## 01 A privacy policy people can find

Linked in the footer of every page, saying what you collect, why, who you share it with and how to ask for changes.

GOOD
**Every page**

## 02 Forms ask only what you need

A name, a way to reach them and a short note. Every extra field is more to protect and a reason to quit.

GOOD
**Fewest fields**

## 03 Consent next to every form

One line under the button that links to your privacy policy and says how you'll use the details.

GOOD
**Linked line**

## 04 Trackers wait for a yes

Ad pixels, session recordings and chat widgets don't load until a visitor agrees, or you don't use them.

GOOD
**Nothing first**

## 05 Easy ways to say no

Every marketing email has an unsubscribe link, and you only text people who agreed to texts.

GOOD
**One click**

**$500**

What a person can sue for over each marketing text sent without the right consent under the federal TCPA, up to $1,500 if the violation is willful. Small mistakes add up per message. SOURCE: 47 U.S.C. § 227

# Where the risk comes from

The laws small businesses most often run into online. Your state may have its own too.

| | | |
|---|---|---|
| **CalOPPA** | **Covers:** A privacy policy on any commercial site that collects personal information from Californians. No size minimum. | **Where it goes wrong:** No policy, or one that's hard to find or out of date. Fines of up to $2,500 per violation have been cited. |
| **CCPA** | **Covers:** California residents' rights to know, delete and opt out. Mostly larger businesses: over $26.6M revenue, or data on 100,000+ Californians. | **Where it goes wrong:** Most small businesses aren't covered, but some of your vendors may be. |
| **CIPA** | **Covers:** California's wiretapping law, used in lawsuits over website tracking. Any site with California visitors. | **Where it goes wrong:** Pixels, session recording or chat tools that "listen in" before anyone agrees. A 2026 law narrowed some claims; others remain. |
| **CAN-SPAM** | **Covers:** Marketing email in the U.S. Every business that sends it. | **Where it goes wrong:** No unsubscribe link, no mailing address, or misleading subject lines. |
| **TCPA** | **Covers:** Marketing calls and texts. Every business that sends them. | **Where it goes wrong:** Texting people who never agreed to texts, often from an automated tool. |

# Your 10-minute data check

- [ ] I can find my privacy policy from every page, and it names the tools I use (booking, email, analytics)
- [ ] Each form asks for the fewest details and has a consent line linked to the policy
- [ ] I know every script on my site, and trackers wait for a yes or aren't there
- [ ] Marketing emails have an unsubscribe link; texts only go to people who opted in
- [ ] Health, financial or children's information goes through a secure tool, not a plain contact form

## Not sure what your site collects?

Book a free 20-minute site review. We'll look at your forms and scripts together and you'll leave with your first three fixes.

**Book a free site review →**

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NOT LEGAL ADVICE. SOURCES: CALOPPA, CAL. BUS. & PROF. CODE § 22575 (TERMLY SUMMARY) · CCPA THRESHOLDS, CALIFORNIA CIVIL CODE § 1798.140 · SB 690 (2026) · CAN-SPAM ACT, FTC COMPLIANCE GUIDE · TCPA, 47 U.S.C. § 227 · UPDATED NOVEMBER 2026

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