



1) **Purpose.** According to the author:

Californians should not have to worry that their sensitive personal information is being sold to the highest bidder. From precise location data to deeply personal information, AB 1542 draws a clear line—it puts the safety and privacy of everyday Californians first.

2) **Background.** The CCPA, enacted in 2018 and expanded by voter approval of Proposition 24 (the California Privacy Rights Act) in 2020, gives consumers rights over the collection, use, sale, and sharing of their personal information. Proposition 24 created a category of “sensitive personal information” — including Social Security numbers, financial account credentials, precise geolocation, racial or ethnic origin, immigration status, religious beliefs, union membership, genetic and biometric data, health information, and information about sex life or sexual orientation — and gave consumers the right to limit a business’s use of that information. However, the current framework requires consumers to affirmatively opt out of the sale or sharing of their personal and sensitive personal information. Proponents argue that the opt-out framework places an unrealistic burden on consumers, who must first identify the businesses that have collected their information and then individually exercise their rights. According to the policy analysis, since California enacted the CCPA, 19 additional states have passed comprehensive privacy laws. Sixteen of those states require consumers to opt in to the sale or sharing of sensitive information, and Maryland prohibits the sharing of sensitive information entirely.

3) **Support and Opposition.** The bill is co-sponsored by Consumer Reports, the California Initiative for Technology and Democracy, and Asian Americans Advancing Justice Southern California, and is supported by approximately three dozen privacy, civil rights, labor, and reproductive rights organizations. Supporters argue that sensitive personal information can be used to surveil and target immigrants, LGBTQ individuals, people seeking reproductive health care, and other vulnerable communities, and that the opt-out model has proven inadequate. The bill is opposed by a coalition including the California Chamber of Commerce, four advertising industry associations, TechNet, and other business organizations. Opponents argue that a categorical ban forecloses legitimate data-sharing practices (including some cited fraud-prevention, emergency-response, and location-based services), eliminates consumer choice, and would particularly harm small and medium businesses that rely on targeted advertising. The policy committee analysis notes that the CCPA’s definition of “sharing” is limited to sharing for cross-context behavioral advertising and therefore would not reach many of the operational uses opponents identify.

4) **Prior Legislation.** AB 566 (Lowenthal), Chapter 468, Statutes of 2024, requires browsers to include an opt-out preference signal that allows consumers to opt out of the sale and sharing of their personal information across all websites.

SB 362 (Becker), Chapter 709, Statutes of 2023, the Delete Act, requires data brokers to register with CPPA and establishes a mechanism for consumers to request deletion of their personal information from all registered data brokers through a single request.

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