
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 322 (Ward) - Precise geolocation information

Version: June 23, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: ED. 4 - 0, JUD. 11 - 2

Mandate: No

Consultant: Liah Burnley

Bill Summary: AB 322 establishes various guardrails for businesses that collect geolocation information.

Fiscal Impact:

- The California Privacy Protection Agency (CPPA) anticipates costs associated with enforcement and potential rulemaking to align existing requirements and implement this section. CPPA currently expect those costs will be absorbable in the near term. However, based on overall compliance with the requirements of the measure, enforcement may require additional resources in the future.
- The Department of Justice (DOJ) estimates a fiscal impact of approximately \$400 thousand or less (AG Consumer Privacy Enforcement Subfund). The department notes that implementation of this bill will be dependent upon the appropriation of funds. DOJ will be unable to absorb the costs to comply with or implement the requirements of the bill within existing budgeted resources. The Consumer Protection Section (CPS) within the Public Rights Division anticipates increased workloads in enforcing AB 322 beginning on January 1, 2026, and ongoing. The workload includes enforcement of AB 322. CPS will require additional resources consisting of 1.0 Deputy Attorney General (DAG), and 1.0 Legal Secretary. DOJ also reports that, to the extent there is insufficient cash in the fund at the time of the bill's implementation, an Unfair Competition Law (UCL) Fund appropriation may be required in lieu of the Attorney General Consumer Privacy Enforcement Subfund.
- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions for violations of this bill and to respond to increased warrant applications from local law enforcement agencies. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

Background: Precise geolocation information can expose intimate details of individuals' lives, revealing where they live, work, worship, seek medical care, and spend their personal time. This information can uncover sensitive details about political affiliations, religious beliefs, health conditions, and personal relationships. Unlike other

forms of data, location information is continuously generated and can be tracked in real-time, creating comprehensive surveillance profiles. This bill seeks to address the increased collection, use, and selling of consumers' precise geolocation information by requiring transparency and placing guardrails on its collection and use.

Proposed Law:

- Requires a business, when collecting precise geolocation information, to display a notice to the consumer whose precise information is being collected that states all of the following:
 - The fact that the consumer's precise geolocation information is being collected;
 - The name of the business collecting the consumer's precise geolocation information;
 - A telephone number and an internet website through which the consumer can obtain more information;
 - The type of precise geolocation information collected, including the precision of the information;
 - The goods or services requested by the consumer for which the business is collecting, processing, or disclosing the precise geolocation information and a description of how the business will process the precise geolocation information to carry out those purposes; and,
 - Any disclosures of the precise geolocation information necessary to provide the goods or services requested by the consumer and the identities of the third parties to whom the precise geolocation information could be disclosed.
- Prohibits a business that collects precise geolocation data from doing any of the following:
 - Collecting or processing precise geolocation information more than necessary to provide the goods or services requested by the consumer;
 - A business may collect or process precise geolocation information that is necessary to respond to security incidents, fraud, harassment, malicious or deceptive activities, or any illegal activity targeted at, or involving, the controller or processor or its services or to investigate, report, or prosecute those responsible for any of those actions. Precise geolocation information collected and processed shall not be retained for longer than 30 days;
 - Retaining precise geolocation information longer than necessary to provide the goods or services requested by the consumer or longer than one year after the consumer's last intentional interaction with the business, whichever is earlier;

- Selling, trading, or leasing precise geolocation information to a third party;
- Disclosing precise geolocation information to a state or local government agency or official unless the agency or official serves a valid court order issued by a California court or a court order from another jurisdiction that is consistent with California's laws; and,
- Disclosing precise geolocation information to a federal government agency unless required to do so by federal law.

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