

THIRD READING

Bill No: AB 883
Author: Lowenthal (D), et al.
Amended: 6/17/26 in Senate
Vote: 21

SENATE PRIV., DIGITAL TECH. & CONS. PROT. COMMITTEE: 9-0, 6/15/26
AYES: Cabaldon, Jones, Gonzalez, McNerney, Ochoa Bogh, Padilla, Reyes,
Umberg, Wiener

SENATE JUDICIARY COMMITTEE: 13-0, 6/30/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern,
Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: 6-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson
NO VOTE RECORDED: Wahab

ASSEMBLY FLOOR: 75-0, 1/26/26 - See last page for vote

SUBJECT: Data brokers: accessible deletion mechanism: deletion of personal
information of elected officials and judges

SOURCE: Californians for Consumer Privacy

DIGEST: This bill requires the California Privacy Protection Agency to develop and distribute informational materials on how state and local elected officials and judges can use CalPrivacy's accessible deletion mechanism, and it reduces compliance timelines in the Delete Act from 45 days to 30 days.

ANALYSIS:

Existing law:

- 1) Provides that an "elected or appointed official" includes, but is not limited to, a state constitutional officer, a Member of the Legislature, an active or retired

judge, court commissioner, judge of the State Bar Court, a district attorney, a public defender, a member of a city council, a member of a board of supervisors, an appointee of the Governor, an appointee of the Legislature, a mayor, a city attorney, a police chief or sheriff, a public safety official, a state administrative law judge, an active or retired federal judge or federal defender, a member of the United States Congress, appointee of the President of the United States, an active or retired judge of a federally recognized Indian tribe, and an appointee of a court to serve as children's counsel in a family or dependency proceeding. (Government (Gov.) Code § 7920.500)

- 2) Provides that the home addresses, home telephone numbers, personal cellular telephone numbers, and birthdates of all employees of a public agency shall not be deemed public records, subject to certain exemptions. (Gov. Code § 7928.300)
- 3) Provides that no state or local agency shall publicly post the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without written consent from the individual. (Gov. Code § 7928.205).
- 4) Defines "personal information" to mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could, directly or indirectly, reasonably be linked to a particular consumer or household and includes, but is not limited to, all of the following:
 - a) Identifiers such as a postal address, social security number, or passport number.
 - b) Commercial information, including records of personal property.
 - c) Biometric data.
 - d) Internet or other electronic network activity.
 - e) Geolocation data.
 - f) Sensitive personal information. (Civil (Civ.) Code § 1798.140)
- 5) Provides that "personal information" does not include publicly available information. (Civ. Code § 1798.140)
- 6) Defines "publicly available" to mean the following:
 - a) Information that is made lawfully available from federal, state, or local government records.

- b) Information that a business has a reasonable basis to believe is lawfully made available to the general public by the consumer or from widely distributed media.
 - c) Information made available by a person to whom the consumer has disclosed the information if the consumer has not restricted the information to a specific audience. (Civ. Code § 1798.140)
- 7) Provides a consumer with the right to request that a business delete any personal information that the business has collected from the consumer. (Civ. Code § 1798.105)
- 8) Provides a consumer with the right, at any time, to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information. (Civ. Code § 1798.120)
- 9) Requires a business that knowingly collects and sells consumer information to third parties, subject to certain exceptions, to register with CalPrivacy as a data broker. (Civ. Code § 1798.99.80)
- 10) Provides that data brokers do not include entities covered by the federal Fair Credit Reporting Act, Gramm-Leach-Bliley Act, and Insurance Information and Privacy Protection Act. (Civ. Code § 1798.99.80)
- 11) Requires CalPrivacy to establish an accessible deletion mechanism that does all the following:
- a) Implements and maintains security procedures and practices that include, but are not limited to, administrative, physical, and technical safeguards.
 - b) Allows a consumer to request that every data broker delete any maintained personal information that they have, within 45 days.
 - c) Allows a consumer to exclude specific data brokers from their deletion request to data brokers.
 - d) Allows a consumer to alter a previous deletion request to data brokers, if 45 days have passed since the consumer last made their request. (Civ. Code § 1798.99.86)
- 12) Establishes the Delete Act, which, among other provisions, requires data brokers to access the accessible deletion mechanism at least once every 45 days to process all deletion requests; delete a consumer's personal information if the request is verified; treat all unverified deletion requests as an opt-out of the sale or sharing of personal information; direct all service providers or contractors associated with a data broker to delete all personal information if a

consumer requested it; and direct all service providers or contractors associated with a data broker to treat all unverified deletion requests as an opt-out of the sale or sharing of personal information. (Civ. Code § 1798.99.86)

This bill:

- 1) Reduces the above timelines in the Delete Act from 45 days to 30 days.
- 2) Requires CalPrivacy to create informational material detailing how state and local elected officials and judges can use CalPrivacy's accessible deletion mechanism.
- 3) Requires the Secretary of State, filing officers, and the Judicial Council to notify state and local elected officials and judges that they may submit a request to delete their personal information through the accessible deletion mechanism. Provides that this notice requirement may be fulfilled by providing the informational material described in 2) to elected officials and judges.
- 4) Provides that an elected official or judge who was notified of the deletion opportunity may bring a civil action against a data broker who fails to comply with Section 1798.99.86 of the Civil Code.
- 5) Provides that a public attorney may bring a civil action described in 4) on behalf of that elected official or judge.

Background

Political violence is on the rise, with the Pew Research Center noting that 85% of adults believe that politically motivated violence is increasing. This form of violence is frequently directed at elected officials and judges, and multiple studies note that attacks, threats, and harassment are commonplace for these public servants. Oftentimes, these acts of violence are facilitated by the ability of offenders to easily find and locate elected officials' and judges' personal information, particularly through data brokers.

To address this uptick in political violence, this bill requires the Secretary of State, local filing officers, and the Judicial Council to notify elected officials and judges that they may delete their personal information through CalPrivacy's accessible deletion mechanism. To allow for an expedited timeline, this bill also reduces the compliance timelines under the Delete Act from 45 days to 30 days.

This bill is sponsored by Californians for Consumer Privacy and is supported by organizations such as the California Special District Association and Public

Citizen. This bill is opposed by various industry groups, such as the California Chamber of Commerce and the Association of National Advertisers. For a more thorough analysis, please see the Senate Privacy, Digital Technologies, and Consumer Protection Committee analysis of this bill.

Comment:

According to the author:

California is on the cutting edge when designing laws to protect the privacy of individuals in the State. Over the last 5 years there have been documented examples of harassment, threats and even violence against elected officials in California and beyond. It is imperative that we continue to update our laws to ensure that elected and appointed officials' personal information is protected in a manner that also protects the important principles of open government.

AB 883 makes various updates to the existing California Privacy Protection Agency to strengthen the ability for elected and appointed officials to protect their most personal information when they are faced with a credible threat. Providing these tools to elected and appointed officials will help them reduce the exposure of sensitive information about themselves and their families, ensuring their safety when it is most critical.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

Minor costs in FY 20027-28 to the Secretary of State (SOS) to include an informational insert with each Certificate of Election issued following the canvassing of elected officials and judges.

The SOS and the California Privacy Protection Agency (CalPrivacy) would coordinate an interagency agreement, interface requirements, and related VoteCal design and documentation updates. (General Fund)

\$200,000 one time to CalPrivacy for costs associated with updating DROP, rulemaking and enforcement including outreach to ensure data brokers understand the requirement changes from 45 days to 30 days. (Data Broker Registry Fund)

Minor costs to the Judicial Council of California (JCC) to notify judges of the DROP process for the person's personal information. (General Fund)

Potentially significant court cost pressure for civil enforcement actions brought by the Attorney General, county counsel, city attorneys, and private plaintiffs under the bill's civil penalty and private right of action provisions. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. 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. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

SUPPORT: (Verified 8/13/26)

Californians for Consumer Privacy (Source)

California Initiative for Technology & Democracy, a Project of California

Common CAUSE

California Special Districts Association

Public Citizen

OPPOSITION: (Verified 8/13/26)

ACLU California Action

American Advertising Federation

American Association of Advertising Agencies

Association of National Advertisers

California Chamber of Commerce

Computer & Communications Industry Association

Digital Advertising Alliance

ARGUMENTS IN SUPPORT: Californians for Consumer Privacy writes:

Elected officials and judges are committed public servants who should be able to serve free of threats and harassment to them and their families. Dangers experienced by these officials and their families creates situations where our best and brightest are less likely to serve because of the potential for harm. That outcome is bad for our state and nation. AB 883 will create mechanisms to ensure that personal information held by data brokers about elected officials is deleted and not sold, and will be an important tool to limit the proliferation of this identifying information throughout society. This alone won't end threats and violence, but it will be an important step to protect those who we elect to serve the people.

ARGUMENTS IN OPPOSITION: A coalition of advertisers, consisting of the Association of National Advertisers, writes:

AB 883 would shorten the deadline for data brokers to honor DROP requests to 30 days, requiring more frequent system access and processing of deletion requests, in addition to vendor coordination and record-management activities to ensure compliance. This accelerated timeline would also disproportionately impact smaller and start-up data brokers, exposing good-faith actors to increased enforcement risk and compliance costs that could stifle competition and chill innovation in California's marketplace. This amendment is being proposed without evidence that the current framework is inadequate or that current law's 15 extra days to effectuate requests have had any negative impact on consumers. By increasing compliance costs and administrative complexity, the bill risks diverting crucial resources away from investments in data security, privacy safeguards, and innovation.

ASSEMBLY FLOOR: 75-0, 1/26/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Gabriel, Papan, Celeste Rodriguez, Ta

Prepared by: Benjamin Diaz / P., D.T., & C.P. / (916) 651-1548
8/14/26 11:39:42

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