

CONCURRENCE IN SENATE AMENDMENTS

AB 883 (Lowenthal)

As Amended August 21, 2026

Majority vote

SUMMARY

This bill requires the California Privacy Protection Agency (CalPrivacy) 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.

Senate Amendments

- 1) Removes the expedited process for deleting the personal information obtained by data brokers for elected officials and judges. Instead the bill does the following:
 - a) Reduces the timelines in the Delete Act from 45 days to 30 days.
 - b) Requires CalPrivacy to create informational material detailing how state and local elected officials and judges, including State Bar Court judges, can use CalPrivacy's accessible deletion mechanism.
 - c) Requires the Secretary of State, filing officers, the State Bar of California, 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.
 - d) Provides that the Attorney General, a county counsel, or a city attorney may bring a civil action, on behalf of a judge or elected official, against a data broker who fails to comply with Section 1798.99.86 of the Civil Code.

COMMENTS

The rise of political violence. On June 14, 2025, Vance Boelter, posing as a law enforcement officer, knocked on the door of Senator John Hoffman's home and shot him and his wife, Yvette, over eight times. Boelter then drove to two other elected officials' homes that were empty before arriving at Representative Melissa Hortman's home, where he shot and killed her and her husband, Mark. Once arrested, Boelter was found with a list of 45 elected Minnesota officials, mostly Democrats who supported abortion rights. The list containing these officials' addresses allegedly came from data brokers and was obtained by Boelter using "people search" websites.

Boelter's night of terror was just the latest in a string of alarming, politically motivated violence against elected officials. On January 6th, 2021, thousands gathered outside the Capitol steps in Washington, D.C. to protest the 2020 election results in what would quickly turn into an all-out riot. Protesters broke into the Capitol, some armed with confiscated police batons and riot gear or firearms, where they faced off with over 100 Capitol police in efforts to reach elected officials who were holed up in the Senate Chamber. The January 6th insurrection, as it has come to be known, resulted in nearly \$3 million in damage and over 1,500 arrests, as well as several deaths of both protesters and Capitol police.

A 2024 report from the Brennan Center for Justice surveyed over 1,700 officials from across the country and found that more than 40% of state legislators experienced threats or attacks from 2021-2024, and over half experienced harassment such as stalking. Officials who identify as women or people of color were more likely to experience threats and harassment related to their families, including threats against their children, than other officeholders. Women were also more likely to be deterred from running for reelection due to these threats than men (34% of men v. 48% of women), highlighting how political violence could significantly reshape California's legislative makeup.

Along with threatening the wellbeing of public servants, political violence has dramatically shifted the way that representatives engage with the public and controversial issues. Nearly 50% of state and local officials said that abuse made them less likely to engage with their constituents on social media and 20% of state legislators said that political violence has dissuaded them from voicing their opinions on controversial topics. Elected state and local officials are not alone in the barrage of threats. The Global Project Against Hate and Extremism reported an alarming 327% increase in instances of threats or calls for impeachment against judges between May 2024 and March 2025 on social media platforms. Thus, violence and intimidation of public servants has a dangerous cooling effect on the democratic process, leading to higher rates of attrition and lower rates of public engagement, especially for women and people of color, that will likely have lasting consequences on the democratic landscape if left unchecked.

What is a data broker? The Federal Trade Commission (FTC) defines data brokers as "companies whose primary business is collecting personal information about consumers from a variety of sources and aggregating, analyzing, and sharing that information, or information derived from it, for purposes such as marketing products, verifying an individual's identity, or detecting fraud."

California's Data Broker Registration Law defines "data broker" as "a business that knowingly collects and sells to third parties the personal information of a consumer with whom the business does not have a direct relationship."

The common point in both of these definitions is that there is no direct relationship between a consumer and any data broker that has information about the consumer. In fact, it is unclear whether "consumer" is even an apt term in this context, since the person whose data is being collected generally does not directly consume any products or services produced by the data broker. Nevertheless, since "consumer" has become the default term in this context, it will be used in this analysis.

The key point to understand is that virtually no consumer chooses to have a relationship with a data broker. There is certainly a consensual transaction between the consumer and the websites the consumer accesses, the apps the consumer uses, and the consumer's cell phone and internet service providers. Each of these transactions involves a transfer of the consumer's personal information to these entities. But the consumer is not involved in the subsequent sale or transfer of their personal information to data brokers; there is no transaction between the consumer and the data broker involved with that sale or transfer.

Delete Request and Opt-out Platform (DROP). In 2023, the Legislature passed the Delete Act. The Act required the California Privacy Protection Agency to develop a streamlined process that allows consumers to submit a request that every data broker that maintains any personal information delete the information related to that consumer held by the data broker. That ability

for consumers to submit requests became active January 1 of this year. The Privacy Agency is then required to provide the requests to all registered data brokers. The Delete Act requires data brokers to honor those requests starting August 1, 2026. Once a data broker receives the request, it has 45 days to comply. In addition, the broker is required to check every 45 days to ensure the personal information has not been acquired again.

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 five 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.

Arguments in Support

The California Privacy Protection Agency writes:

Expanding privacy protections for government officials is an important goal, especially in light of recent increased violence directed at state officials. Indeed, both the federal government and the state of New Jersey have enacted laws that give certain public servants the right to have their residential addresses redacted from government agency websites and certain public records.

This bill increases privacy options for elected officials and judges by requiring that they receive dedicated information about how the recently launched the Delete Request and Opt-out Platform (DROP) can be used to request the deletion of their personal information from all data brokers in one step. AB 883 ensures that each elected official and judge is notified about their ability, pursuant to the Delete Act, to use DROP and receives tailored informational material to support their decisionmaking. The process provided in the bill helps elected officials and judges submit deletion requests themselves so that their personal information is input directly into DROP and not subject to additional privacy or security risks.

Additionally, this bill supports all consumers by ensuring that deletion requests are processed within a prompt and reasonable timeframe. When Californians take affirmative steps to request that their personal information be deleted, businesses should react quickly to honor the requests. The longer personal information remains stored by a data broker, the longer it is available for a data breach or other possible misuse. A 30-day timeline is respectful of a consumer's request and also reasonable for business.

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.

FISCAL COMMENTS

According to the Senate Appropriations Committee:

Minor costs in fiscal year (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).

VOTES:**ASM PRIVACY AND CONSUMER PROTECTION: 14-0-1**

YES: Bauer-Kahan, Dixon, Bennett, Bryan, DeMaio, Irwin, Lowenthal, Macedo, McKinnor, Ortega, Patterson, Pellerin, Ward, Wicks

ABS, ABST OR NV: Petrie-Norris

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Stefani, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Bauer-Kahan, Pacheco, Pellerin, Solache, Ta, Tangipa

ASSEMBLY FLOOR: 75-0-5

YES: 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

ABS, ABST OR NV: Arambula, Gabriel, Papan, Celeste Rodriguez, Ta

UPDATED

VERSION: August 21, 2026

CONSULTANT: Julie Salley / P. & C.P. / (916) 319-2200

FN: 0004329