

Date of Hearing: June 23, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

SB 923 (Becker) – As Amended June 11, 2026

**SENATE VOTE:** 31-0

**SUBJECT:** Consumer privacy requests: deletion request records and request submission methods

**SYNOPSIS**

*The California State Constitution establishes a fundamental right to privacy for all Californians. In addition, the California Consumer Privacy Act (CCPA) provides consumers with certain rights, including the right to request the deletion of any personal information that a business received directly from the consumer.*

*Data brokers are businesses that purchase information about us from multiple sources, combine this information to build comprehensive datasets about us and our lives, and offer this information for sale to anyone able to pay for it. The key point to understand is that consumers essentially never choose to have a relationship with a data broker. The consumer is not involved in the sale or transfer of their personal information to data brokers, nor do they benefit from that transaction. Importantly for this bill, that also means that the CCPA does not currently require data brokers to delete a consumer's personal information when they receive a deletion request if the information did not come directly from the consumer.*

*This bill, sponsored by the California Privacy Protection Agency (Privacy Agency), seeks to close this loophole by requiring a covered business, upon request, to delete the personal information the businesses has about a consumer, regardless of whether the business received the information from the specific consumer.*

*Along with being sponsored by the Privacy Agency, the bill is supported by a number of privacy organizations. Several business organizations, including the California Chamber of Commerce, the California Bankers Association, and TechNet have an oppose unless amended position.*

**EXISTING LAW:**

- 1) Provides, pursuant to the California Constitution, that all people are free and independent by nature and have inalienable rights. Among these is the fundamental right to privacy. (Cal. Const. art. I, § 1.)
- 2) States that the “right to privacy is a personal and fundamental right protected by Section 1 of Article I of the Constitution of California and by the United States Constitution and that all individuals have a right of privacy in information pertaining to them.” Further states these findings of the Legislature:

- a) The right to privacy is being threatened by the indiscriminate collection, maintenance, and dissemination of personal information and the lack of effective laws and legal remedies.
  - b) The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.
  - c) In order to protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits. (Civ. Code § 1798.1.)
- 3) Establishes the California Consumer Privacy Act (CCPA). (Civ. Code §§ 1798.100-1798.199.100.)
- 4) Provides a consumer, subject to exemptions and qualifications, various rights, including the following:
- a) The right to know the business or commercial purpose for collecting, selling, or sharing personal information and the categories of persons to whom the business discloses personal information. (Civ. Code § 1798.110.)
  - b) The right to request that a business disclose the specific pieces of information the business has collected about the consumer, and the categories of third parties to whom the personal information was disclosed. (Civ. Code § 1798.110.)
  - c) The right to request deletion of personal information that a business has collected from the consumer. (Civ. Code § 1798.105.)
  - d) The right to opt-out of the sale of the consumer's personal information if the consumer is over 16 years of age. (Sale of the personal information of a consumer below the age of 16 is barred unless the minor opts-in to its sale.) (Civ. Code § 1798.12.)
  - e) The right to direct a business that collects sensitive personal information about the consumer to limit its use of that information to specified necessary uses. (Civ. Code § 1798.121.)
  - f) The right to equal service and price, despite the consumer's exercise of any of these rights, unless the difference in price is reasonably related to the value of the customer's data. (Civ. Code § 1798.125.)
- 5) Defines "personal information" under the CCPA as information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information includes such information as:
- a) Name, alias, postal address, unique personal identifier, online identifier, IP address, email address, account name, social security number, driver's license number, passport number, or other identifier.

- b) Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
  - c) Biometric information.
  - d) Internet activity information, including browsing history and search history.
  - e) Geolocation data.
  - f) Audio, electronic, visual, thermal, olfactory, or similar information.
  - g) Professional or employment-related information. (Civ. Code § 1798.140(v).)
- 6) Exempts from the definition of “personal information” publicly available information or lawfully obtained, truthful information that is a matter of public concern.
- 7) Defines “publicly available” as any of the following:
- a) Information that is lawfully made 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(v)(D)(2).)
- 8) Requires a business, on or before January 31 following each year in which it meets the definition of a data broker, to register with the Privacy Agency, as provided. (Civ. Code § 1798.99.82.)
- 9) 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 definition specifically excludes the following:
- a) An entity to the extent that it is covered by the federal Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.).
  - b) An entity to the extent that it is covered by the Gramm-Leach-Bliley Act (Public Law 106-102) and implementing regulations.
  - c) An entity to the extent that it is covered by the Insurance Information and Privacy Protection Act, Insurance Code § 1791 et seq. (Civ. Code § 1798.99.80.)
- 10) Requires data brokers to provide, and the Privacy Agency to include on its website, the name of the data broker and its primary physical, email, and website addresses as well as various other disclosures, including whether the broker collects consumers’ precise geolocation or reproductive health care data and whether they collect the personal information of minors.

Data brokers may, at their discretion, also provide additional information concerning their data collection practices. (Civ. Code §§ 1798.99.82, 1798.99.84.)

- 11) Subjects a data broker that fails to register as required to administrative fines and costs to be recovered in an administrative action brought by the Privacy Agency. (Civ. Code § 1798.99.82.)
- 12) Requires the Privacy Agency to establish an accessible deletion mechanism, as provided, that allows consumers, through a single request, to request all data brokers to delete any personal information related to the consumer, as specified. Data brokers are required to regularly access the mechanism and process requests for deletion, as specified. (Civ. Code § 1798.99.86.)
- 13) Permits amendment of the CPRA by a majority vote of each house of the Legislature and the signature of the Governor, provided such amendments are consistent with and further the purpose and intent of this act as set forth therein. (Proposition 24 § 25 (2020).)

**THIS BILL:**

- 1) Subject to exemptions and qualifications, grants the right to request that a business delete any personal information about the consumer which the business has collected, regardless of the source of the information.
- 2) Deems a business that has obtained personal information about a consumer from a source other than the consumer to be in compliance with a consumer's request to delete that data if the business retains a record of the deletion request and the minimum data necessary to ensure the consumer's personal information remains deleted from the business's records and is not being used for any other purpose.
- 3) Requires a business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information make an online method, such as a web form or online portal, available for submitting privacy requests.
- 4) Finds that these changes further the purposes and intent of Proposition 24, the California Privacy Rights Act (CPRA).

**COMMENTS:**

- 1) **Author's statement.** According to the author:

Businesses today routinely augment consumer records with data purchased from third parties to enhance targeting, personalization, and profiling. For example, a retail company might collect basic information directly from the consumer and then purchase detailed demographic data, purchasing histories, and other behavioral information from data brokers to create a rich profile used for marketing and pricing decisions.

The CCPA's current right to deletion targets data a business collects from consumers, but not the full scope of data a company may hold and use to make decisions about individuals. Additionally, it may make businesses more vulnerable to security incidents like data breaches

— even after a consumer has taken steps to protect the privacy and security of their information.

Additionally, while most businesses must provide two or more methods to submit privacy requests, online-only businesses that have a direct relationship with the consumer are only required to provide an email address for consumers to submit most privacy requests under the CCPA. This single-method requirement for certain businesses creates barriers for consumers because it offers minimal support or guidance.

Californians should have accessible and frictionless mechanisms to exercise their existing privacy rights, and when they do so, they should feel secure in knowing they have protected themselves from unwanted data retention.

This bill would strengthen consumers' rights under the California Consumer Privacy Act (CCPA) by expanding the right to delete to cover all personal information a business holds about them, and by requiring online businesses to provide consumers with a webform, online portal, or similar method, to submit requests to delete their personal information. By expanding the CCPA's right to delete personal information, and by improving how consumers can exercise that right, this bill further empowers Californians to take measures to protect their personal information should they choose.

2) **California Consumer Privacy Act.** In 2018, the Legislature enacted the CCPA (AB 375; Chau, Chap. 55, Stats. 2018), which gave consumers certain rights regarding their personal information,<sup>1</sup> such as the right to: (1) know what personal categories of information about them are collected and sold; (2) request the deletion of personal information; and (3) opt-out of the sale of their personal information, or opt in, in the case of minors under 16 years of age. In addition, the CCPA defined “publicly available” as “information that is lawfully made available from federal, state, or local government records, if any conditions associated with such information. This definition excluded biometric information collected by a business about a consumer without the consumer’s knowledge. Additionally, under the CCPA passed in 2018, information was not “publicly available” if that data is used for a purpose that is not compatible with the purpose for which the data is maintained and made available in the government records or for which it is publicly maintained.”

Subsequently, in 2020, California voters passed Proposition 24, the California Privacy Rights Act (CPRA), which both established additional privacy rights for Californians and arguably weakened other privacy rights. Chief among these additional rights was the right of a consumer to limit a business’s use of sensitive personal information.<sup>2</sup>

One of the most important components of Proposition 24 was establishing that the CCPA, as amended, was a floor and not a ceiling for privacy protection. Essentially, to protect Californians from any future legislative efforts to weaken statutory protections in the CPRA, Proposition 24 provided that the CPRA’s contents may be amended by a majority vote of the Legislature if the

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<sup>1</sup> Civ. Code § 1798.140(v). See **EXISTING LAW #5** for definition.

<sup>2</sup> Civ. Code § 1798.140(ae).

amendments are consistent with and further the purpose and intent of the CPRA, which is to further protect consumers' rights, including the constitutional right of privacy.<sup>3</sup>

**3) 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.”<sup>4</sup>

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.”<sup>5</sup>

The common point in both 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.

In 2023, the Legislature passed the Delete Act.<sup>6</sup> The Act required the Privacy Agency to develop a streamlined process that allows consumers to submit a request that every data broker that maintains their 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.

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.

**4) What this bill would do.** This bill, sponsored by the Privacy Agency, seeks to accomplish three things:

1. Close one of the loopholes that may thwart in part or in whole, a person’s efforts to protect their privacy by requesting that a business delete their personal information. The bill accomplishes this by expanding the consumer’s right to request deletion of personal

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<sup>3</sup> Ballot Pamphlet. Primary Elec. (Nov. 3, 2020) text of Prop. 24, p. 74

<sup>4</sup> FTC, *Data Brokers: A Call for Transparency and Accountability* (May 2014) p. 3, <https://www.ftc.gov/system/files/documents/reports/data-brokers-call-transparency-accountability-report-federal-trade-commission-may-2014/140527databrokerreport.pdf>.

<sup>5</sup> Civ. Code § 1798.99.80(d).

<sup>6</sup> Senate Bill 362, Chapter 709, Statutes of 2023.

information that a business has collected from the consumer by including information *about* the consumer.

2. Limit the retention of personal information by a business to the person's deletion request and only the minimum amount of data necessary to ensure that the consumer's data remains deleted for the purpose of ensuring that the consumer's personal information remains deleted and is not collected again.
3. Expand the number of ways consumers can exercise the rights granted under the CCPA by requiring online-only businesses provide multiple methods for consumers to make privacy requests. Under current law, online-only businesses are only required to provide an email that consumers can use to exercise their privacy rights.

This bill should significantly reduce the amount of personal information that a data broker can retain after they receive a deletion request.

5) **Opposition concerns.** A coalition of business associations, including the California Chamber of Commerce, have adopted an "oppose unless amended" position. Key concerns and responses to those concerns follow:

1. Opposition writes: "[T]he bill fails to recognize that a business should also be deemed in compliance with a consumer's request to delete their data by opting the consumer out of processing for non-exempt purposes, in addition to retaining the minimum data necessary to honor the deletion request."

While opting someone out of the selling and sharing of their data may indeed be easier than deleting data, this amendment would be contrary to the voters' wishes when passing the CPRA. Proposition 24 enshrined a person's right to request both restricting the sharing and sale of personal information and the deletion of their data. Deleting personal information is not the same as not sharing or selling the information. Therefore, it appears that this amendment would not further the intent of the CPRA and would fundamentally reduce the privacy rights of consumers.

2. Opposition writes: "[R]equiring businesses to publish an email address as the sole online method for receiving consumer requests poses significant cybersecurity concerns. Publicly available email addresses are routinely harvested by cybercriminals and used as vectors for phishing attacks, exposing companies to data breaches and operational disruption. This risk is substantially heightened today by the proliferation of AI-powered cyberattacks, which enable threat actors to generate highly convincing, targeted phishing communications at scale - making a static, publicly listed email address an increasingly dangerous point of vulnerability. Permitting businesses to use secure online methods such as webforms or portals mitigates these risks by providing controlled, authenticated channels that are far less susceptible to exploitation."

Current law requires businesses to provide an email address for privacy requests. This bill increases the options for consumers by also requiring businesses to provide *an online method, such as a web form or online portal*, thus increasing security by providing a more convenient, and possibly safer, option for them to submit requests. The opposition's requested amendment changes the current language that requires an email *and* an online portal to allowing businesses to offer either one or the other. This change would weaken the bill by allowing businesses to

continue to only offer an email address. In addition, it appears contrary to their stated concerns regarding the security concerns related to email addresses.

6) **Analysis.** Section 25 of the CPRA requires any amendments to the act be “consistent with and further the purpose and intent of this act as set forth in Section 3.” Section 3 declares that “it is the purpose and intent of the people of the State of California to further protect consumers’ rights, including the constitutional right of privacy.” It then lays out a series of guiding principles. These include various consumer rights such as:

- Consumers should know who is collecting their personal information.
- Consumers should have control over how their personal information is used.
- Consumers should benefit from businesses’ use of their personal information.

Section 3 also includes a series of responsibilities that businesses should have. These include:

- Businesses should specifically and clearly inform consumers about how they use personal information.
- Businesses should only collect consumers’ personal information for specific, explicit, and legitimate disclosed purposes.
- Businesses should provide consumers with easily accessible means to allow consumers to obtain their personal information, to delete it, or correct it, and to opt-out of its sale and the sharing across business platforms, services, businesses and devices, and to limit the use of their sensitive personal information.<sup>7</sup>

Currently the CCPA only empowers consumers with the right to request the deletion of data that they have provided directly to a business. Any personal information that a business collects about an individual from a source that is not the person who the personal information pertains to, does not have to be deleted. As discussed in a previous section, consumers do not have direct relationships with data brokers – there are no products or services that they sell to consumers. Their customers are the businesses that purchase inferences and assumptions based on the vast troves of data that the broker has collected from other businesses and combined into a single dossier and the consumer is the product. Given these limitations on a consumer’s right to request that their information be deleted, this bill would, arguably, significantly increase Californians’ privacy and the stated intent of Proposition 24 by requiring businesses to delete personal information not only provided by a consumer but any data *about* a consumer that has been collected from another source, with the exception of any exemptions and qualifications.

Notably, while impactful, other significant loopholes remain. One significant example is that the CCPA’s definition of “personal information” excludes information that is “publicly available.” Information is “publicly available” if it 1) comes from a local, state, or federal government source; 2) the broker reasonably believes the information was lawfully made available to the public; *or* 3) the information has been 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. This third option allows businesses to retain any data they collect by scraping the internet because it is publicly available. However, there is a second bill before the Committee today that when combined with this bill would significantly increase Californians’ privacy protections. That bill, SB 435 (Wahab), revises the definition of “publicly available information”

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<sup>7</sup> Text of the CPRA is available at <https://www.caprivacy.org/cpra-text/>.

by removing the third point in what is considered publicly available, thus returning it to its commonly understood meaning that public information constitutes information provided by the government, mainstream media sources, or that the person intentionally releases to the public. Together, these bills would close significant loopholes in the CCPA.

Two loopholes remain, however. One is the breadth of the exemptions contained in the CCPA and the other is the fact that the types of entities covered by the CCPA are fairly narrow and do not include small businesses<sup>8</sup> or non-profit organizations such as the College Board or OpenAI. It may behoove this Committee to consider changes to those provisions in the future.

***ARGUMENTS IN SUPPORT:*** The California Privacy Protection Agency, sponsors of the bill, write in support:

The existing right to delete under the CCPA only requires deletion of personal information collected from the consumer and therefore does not address the full scope of personal information held and used by a business to make decisions about the individual. It could create a false sense of protection by failing to address personal information collected from third parties. It also leaves a portion of a consumer's personal information vulnerable to security incidents like data breaches even after a consumer has taken steps to protect the privacy and security of their information by requesting deletion.

Extending the right to delete to all personal information held about a consumer provides more meaningful privacy protections and aligns better with consumer intent and expectations. When a consumer submits a request to delete, they should have confidence that all their personal information will be deleted regardless of how the business collected the information.

Additionally, expanding the deletion right would bring the CCPA into alignment with other state privacy laws in the US. This bill follows states like Delaware, Indiana, and Maryland in providing stronger protection by requiring deletion of all personal information collected about the consumer, and allowing businesses to retain the deletion request and only the minimum amount of data necessary to ensure that the consumer's data remains deleted. This ensures that excess data is not maintained and vulnerable to misuse and breach. This style of deletion right is not novel in California because the Delete Act requires data brokers to delete personal information collected indirectly about consumers.

The Electronic Frontier Foundation argues:

In today's digital age, too often our personal information is collected from various sources, bought, sold, and shared by data brokers and businesses without our knowledge. These concerns are not abstract for countless Californians. Businesses today routinely augment consumer records with data purchased from third parties to enhance targeting, information directly from the consumer and then purchase detailed demographic data purchasing histories, and other behavioral information from data brokers to create a rich profile used for marketing and pricing decisions. The CCPA's current right to delete, which gives

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<sup>8</sup> Covered businesses under the CCPA must meet at least one of three criteria: 1) Make over \$25 million in gross revenue a year, 2) Buy, sell, or share the personal information of 100,000 consumers or households, or 3) Derives 50% or more of its revenue through the buying, selling, or sharing of personal information.

Californians the right to request that a business delete the personal information collected directly from them, may create a false sense of protection by failing to address the full scope of data a company may hold and use to make decisions about individuals.

Additionally, it may make businesses more vulnerable to security incidents like data breaches even after a consumer has taken steps to protect the privacy and security of their information. Furthermore, privacy rights that are functional and accessible are critical for effective consumer privacy. Under the CCPA, online-only businesses that have a direct relationship with the consumer are only required to provide an email address for consumers to submit most privacy requests, such as requests for access, deletion, or correction. This single method requirement creates barriers for consumers as it offers minimal support or guidance.

Finally, Oakland Privacy writes in support:

Of the many changes that have been suggested to the CCPA (now the California Privacy Rights Act), the change proposed by Senate Bill 923 is one of the most common-sense ones. We believe it should not be in the least controversial.

When a person submits a deletion request to a company covered by the CPRA, their clear intention and desire is for the company to delete all of the information the company has about them. They may assume that the information they provided in past transactions with the company is all of the information the company has, and that assumption may be correct and it may not be correct.

In today's information-rich environment, the company may have exchanged information with partners and/or competitors or have purchased information on an ad tech marketplace or from a data broker. At least on paper, a person's deletion request as the CPRA is currently worded, may not encompass such supplementary information, and this technicality may frustrate, in whole or in part, the person's clear intent in filing the deletion request.

Even more frustrating, a person may have their deletion request processed as they wished, only to have the same company re-acquire some or all of the same information from another company down the line which practically reverses the earlier deletion request while wasting a whole bunch of time and energy.

This is obviously not aligned with what the person who filed the deletion request intended, and it is not aligned with the intent of the deletion request provision in the CPRA - which is allow Californians to choose for a particular company not to retain their personal information indefinitely following an interaction.

The current deletion request language dates from the 2017-2018 version of the CCPA, which while not formulated that long ago, was envisioned in response to the data marketplaces of that day. We have come a long way since then, and not necessarily in a good way for privacy rights. Despite consumer's best attempts to use opt-out provisions to slow the sales and sharing of their personal information, data marketplaces continue to evolve in sophistication and complexity, and to collect and exchange consumer information in novel ways.

[ . . . ]

Regardless of how common-sense a proposal is, it is likely to garner some opposition. So although we do not know yet whether that will be the case, if there is industry opposition to this proposal, we would respond to it in the following manner. It should be easier and quicker for companies to process deletion requests holistically i.e. removing all information relating to a person except that which is necessary for security reasons or to provide a requested service. Sorting through accumulated information to parse out whether the source is the consumer themselves or a third party is more onerous and more time-consuming for a business than a general deletion. Senate Bill 923 is a streamlining measure that should reduce frustrations for both the consumer and covered businesses.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Privacy Protection Agency (Sponsor)  
Abine, INC. DbA Deleteme  
California Initiative for Technology & Democracy, a Project of California Common CAUSE  
Democrats of Rossmoor  
Electronic Frontier Foundation  
Oakland Privacy  
Privacy Defense Alliance  
Privacy Rights Clearinghouse  
Techequity Action

**Oppose Unless Amended**

American Car Rental Association (ACRA)  
Association of National Advertisers  
California Bankers Association  
California Chamber of Commerce  
California Restaurant Association  
Civil Justice Association of California (CJAC)  
Computer & Communications Industry Association  
Insights Association  
Silicon Valley Leadership Group  
Software Information Industry Association  
Techca  
Technet

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