SENATE THIRD READING
SB 923 (Becker)
As Amended June 11, 2026
Majority vote

SUMMARY

This bill 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.

Major Provisions

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

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."[1]

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."[2]

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.

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[1] 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.
[2] Civ. Code § 1798.99.80(d).

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.[3] 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.

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 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.

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,

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[3] Senate Bill 362, Chapter 709, Statutes of 2023.

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.

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.
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> 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.
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> 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 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.

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.
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> 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.
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> 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.

Arguments in Opposition
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.

1. 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.

FISCAL COMMENTS

According to the Appropriations Committee, the fiscal impact is as follows:

1) Costs of $600,000 or less annually (Consumer Privacy Fund, General Fund) to the Department of Justice (DOJ), beginning January 1, 2027, to investigate and prosecute violations of the expanded deletion right and online-method requirement, provide technical support to review compliance, and respond to increased consumer inquiries and complaints. DOJ reports the Consumer Protection Section requires a deputy attorney general and a legal secretary, and the Public Inquiry Unit within the DOJ, which receives CCPA complaints in significant volume, requires an analyst. DOJ notes the Consumer Privacy Fund is the appropriate fund source for these activities but reports insufficient cash in that fund at this time, requiring General Fund support, and states the costs cannot be absorbed within existing budgeted resources.

2) Enforcement costs to the California Privacy Protection Agency (CalPrivacy), which CalPrivacy anticipates will be absorbable in the near term (Consumer Privacy Fund). CalPrivacy reports the volume of potential investigations already vastly exceeds available resources, and that expanding the scope of the CCPA may add questions to existing investigations but is unlikely to measurably increase short-term workload given a large backlog. CalPrivacy notes that, depending on overall compliance with the bill's requirements, enforcement may require additional resources in future years.

VOTES

SENATE FLOOR: 31-0-9
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Cervantes, Choi, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

ABS, ABST OR NV: Alvarado-Gil, Caballero, Dahle, Grove, Jones, Niello, Seyarto, Strickland, Valladares

ASM PRIVACY AND CONSUMER PROTECTION: 11-2-2
YES: Bauer-Kahan, Bryan, Irwin, Lowenthal, McKinnor, Ortega, Pellerin, Petrie-Norris, Ward, Wicks, Wilson
NO: Macedo, DeMaio
ABS, ABST OR NV: Hoover, Patterson

ASM APPROPRIATIONS: 11-2-2
YES: Wicks, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache
NO: Dixon, Tangipa
ABS, ABST OR NV: Hoover, Ta

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