

California Consumer Privacy Act of 2018 (“CCPA”) Amendment Bill Tracker

Bill	Amendment Summary	Status
Assembly Bill 25	<ul style="list-style-type: none"> Amends the definition of “consumer” to exclude a “natural person whose personal information has been collected by a business in the course of a person acting as a job applicant to, an employee of, a contractor of, or an agent on behalf of, the business, to the extent the person’s personal information is collected and used solely within the context of the person’s role as a job applicant to, an employee of, a contractor of, or agent on behalf of, the business.” (Cal. Civ. Code § 1798.140(g)(2)). Defines “contractor” as “a natural person who provides services to a business pursuant to a written contract.” (Cal. Civ. Code § 1798.140(g)(3)). 	<ul style="list-style-type: none"> Approved by CA Assembly (5/29) Referred to CA Senate Judiciary Committee (6/12)
Assembly Bill 846	<ul style="list-style-type: none"> Clarifies that the CCPA shall not be construed to prohibit a business from offering a different price, rate, level, or quality of goods or services to a consumer, including offering its goods or services for no fee, if either of the following is true: (1) the offering is in connection with a consumer’s voluntary participation in a loyalty, rewards, premium features, discount, or club card program or (2) the offering is for a specific good or service whose functionality is directly related to the collection, use, or sale of the consumer’s personal information. (Cal. Civ. Code § 1798.126(a)). Prohibits businesses from offering loyalty, rewards, premium features, discounts, or club cards that are unjust, unreasonable, coercive, or usurious in nature. (Cal. Civ. Code § 1798.126(b)). 	<ul style="list-style-type: none"> Approved by CA Assembly (5/28) Referred to CA Senate Judiciary Committee (6/6)
Assembly Bill 873	<ul style="list-style-type: none"> Amends definition of “personal information” as follows: “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, but is not limited to, the following if it identifies, relates to, describes, is reasonably capable of being associated with, or could be 	<ul style="list-style-type: none"> Approved by CA Assembly (5/22)

Bill	Amendment Summary	Status
	<p>reasonably linked, directly or indirectly, with a particular consumer or household.” (Cal. Civ. Code § 1798.140(o)(1)).</p> <ul style="list-style-type: none"> Amends definition of “deidentified” as follows: “information that does not identify and is not reasonably linkable, directly or indirectly, to a particular consumer, provided that the business makes no attempt to reidentify the information, and takes reasonable technical and administrative measures designed to: <ul style="list-style-type: none"> (1) Ensure that the data is deidentified. (2) Publicly commit to maintain and use the data in a deidentified form. (3) Contractually prohibit recipients of the data from trying to reidentify the data.” (Cal Civ. Code § 1798.140(h)). 	<ul style="list-style-type: none"> Referred to CA Senate Judiciary Committee (5/29)
Assembly Bill 874	<ul style="list-style-type: none"> Clarifies the meaning of “publicly available” in the definition of “personal information” as follows: “information that is lawfully made available from federal, state, or local government records. ‘Publicly available’ does not mean biometric information collected by a business about a consumer without the consumer’s knowledge.” (Cal Civ. Code § 1798.140(o)(2)). Clarifies that “personal information” does not include “consumer information that is deidentified or aggregate consumer information.” (Cal Civ. Code § 1798.140(o)(3)). 	<ul style="list-style-type: none"> Approved by CA Assembly (5/9) Referred to CA Senate Judiciary Committee (5/22)
Assembly Bill 981	<ul style="list-style-type: none"> Clarifies that the CCPA’s deletion and opt-out of sale rights do not apply to the extent it is necessary to retain or share a consumer’s personal information to complete an insurance transaction for a product or service (as defined in Section 791.02 of the California Insurance Code) that has been requested by the consumer. (Cal Civ. Code § 1798.145(g)). Makes certain amendments to the California Insurance Code. 	<ul style="list-style-type: none"> Approved by CA Assembly (5/22) Referred to CA Senate Judiciary Committee and Senate

Bill	Amendment Summary	Status
		<p>Insurance Committee (5/29)</p>
<p>Assembly Bill 1146</p>	<ul style="list-style-type: none"> • Clarifies that the CCPA’s deletion right shall not apply to the extent personal information is necessary to “fulfill the terms of a written warranty or federally mandated recall covering a product purchased by the consumer.” (Cal Civ. Code § 1798.105(d)(1)). • Clarifies that the CCPA’s opt-out of sale right shall not apply to vehicle information or ownership information retained or shared between a new motor vehicle dealer and the vehicle’s manufacturer if the information is shared for the purpose of effectuating, or in anticipation of effectuating, a vehicle repair covered by a vehicle warranty or recall; adds definitions of “vehicle information” and “ownership information.” (Cal Civ. Code § 1798.145(g)(1)). 	<ul style="list-style-type: none"> • Approved by CA Assembly (5/23) • Referred to CA Senate Judiciary Committee (6/6) • Amended by CA Senate Judiciary Committee (6/14)
<p>Assembly Bill 1355</p>	<ul style="list-style-type: none"> • Clarifies that a business’s privacy policy must disclose that a consumer has “the right to request the specific pieces of personal information the business has collected about that consumer,” as opposed to disclose the actual specific pieces of personal information collected about the consumer. (Cal Civ. Code § 1798.110(c)(5)). • Clarifies that, for consumers who are “at least 13 years of age and less than 16 years of age” (excluding children who are 16 years of age), a business must obtain affirmative authorization from the consumer to sell the consumer’s personal information. (Cal Civ. Code § 1798.120(c)). • Corrects several cross-references across CCPA. 	<ul style="list-style-type: none"> • Approved by CA Assembly (5/9) • Referred to CA Senate Judiciary Committee (5/22)

Bill	Amendment Summary	Status
Assembly Bill 1416	<ul style="list-style-type: none"> • Amends Section 1798.145(a)(1) of the CCPA to state that the obligations imposed by the CCPA shall not restrict a business’s ability to: “comply with federal, state, or local <i>laws, or any rules or regulations adopted pursuant to and in furtherance of state or federal</i> laws.” • Adds new Sections 1798.145(a)(5)-(6) to state that the obligations imposed by the CCPA shall not restrict a business’s ability to undertake the following activities: <ul style="list-style-type: none"> “(5) Provide a consumer’s personal information to a government agency solely for the purposes of carrying out a government program, including providing government services in furtherance of a government program, provided that all of the following requirements are met: <ul style="list-style-type: none"> (A) The business does not sell the personal information of a consumer who has opted out of the sale of the consumer’s personal information for any purpose other than providing it to a government agency for purposes of, and in furtherance of, a government program. (B) The business does not retain the personal information of a consumer who has requested deletion of the consumer’s personal information for any purpose other than providing it to a government agency for purposes of, and in furtherance of, a government program. (C) The government agency shall not further share or retain the information except for purposes of carrying out a government program. (6) Sell the personal information of a consumer who has opted-out of the sale of the consumer’s personal information to another person for the sole purpose of detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity, provided that the business and the person shall not further sell that information for any other purpose.” 	<ul style="list-style-type: none"> • Approved by CA Assembly (5/29) • Referred to CA Senate Judiciary Committee (6/12)

Bill	Amendment Summary	Status
	<ul style="list-style-type: none"> Specifies that the proposed amendments to Section 1798.145 of the CCPA would remain in effect only until January 1, 2024, after which a new Section 1798.145 would replace it, and proposes language for such new section. (Cal Civ. Code § 1798.145(l)). 	
Assembly Bill 1564	<ul style="list-style-type: none"> Clarifies that a business must make available to consumers “a toll-free telephone number or an email address and a mailing address” for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115 of the CCPA. (Cal Civ. Code § 1798.130(a)(1)). Clarifies that a business that “operates exclusively online” must only provide an email address for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115 of the CCPA. (Cal Civ. Code § 1798.130(a)(1)(A)). Specifies that if a business maintains a website, the business must make the website available to consumers to submit requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115 of the CCPA. (Cal Civ. Code § 1798.130(a)(1)(B)). 	<ul style="list-style-type: none"> Approved by CA Assembly (5/13) Referred to CA Senate Judiciary Committee (5/22) Amended by CA Senate Judiciary Committee (6/14)