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Data Brokers Beware: Californians Will Gain New Privacy Protections Under "The Delete Act"

SB 362 Will Let Californians Take Control Of Their Personal Information & Require Data Brokers To Delete Data

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(SACRAMENTO) – Californians who want to control access to their personal information will be able to hit the “delete” button when it comes to a data broker’s ability to collect and maintain information on them if SB 362 by Senator Josh Becker (D-San Mateo) becomes law.

“Data brokers spend their days and nights mining for personal information so they can build dossiers on millions of people and sell them to the highest bidder,” said Becker. “The Delete Act is based on a very simple premise: Every Californian should be able to control who has access to their personal information and what they can do with it.”

Data brokers collect, analyze, and sell personal information about consumers, aggregating data from public records, social media platforms, online transactions, and much more to create detailed profiles on millions of people. Data brokers have to register with the California Attorney General, but they don’t have to report what kinds of information they collect and sell. Under the California Consumer Privacy Act (CCPA), you have a right to require a data broker to delete information they collected directly from you, but you can’t require a broker to delete information they may have acquired about you from other sources.

“The loophole in the law is big enough to drive a few million stolen identities through and it’s time to close it,” continued Becker. “Identity theft is certainly one concern, but there are many others as well. For example, as data brokers get more sophisticated and collect information about people’s healthcare choices, how might that information affect a person’s ability to get a job or buy a home? Older folks in particular are at risk of being scammed and ripped off by people who may have gotten their hands on a senior’s personal information.”

Under SB 362:

- Data brokers would have to register with the California Privacy Protection Agency (CPPA) and disclose the types of personal information they collect.

- The CPPA would create a simple way for Californians to direct all data brokers to delete their personal information, free of charge.
- Data brokers that fail to adhere to the law would face civil penalties and administrative fines set by the Attorney General and the CPPA.

SB 362 will be heard in the Senate Judiciary Committee on April 18, 2023.

First elected in 2020, Senator Becker represents the 13th Senate District covering portions of Santa Clara and San Mateo counties and includes the cities of Atherton, Belmont, Half Moon Bay, Los Altos, Los Altos Hills, Menlo Park, Millbrae, Mountain View, Pacifica, Palo Alto, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, and Woodside.

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