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## California Privacy & Security Breach Tracker

### Enacted Legislation

#### CA A 25-Chau (D)

*Amends the CCPA.* Authorizes a business to require authentication of a consumer that is reasonable in light of the nature of the personal information requested in order to make a verifiable consumer request. Authorizes a consumer to bring a private civil action against a business that violates its duty to implement reasonable security procedures and practices, if that failure results in a consumer's personal information being subject to unauthorized access and exfiltration, or theft. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-763

#### CA A 814-Chau (D)

Clarifies that, for purposes of the prohibition against unlawfully accessing a computer system, a computer system includes devices or systems that are located within, connected to, or integrated with, a motor vehicle. 06/26/2019: Signed by GOVERNOR. Chapter No. 2019-16

#### CA A 874-Irwin (D)

*Amends the CCPA.* Defines publicly available information for the State Consumer Privacy Act to mean information that is lawfully made available from federal, state, or local records. Provides that personal information does not include deidentified or aggregate consumer information. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-748

#### CA A 1130-Levine (D)

Revises the definition of personal information to add specified unique biometric data and tax identification numbers, passport numbers, military identification numbers, and unique identification numbers issued on a government document in addition to those for driver's licenses and State identification cards to these provisions. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-750

#### CA A 1146-Berman (D)

*Amends the CCPA.* Excepts from the right to opt out, 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 a recall. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-751

#### CA A 1202-Chau (D)

Requires data brokers to register with, and provide certain information to, the Attorney General. Defines a 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, subject to specified exceptions. Requires the Attorney General to make the information provided by data brokers available on its website. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-753

#### CA A 1355-Chau (D)

*Amends the CCPA.* Excludes consumer information that is deidentified or aggregate consumer information from the definition of personal information under the State Consumer Privacy Act. Authorizes a consumer to institute a civil action, as a result of a business' violation of the duty to implement and maintain reasonable security procedures and practices appropriate to the nature of the information. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-753

#### CA A 1564-Berman (D)

*Amends the CCPA.* Provides that a business that operates exclusively online, and has a direct relationship with a consumer from whom it collects personal information, is only required to provide an email address for submitting requests for information required to be disclosed. 10/11/2019: Signed by GOVERNOR. Chapter No. 2019-759

### **Draft AG CCPA Regulations**

On October 10, 2019, California AG Becerra has released draft CCPA regulations—links to the relevant documents below. In his press conference, the AG noted that, if necessary, further changes after the if the governor signed the listed amendatory bills.

- [Notice of Proposed Rulemaking Action \(NOPA\), pdf](#)
- [Text of Proposed Regulations, pdf](#)
- [Initial Statement of Reasons \(ISOR\), includes Appendices A, B, pdf](#)
- [STD 399 - Economic and Fiscal Impact Statement, pdf](#)
- [STD 400 \(Part A\), pdf](#)

The comment period ends on December 6 and comments may be filed at [PrivacyRegulations@doj.ca.gov](mailto:PrivacyRegulations@doj.ca.gov)  
The AG has scheduled four public hearings: Sacramento (December 2), Los Angeles (Dec. 3), San Francisco (December 4), and Fresno (December 5).

### **Ballot Initiative**

2020 Ballot Initiative No. 19-0021.

The Californians for Consumer Privacy have filed a ballot initiative entitled the *California Privacy Rights and Enforcement Act*. Link to sponsoring organization site:

- <https://www.caprivacy.org>

Link to current version of draft initiative:

- <https://oag.ca.gov/initiatives/active-measures>

Link to file comment:

- <https://oag.ca.gov/node/add/initiative-comment/183289>

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