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**CALIFORNIA PRIVACY PROTECTION AGENCY**

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**Date:** April 25, 2025

**To:** California Privacy Protection Agency Board  
(Meeting of May 1, 2025)

**From:** Maureen Mahoney, Deputy Director of Policy and Legislation

**Subject:** **Agenda Item 3 — Legislative Update and Authorization of CCPA Positions on Pending Legislation. AB 1355 (Ward), Location privacy, as amended April 10, 2025**

This bill, authored by Assemblymember Ward, seeks to strengthen privacy protections for geolocation information.<sup>1</sup> The collection of this sensitive information provides detailed insights into consumers' movements, including those of immigrants, as well as insights into sexual orientation and reproductive care. The bill has been approved by the Assembly Privacy Committee and is now under consideration by the Assembly Judiciary Committee. Because the bill strengthens privacy protections for a geolocation information, a particularly sensitive category of information, staff recommends a support position on the bill.

### Summary

The California Consumer Privacy Act (CCPA) provides key consumer privacy rights to Californians. The rights granted include the right to know what personal information businesses have collected and how that information is being used, sold, and shared; the right to delete personal information; the right to correct inaccurate personal information, the right to limit a business's use and disclosure of sensitive personal information to certain business purposes, and the right to stop businesses' sale and sharing of personal information, among other protections.

Businesses have corresponding obligations. Businesses that are subject to the CCPA must honor these rights and provide methods by which consumers can exercise these rights. They must also comply with the law's purpose limitation and data minimization rules. This means businesses must limit the collection, use, and retention of personal information to only those purposes that: (1) a consumer would reasonably expect, (2) are compatible with the consumer's expectations and disclosed to the consumer, or (3) purposes that the consumer agreed to, as long as the consent given wasn't obtained through dark patterns. For all of these purposes, the business' collection, use, and retention of the consumer's information must be reasonably necessary and proportionate to serve those purposes.

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<sup>1</sup> AB 1355 (2025), [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB1355](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB1355).

The CCPA covers personal information that identifies, relates to, or could reasonably be linked with a particular consumer or household, including sensitive personal information. Sensitive personal information includes a consumer's precise geolocation, defined as "any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area that is equal to or less than the area of a circle with a radius of one thousand, eight hundred and fifty (1,850) feet, except as prescribed by regulations."<sup>2</sup>

This bill regulates the collection, use, and sale of location information by a covered entity, which is defined to include any individual, partnership, corporation, limited liability company, or other group, but does not include state or local agencies or courts. Location information means "information derived from a device or from interactions between devices...that pertains to or directly or indirectly reveals the present or past geographical location of an individual or device within the State of California with sufficient precision to identify street-level location information within a range of five miles or less."

Specifically, the bill provides that covered entities may not collect or process location information unless doing so is necessary to provide requested goods or services. Covered entities may not:

- Collect more location information than what is necessary to provide the requested goods and services;
- Retain location information longer than needed to provide the goods and services;
- Sell, rent, or lease location information to third parties;
- Infer from the location information any data that is not necessary to provide the goods and services; or
- Disclose any location information unless disclosure is necessary to provide the goods and services or requested by the consumer.

Additionally, the bill provides some restrictions regarding government agencies. Covered entities are prohibited from disclosing location information to any federal, state or local government agency without a valid court order issued in compliance with California's law. State and local agencies are also prohibited from monetizing location information.

The bill also establishes notice requirements regarding the collection and use of location information. Covered entities must prominently display a notice that location information is being collected at the point where the information is captured and provide a location privacy policy. The location privacy policy must include, among other things, the type of location information collected and the products or services it is collected for, the service providers or third parties that the location information is shared with, the data security policies that govern the information, and the retention schedule for deleting the location information.

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<sup>2</sup> Civ. Code Sec. 1798.140 (v)(1)G).

Additionally, the bill provides amendments to the CCPA which clarify that businesses governed by the CCPA who collect location information must also comply with the requirements of this bill. The amendments also specify that consumers' rights under the CCPA with respect to sensitive data do not limit the rights and obligations set forth in the bill.

The bill is enforceable by the California Privacy Protection Agency, the Attorney General, district attorneys, and city attorneys. It includes a private right of action.

## **Analysis**

In staff's view, this bill is consistent with the Agency's mission to protect Californians' consumer privacy. Under the CCPA, geolocation data is classified as sensitive data and therefore subject to greater protections. This bill expands protections for this important category of personal information, allowing for even more robust privacy protection.

Location data can reveal deeply personal insights and therefore requires stronger privacy protections. Location data knowingly captured by personal devices or unknowingly collected from public surveillance technologies like cameras and automated license plate readers can create a detailed map of individual movements that exposes deeply personal information about health care visits, religious practices, and political activities. Further restrictions on how that data can be collected, used, and shared would provide important protections to strengthen individual privacy.

Additionally, the Agency's enforcement division has proven effective at enforcing consumer privacy laws and can provide critical support for this new framework.

**Recommendation:** Support

## **Public Support/Opposition**

Per the April 24, 2025 Assembly Judiciary Committee bill analysis<sup>3</sup>:

### Support:

Access Humboldt  
ACLU California Action  
California Federation of Labor Unions, AFL-CIO  
California Immigrant Policy Center  
California Initiative for Technology & Democracy, a Project of California Common CAUSE  
California Labor Federation, AFL-CIO  
California School Employees Association  
CalPIRG California Public Interest Research Group  
Consumer Action

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<sup>3</sup> California Assembly Judiciary Committee bill analysis at 14 (April 24, 2025), [https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=202520260AB1355](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202520260AB1355).

Consumer Federation of America  
Consumer Federation of California  
Consumer Reports  
Electronic Frontier Foundation  
Electronic Privacy Information Center (EPIC)  
Oakland Privacy  
Pflag Sacramento  
Privacy Rights Clearinghouse  
Secure Justice  
Tech Equity  
Tech Oversight California  
Techequity Action

Opposition:

Association of California Life and Health Insurance Companies  
Association of National Advertisers  
Calbroadband  
California Chamber of Commerce  
California Credit Union League  
California Financial Services Association  
California League of Food Producers  
California Police Chiefs Association  
California Retailers Association  
California State Sheriffs' Association  
Computer and Communications Industry Association  
Consumer Data Industry Association  
CTIA  
Insights Association  
Network Advertising Initiative  
Peace Officers Research Association of California (PORAC)  
Security Industry Association  
Software Information Industry Association  
State Privacy and Security Coalition, INC.  
TechCA  
Technet

Oppose Unless Amended

National Insurance Crime Bureau

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