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**CALIFORNIA PRIVACY PROTECTION AGENCY**

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**Date:** July 18, 2025

**To:** California Privacy Protection Agency Board  
(Meeting of July 24, 2025)

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

**Subject:** **Agenda Item 4 — Legislative Update and CPPA Positions on Pending Legislation. AB 302 (Bauer-Kahan, Protected individuals) — as amended July 17, 2025**

This bill, authored by Assemblymember Bauer-Kahan, seeks to protect government officials by establishing a process to have their information deleted from data brokers.<sup>1</sup> Initially introduced to address health privacy, the bill was recently amended in full to offer additional privacy protections to elected officials and judges and is now under consideration by the Senate Appropriations Committee.

### **Summary**

Both the federal government and the state of New Jersey have enacted laws that give certain public servants the right to have their residential addresses redacted from government agency websites and certain public records.<sup>2</sup> These laws also provide rights to limit additional public disclosures of such information. The federal statute, for example, limits data brokers from purchasing or selling the data and the New Jersey law allows the covered individuals to submit requests to private, non-governmental websites to have their residential information taken down.

Existing California law, commonly known as the Delete Act, requires every data broker, defined 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, to register with the California Privacy Protection Agency (CPPA or Agency) each year and to disclose specified information. The CPPA is required to create and maintain a public website that includes the information provided by the data brokers.

The Delete Act also requires the Agency to, by January 1, 2026, establish an accessible deletion mechanism that, among other things, allows a consumer, through a single verifiable consumer request, to request that every data broker that maintains personal information delete any personal information related to that

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<sup>1</sup> AB 302 (2025), [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB302](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB302)

<sup>2</sup> S. 2340, 117<sup>th</sup> Cong. (2021-2022); N.J. Rev. Stat. § 47:1B-1 et seq.

consumer held by the data broker or associated service provider or contractor. Data brokers, in turn, are required to access the accessible deletion mechanism once every 45 days and process any deletion requests that have been submitted.

This bill establishes a new section within the Delete Act providing for a process that allows specified governmental officials to have their personal information deleted from data brokers. The provisions of the bill apply to elected state and local officials and California judges.

Under the bill, the CPPA is tasked with obtaining a list of all elected state and local officials and specified information for each and submitting deletion requests under the Delete Act on their behalf by March 1, 2026 and thereafter following any election. The CPPA must also offer elected officials an opportunity to be removed from the deletion request list before it is processed. Additionally, the CPPA is tasked with receiving a list of California judges from the Judicial Council and submitting deletion requests under the Delete Act on their behalf.

The bill provides that as of August 1, 2026, deletion requests submitted pursuant to this section would produce a notification to data brokers and that the deletion request be processed within 5 days of such notification. Additionally, the amendments provide that the information sharing required under the bill be done via a secure and confidential exchange.

The bill states that the new provisions are enforceable by an elected official or judge on the submitted lists, the Attorney General, a county council, or a city attorney.

## **Analysis**

Expanding the privacy protections of government officers is an important goal, especially in light of recent increased violence directed towards state officials. However, as currently drafted, the bill has substantial issues related to process, verification, and technical feasibility.

First, the bill tasks the CPPA with generating, maintaining, and updating the list of all elected state and local officials, which staff estimates could comprise 25,000 people. It also requires not just the collection of officials' names, but also their "profile data," which is anticipated to include information such as phone numbers, email addresses, and even mobile advertising identifiers (i.e. "MAID"). This is a responsibility that is beyond the scope and mission of the Agency. This task requires consistent monitoring of elections statewide and regular direct communication with elected officials throughout the state to gather personal information and confirm their inclusion on the deletion request list. These are administrative election responsibilities that would be better suited to a department or office that is already monitoring and maintaining communications with elected officials, such as the Secretary of State. For example, the New Jersey law established an Office of Information Privacy within the Department of Community Affairs that created a web exchange allowing the relevant public servants to register online with the office and

submit redaction requests through the password protected exchange platform.<sup>3</sup>

Second, the bill creates a conflict with provisions of the Delete Act requiring that deletion requests are verifiable. The process outlined to establish the list of elected officials and the list of California judges does not address how the inclusion of each individual will be verified in accordance with the law.

The bill also establishes certain technological features that are not currently contemplated for the accessible deletion mechanism and therefore not feasible within the deadlines set forth in the bill. For example, the bill requires that the accessible deletion mechanism notify data brokers of the deletion requests and requires that they will comply within 5 days. However, the Deletion Request Opt-Out Platform (DROP) that is under development by the CPPA and the California Department of Technology (CDT) and scheduled for an initial launch in January 2026 is a web-based platform that will accept and store deletion requests and data brokers will be able to visit the platform to download and process such requests once every 45 days in accordance with the Delete Act. It is not currently being designed or built to send push notifications and the law allows data brokers 45 days to process deletion requests. The technical and regulatory changes needed to accommodate the bill's requirements are not likely to be complete by the August 1, 2026 deadline set by the bill.

Finally, the bill requires that information sharing under the title be done through a secure and confidential exchange that would need to be developed and built. However, it also requires that the CPPA will have obtained an initial list of elected state and local officials by March 1, 2026 which would require the exchange to be complete prior to such date so that the exchange could be used to communicate with officials and collect the necessary information for deletion requests. It is not practicable for the Agency to develop a new information exchange in time to meet the bill's requirements.

Because the bill establishes processes that are ill-suited for the Agency, in conflict with the Delete Act, and not feasible within the time frames provided, staff recommends that the Agency adopt a position of neutral unless amended to address these issues.

**Recommendation:** Neutral if amended (1) to place another entity in charge of developing and maintaining the list of elected officials; (2) to establish a verification procedure for the deletion lists; and (3) to adjust deadlines to reflect the technical development required or align technical requirements with existing DROP architecture.

### **Public Support/Opposition**

Per the July 14, 2025 Senate Judiciary Committee Analysis. Note that these are positions taken on the July 3, 2025 version of the bill, and may not necessarily

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<sup>3</sup> NJ. Rev. Stat. § 47:1B-1(1)(b); Daniel's Law NJ online portal, available at <https://danielslaw.nj.gov/Default.aspx>

reflect the positions on the most recent version:<sup>4</sup>

Support:

None

Opposition:

California Chamber of Commerce

California Land Title Association

Computer & Communications Industry Association

First Amendment Coalition

Freedom of the Press Foundation

State Privacy and Security Coalition

TechCA

TechNet

Technology Industry Association of California

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<sup>4</sup> California Senate Judiciary Committee Analysis at 18 (July 14, 2025)  
[https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=202520260AB302](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202520260AB302)