

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 CCPA Positions on Pending Legislation. AB 322 (Ward, Precise geolocation information) — as amended June 23, 2025**

This bill, authored by Assemblymember Ward, seeks to strengthen privacy protections for geolocation information.¹ 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 Board voted earlier this year to support AB 1355, from the same author, that regulated the collection, use and sale of location data by specified covered entities. That bill died in the Assembly Appropriations Committee. After AB 1355 failed to pass out of its chamber of origin, AB 322, which had passed the Assembly, was amended in full to address how the California Consumer Privacy Act (CCPA) approaches precise geolocation data. AB 322 is now under consideration by the Senate Appropriations Committee. Because the bill strengthens privacy protections for 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 your personal information to only those purposes that: (1) a consumer

¹ AB 322 (2025), https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB322

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 was not obtained through dark patterns. For these purposes, the business' collection, use, and retention of the consumer's information must be reasonably necessary and proportionate to serve those purposes.

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."²

This bill amends the CCPA to provide additional regulations and obligations with respect to the collection and processing of precise geolocation information. Specifically, the bill provides that businesses may not:

- Collect or process more precise geolocation information than what is necessary to provide the requested goods and services, except as needed to respond to security incidents, fraud, harassment or deception;
- Retain precise geolocation information longer than needed to provide the goods and services or longer than one year after the consumer's last interaction with the business, whichever is earlier; or
- Sell, trade, or lease precise geolocation information to third parties.

Additionally, the bill provides some restrictions regarding government agencies. Businesses are prohibited from disclosing precise geolocation information to any state or local government agency without valid court order issued in compliance with California's law, or from disclosing precise geolocation information to any federal agency unless required to do so under federal law.

The bill also establishes notice requirements regarding the collection and use of precise geolocation information. Businesses must prominently display a notice when precise geolocation information is being collected that states that precise geolocation information is being collected and provides contact information for the business. The notice must also include the type of precise geolocation information collected, the goods or services it is collected for and how it will be used for those goods and service, and any disclosures of the information that the business makes to third parties to provide the requested goods and services.

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

² Civ. Code Sec. 1798.140 (v)(1)G).

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.

Recommendation: Support

Public Support/Opposition

Per the July 11, 2025 Senate Judiciary Committee analysis:³

Support:

California Initiative for Technology and Democracy (sponsor)
Consumer Reports (sponsor)
AAPIs for Civic Empowerment
Alliance for TransYouth Rights
Asian Americans Advancing Justice Southern California
California Civil Liberties Advocacy
California Federation of Labor Unions, AFL-CIO
California Nurses Association
Center for Democracy and Technology
Center for Digital Democracy
Consumer Federation of America
Courage California
Electronic Frontier Foundation
Electronic Privacy Information Center (EPIC)
Equality California
Kapor Center
LGBT Tech
PFLAG Sacramento
Secure Justice
TechEquity Action
Ultraviolet Action
Viet Rainbow of Orange County

Opposition:

Association of National Advertisers
California Baptist for Biblical Values
California Chamber of Commerce
California Retailers Association

³ California Senate Judiciary Analysis at 11 (July 11, 2025),
https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202520260SB361.

Computer and Communications Industry Association

CTIA

Network Advertising Initiative

Security Industry Association

Software Information Industry Association

State Privacy and Security Coalition, Inc.

TechCA

TechNet

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