

California SB 362– Delete Act

Exceptions: data covered by FCRA, GLBA, Insurance, fraud (deletion only).
Does not apply to publicly available information or deidentified information

Moves registry from Attorney General to California Privacy Protection Agency

New Registration Disclosures (January 31)

- Metrics about consumer right requests
- Whether the data broker collects the personal information of: minors, precise geolocation, reproductive health care data
- Recent year of audit and year data broker submitted to CPPA
- Link to business's privacy page to access consumer rights
- Whether a data broker is regulated by FCRA, GLBA, Insurance

Metric Disclosures

- Consumer requests received, complied with in whole or in part, and denied
- Median and mean number of days which data broker responded to requests that data broker received
- Disclose metrics on data broker's website, plus data on requests that were denied in whole or part because it was unverifiable, not made by a consumer, called for information exempt from disclosure, or denied on other grounds

Agency Deletion Request Mechanism (January 1, 2026)

- Allows a consumer to request every data broker to delete any personal information related to the consumer
- Allows a consumer to selectively exclude specific data brokers from a request
- Must support the ability of a consumer's authorized agents to aid in the deletion requests
- Must allow the consumer, or their authorized agent, to verify the status of the consumer's deletion request

Data Broker Obligations (August 1, 2026)

- Pay a fee to access the mechanism (not to exceed cost of providing access)
- Must access the mechanism at least once every 31 days
 - Process all requests and direct service providers or contractors to delete
- Immediately following deletion, send an affirmation to the Agency indicating number of records deleted and any service providers or contractors directed to delete
- After a consumer has submitted a request, delete data at least once every 31 days unless the consumer requests otherwise
- After a request, data broker must not sell or share new personal information of the consumer

Data Broker Audit (January 1, 2028)

- Beginning in 2028 and every three years, undergo an audit by an independent third party to determine compliance
- Submit a report resulting from the audit any related material to the Agency within five business days of a written request from the Agency.

Agency may adopt regulations