



March 27, 2026

TO: Members, Senate Privacy, Digital Technologies, and Consumer Protection Committee

SUBJECT: SB 923 (BECKER) CONSUMER PRIVACY REQUESTS: DELETION REQUEST RECORDS AND REQUEST SUBMISSION METHODS OPPOSE UNLESS AMENDED – AS AMENDED MARCH 23, 2026 SCHEDULED FOR HEARING – APRIL 6, 2026

The California Chamber of Commerce and the undersigned respectfully **OPPOSE UNLESS AMENDED SB 923 (Becker)** as amended March 23, 2026, because the bill fails to recognize that a business should also be deemed in compliance with a consumer’s request to delete their data by opting the consumer out of processing for non-exempt purposes, in addition to retaining the minimum data necessary to honor the deletion request.

While the exemptions under Civil Code Sec. 1798.150 presumably apply, explicitly including this language provides clarity, particularly when this bill appears modeled upon other states like Virginia that have expressly adopted both limitations upon the right of deletion. From an operational and legal perspective, this language is essential to prevent confusion, to ensure technical scalability, and to allow businesses to fulfill obligations related to fraud prevention, security monitoring, and legal compliance.

First, without an opt-out mechanism, data received again from external sources like business partners could re-enter systems, requiring repeated deletions even if you do not further process (use, sell, disclose or share in any fashion) that information. In effect, this creates a “whack a mole” scenario, increasing the chances of accidental violations and significant compliance burdens, despite that fact that the consumer’s data is as good as non-existent. Furthermore, large-scale deletion across distributed systems, logs, and backups is costly and operationally complex whereas an opt-out mechanism provides a scalable solution that ensures compliance with consumer rights in a practical and sustainable way.

Second, businesses must retain certain information for things such as fraud prevention, security monitoring, and compliance with other laws. Strict deletion requirements could be seen as conflicting with such obligations. Allowing companies to opt a consumer out of processing for non-exempt purposes enables them to retain only the necessary information about that consumer without using it for marketing, analytics, or other non-exempt activities. This limited retention is especially critical for fraud prevention, because data obtained “about the consumer” from third party sources—such as alerts about compromised credentials, suspicious account activity, or identity verification checks—can be used to detect, stop or mitigate fraudulent activity targeting that consumer. By keeping just enough information for these exempt purposes, companies can protect consumers from harm while respecting their privacy choices.

In short, without the opt-out provision, businesses would be legally obligated to delete data but practically unable to guarantee it remains deleted, creating operational inefficiency, compliance risk and increased costs for no real benefit to the consumer. Including this language is therefore critical to ensuring that **SB 923** is enforceable in a manner that protects consumer privacy while remaining feasible for businesses.

To address these concerns, we request the following change, as follows:

1798.105 (c) (1) A business that receives a verifiable consumer request from a consumer to delete the consumer’s personal information pursuant to subdivision (a) of this section shall delete the consumer’s personal information from its records, notify

any service providers or contractors to delete the consumer's personal information from their records, and notify all third parties to whom the business has sold or shared the personal information to delete the consumer's personal information unless this proves impossible or involves disproportionate effort.

*(2) A business that has obtained personal information about a consumer from a source other than the consumer shall be deemed in compliance with a consumer's request to delete that data pursuant to subdivision (a) by **either (i) retaining a record of the deletion request and the minimum data necessary for the purpose of ensuring the consumer's personal information remains deleted from the business's records and is not being used for any other purpose, or (ii) opting the consumer out of the processing of such personal information for any purpose except for those exempted pursuant to the provisions of this title.***

Additionally, because of the difficulty relating to spam, many companies have transitioned to webforms or portals as a more reliable way to be contacted by consumers. To that end, we request this additional change:

1798.130 A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information shall only be required to provide an email address ***or and make an online method, such as a web form or online portal, available*** for submitting requests for information required to be disclosed pursuant to Sections 1798.110 and 1798.115, or for requests for deletion or correction pursuant to Sections 1798.105 and 1798.106, respectively.

For these reasons, however, we must **OPPOSE UNLESS AMENDED SB 923 (Becker)**.

Sincerely,



Ronak Daylami

Vice President for Advocacy | Privacy, Cybersecurity & Emerging Technologies
on behalf of

Association of National Advertisers, Christopher Oswald
California Chamber of Commerce, Ronak Daylami
California Restaurant Association, Matt Sutton
Civil Justice Association of California, Annalee Augustine
Computer & Communications Industry Association, Aodhan Downey
Insights Association, Howard Fienberg
Silicon Valley Leadership Group, Ahmad Thomas
Software Information Industry Association, Abigail Wilson
TechNet, Robert Boykin

cc: Legislative Affairs, Office of the Governor
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