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Workplace Privacy, Data Management & Security Report

Immigration and Citizenship Status Add to Definition of Sensitive Information under California's Consumer Privacy Act

By Jason C. Gavejian, Joseph J. Lazzarotti & Robert Yang on October 10, 2023

On October 8, 2023, Governor Newsom signed Assembly Bill (AB) 947. Effective **January 1, 2024**, the bill will revise the California Consumer Privacy Act (CCPA) definition of "sensitive personal information" to include personal information that reveals a consumer's citizenship or immigration status.

Under the CCPA, consumers have certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection against discrimination for exercising these rights. The CCPA was amended by the California Privacy Rights Act (CPRA) which created a new category of "sensitive personal information" and provides rights with regard to this information including restricting businesses' use of sensitive information.

Companies covered by the CCPA/CPRA should review privacy policies and procedures to ensure that immigration and citizenship are covered as sensitive information.

If you have questions about AB 947 or related issues, reach out to a member of our Privacy, Data, and Cybersecurity practice group to discuss.

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