

California Privacy Legislation Round-Up: Gov. Newsom Signs CCPA Employee Exemption Extension, Vetoes Others

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Prior to the September 30 deadline to sign or veto legislation, California Governor Gavin Newsom recently took action on three bills related to data privacy. Bringing some potential certainty to the dynamic CCPA landscape, Governor Newsom signed into law [AB 1281](#), which provides for the extension of the CCPA's exemptions related to employee data until January 1, 2022. In 2019, the Legislature [exempted](#) from the CCPA collection of personal information from job applicants, employees, business owners, directors, officers, medical staff, and contractors until January 1, 2021. Notably, AB 1281 only goes into effect if California voters do *not* approve the [California Privacy Rights Act](#) (CPRA) ballot initiative on November 3rd.

However, Governor Newsom vetoed two other privacy bills that would have tightened data- and service-specific regulations beyond the CCPA's standards. Citing the risk of unintended consequences during the COVID-19 pandemic, Governor Newsom nixed [SB 980](#), which would have created heightened privacy and security requirements for genetic data handled by direct-to-consumer genetic testing and analysis companies. Instead, Governor Newsom [directed](#) the state's Health and Human Services Agency and Department of Public Health to work with the Legislature to identify "a solution that achieves the privacy aims of the bill while preventing inadvertent impacts on COVID-19 testing efforts."

The second vetoed bill, [AB 1138](#), would have required companies that offer "social media" services to obtain parental consent before allowing a user who companies actually know to be under the age of 13 to create an account. In his [veto message](#), Governor Newsom explained that AB 1138 "would not meaningfully expand protections for children," but indicated that he is "open to exploring ways to build upon current law to expand safeguards for children online."

Privacy developments in California this year are unlikely to end with the Legislature's session. As we have [discussed](#), the November 3rd vote on CPRA could have far-reaching implications for California privacy law. With the election only 33 days away, we will continue to monitor and post relevant updates.