

CCPA Update: Legislature Amends the CCPA to Exclude Employee Data, B2B Communications for One Year

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Last week, the California legislature voted to send five amendments to the CCPA to the California governor's desk. The amendments include a one-year exemption for access and deletion rights to employee data and B2B communications; a provision exempting online-only businesses from operating a toll-free number to accept consumer requests; and a new mandate for data brokers to register with the Attorney General's office.

Governor Gavin Newsom has until October 13, 2019 to act on the legislation. The California legislative session ended on Friday, and no additional CCPA amendments are expected before the law comes into effect on January 1, 2020.

Of the six CCPA amendments that had been pending in the California legislature, just one amendment failed to pass last week. A.B. 846 would have provided clarity that the CCPA does not restrict financial incentive and loyalty programs.

Here's the full list of amendments awaiting the governor's signature:

- **CLARIFYING AMENDMENTS & EXEMPTIONS:** [Assembly Bill 1355](#) exempts deidentified or aggregate consumer information from the definition of personal information; creates one-year exemption for certain B2B communications or transactions; and broadens the existing exemption for compliance with the federal Fair Credit Reporting Act (FCRA).
- **DATA BROKER REGISTRATION:** [Assembly Bill 1202](#) requires data brokers to register with the California Attorney General.
- **EMPLOYEE EXEMPTION:** [Assembly Bill 25](#) changes the CCPA so that the law would not cover collection of personal information from job applicants, employees, business owners, directors, officers, medical staff, or contractors for one year.
- **CONSUMER REQUEST FOR DISCLOSURE METHODS:** [Assembly Bill 1564](#) would require businesses to provide two methods for consumers to submit requests for information, including, at a minimum, a toll-free telephone number. A business that operates exclusively online and has a direct relationship with a consumer from whom it collects personal information would only be required to provide an email address for submitting CCPA requests.
- **VEHICLE WARRANTIES & RECALLS:** [Assembly Bill 1146](#) would exempt vehicle information retained or shared for purposes of a warranty or recall-related vehicle repair.

- **PUBLICLY AVAILABLE INFORMATION:** [Assembly Bill 874](#) streamlines the definition of “publicly available” to mean information that is lawfully made available from federal, state, or local government records. The bill also would amend the definition of “personal information” to exclude deidentified or aggregate consumer information.