



## Protecting Californians from data thieves: CAOC-sponsored bill passes state Senate

SB 1121 adds teeth to California's data breach statute

**SACRAMENTO (May 30, 2018)** – Businesses will have more incentive to guard Californians' sensitive personal information from data pirates under a bill sponsored by Consumer Attorneys of California that was passed by the state Senate today.

**Senate Bill 1121** by Sen. Bill Dodd (D-Napa) was drafted in the aftermath of last year's Equifax data breach that exposed personal identifying and financial information, including in some cases Social Security and driver's license numbers, of more than 148 million U.S. consumers. SB 1121 modifies California's existing data breach statute to encourage companies to improve their data protection by holding them accountable for harm caused when they fail to take reasonable security measures and fail to notify consumers of a breach.

SB 1121 clarifies that "consumers," not just "customers," are covered by data breach protections. The change in language reflects that in some cases, such as the Equifax breach, the consumers affected did not have a direct "customer" relationship with the company that allowed the breach. The bill will motivate companies to take the necessary steps to secure consumer data by adding damages, and it will also ensure that consumers can join together in class actions to hold negligent companies accountable. SB 1121 allows consumers to seek redress for up to four years from the time they suffer financial harm, not from the time of the breach.

Businesses that encrypt or redact consumers' personal or financial information, or don't keep that data, will not be affected by SB 1121.

CAOC co-sponsors SB 1121 along with CALPIRG. The vote on the Senate floor was 22-13. It now advances to the California Assembly for consideration.

*Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.*

**For more information:**

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