

AMENDED IN ASSEMBLY JUNE 2, 2025

AMENDED IN ASSEMBLY APRIL 8, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 566

Introduced by Assembly Member Lowenthal

February 12, 2025

An act to add Section 1798.136 to the Civil Code, relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

AB 566, as amended, Lowenthal. California Consumer Privacy Act of 2018: opt-out preference signal.

The California Consumer Privacy Act of 2018 (CCPA) grants a consumer various rights with respect to personal information that is collected or sold by a business, as defined, including the right to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information, as specified. The California Privacy Rights Act of 2020, approved by the voters as Proposition 24 at the November 3, 2020, statewide general election, amended, added to, and reenacted the CCPA and establishes the California Privacy Protection Agency and vests the agency with full administrative power, authority, and jurisdiction to enforce the CCPA.

This bill would prohibit a business from developing or maintaining a browser *or browser engine, as defined*, that does not include a setting that enables a consumer to send an opt-out preference signal, as defined, to businesses with which the consumer interacts through the browser ~~and would, 6 months after the adoption of certain regulations by the agency, prohibit a business from developing or maintaining a mobile~~

operating system, as defined, that does not include a setting that enables a consumer to send an opt-out preference signal to businesses with which the consumer interacts through the mobile operating system, or browser engine, as prescribed. The bill would require a business that develops or maintains a browser or browser engine to make clear to a consumer in its public disclosures how the opt-out preference signal works and the types of personal information to which the signal would apply. The bill would authorize the agency to adopt regulations as necessary to implement and administer those provisions.

This bill would declare that its provisions further the purposes and intent of the California Privacy Rights Act of 2020.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known as the California Opt Me
2 Out Act.

3 SECTION 1.

4 SEC. 2. Section 1798.136 is added to the Civil Code, to read:

5 1798.136. (a) (1) A business shall not develop or maintain a
6 browser or browser engine that does not include a setting that
7 enables a consumer to send an opt-out preference signal to
8 businesses with which the consumer interacts through the browser.
9 browser or browser engine.

10 (2) The setting required by paragraph (1) shall be easy for a
11 reasonable person to locate and configure.

12 (b) (1) A business shall not develop or maintain a mobile
13 operating system that does not include a setting that enables a
14 consumer to send an opt-out preference signal to businesses with
15 which the consumer interacts through the mobile operating system.

16 (2) This subdivision shall become operative six months after
17 the adoption of regulations by the California Privacy Protection
18 Agency that outline the requirements and technical specifications
19 for an opt-out preference signal to be used by a mobile operating
20 system.

21 (b) A business that develops or maintains a browser or browser
22 engine shall make clear to a consumer in its public disclosures
23 how the opt-out preference signal works and the types of personal
24 information to which the signal would apply.

1 (c) The California Privacy Protection Agency may adopt
2 regulations as necessary to implement and administer this section.

3 (d) As used in this section:

4 (1) “Browser” means an interactive software application that is
5 primarily used by consumers to ~~access~~ *locate, access, and navigate*
6 internet websites.

7 ~~(2) “Mobile operating system” means an operating system in~~
8 ~~use on a smartphone or tablet.~~

9 (2) “*Browser engine*” means the software component of a web
10 browser or web-enabled application that interprets and renders
11 web content, including HTML, CSS, and JavaScript, transforming
12 code into interactive visual output on a consumer’s device,
13 including, but not limited to, Blink, Gecko, and WebKit.

14 (3) “Opt-out preference signal” means a signal that complies
15 with this title and that communicates the consumer’s choice to opt
16 out of the sale and sharing of the consumer’s personal information.

17 ~~SEC. 2.~~

18 SEC. 3. The Legislature finds and declares that this act furthers
19 the purposes and intent of the California Privacy Rights Act of
20 2020.