



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-322 Precise geolocation information. (2025-2026)

SHARE THIS:  

Date Published: 06/24/2025 04:00 AM

AMENDED IN SENATE JUNE 23, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 322

Introduced by Assembly Member Ward
(Principal coauthor: Assembly Member Aguiar-Curry)
(Coauthors: Assembly Members Carrillo, Elhawary, and Ortega)
(Coauthor: Senator Wiener)

January 24, 2025

~~An act to amend Section 33319 of the Education Code, relating to pupil health.~~ *An act to add Section 1798.122 to the Civil Code, relating to privacy.*

LEGISLATIVE COUNSEL'S DIGEST

AB 322, as amended, Ward. ~~Pupil health: school-based health services and school-based mental health services.~~ *Precise geolocation information.*

Existing law, the California Consumer Privacy Act of 2018 (CCPA), grants a consumer various rights with respect to personal information, as defined, that is collected or sold by a business, as defined, including the right to direct a business that collects sensitive personal information about the consumer to limit its use, as prescribed. Existing law defines "sensitive personal information" to mean, among other things, personal information that reveals a consumer's precise geolocation. Existing law, 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.

This bill would require a business that collects precise geolocation information to prominently display, when information is being collected, a notice to the consumer whose information is being collected that states certain information related to the collection of the information and its use by the business, including the goods or services requested by the consumer for which the business is collecting, processing, or disclosing the geolocation information and a description of how the business will process the geolocation information to carry out those purposes.

This bill would prohibit a business that collects precise geolocation information from, among other things, retaining the information longer than necessary to provide the goods or services requested by the consumer or longer than one year after the consumer's last intentional interaction with the business, whichever is earlier.

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

~~Existing law establishes the State Department of Education in state government, and vests the department with specified powers and duties relating to the state's public school system, including encouraging and assisting school districts to improve and monitor the health of their pupils. Existing law requires the department, as part of that assistance, to provide information and guidance to schools that request the information and guidance to establish "Health Days" to provide screenings for common health problems among pupils.~~

~~This bill would require the department to include county offices of education and charter schools in the above-described provisions. The bill would require the department to encourage school districts, county offices of education, and charter schools to participate in programs that offer reimbursement for school-based health services and school-based mental health services, as provided.~~

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 1798.122 is added to the Civil Code, to read:*

1798.122. *(a) A business that collects precise geolocation information shall prominently display, when precise geolocation information is being collected, a notice to the consumer whose precise geolocation information is being collected that states all of the following:*

- (1) The fact that the consumer's precise geolocation information is being collected.*
- (2) The name of the business collecting the consumer's precise geolocation information.*
- (3) A telephone number and an internet website through which the consumer can obtain more information.*
- (4) The type of precise geolocation information collected, including the precision of the information.*
- (5) The goods or services requested by the consumer for which the business is collecting, processing, or disclosing the precise geolocation information and a description of how the business will process the precise geolocation information to carry out those purposes.*
- (6) Any disclosures of the precise geolocation information necessary to provide the goods or services requested by the consumer and the identities of the third parties to whom the precise geolocation information could be disclosed.*

(b) A business that collects precise geolocation data shall not do any of the following:

- (1) (A) Except as provided in subparagraph (B), collect or process precise geolocation information more than necessary to provide the goods or services requested by the consumer.*

(B) (i) A business may collect or process precise geolocation information that is necessary to respond to security incidents, fraud, harassment, malicious or deceptive activities, or any illegal activity targeted at, or involving, the controller or processor or its services or to investigate, report, or prosecute those responsible for any of those actions.

(ii) Precise geolocation information collected and processed under this subparagraph shall not be retained for longer than 30 days.

- (2) Retain precise geolocation information longer than necessary to provide the goods or services requested by the consumer or longer than one year after the consumer's last intentional interaction with the business, whichever is earlier.*

- (3) Sell, trade, or lease precise geolocation information to a third party.*

(4) Disclose precise geolocation information to a state or local government agency or official unless the agency or official serves the business or service provider of the business with a valid court order issued by a California court or a court order from another jurisdiction that is consistent with California's laws, including, but not limited to, both of the following:

(A) The Reproductive Privacy Act (Article 2.5 (commencing with Section 123460) of Chapter 2 of Part 2 of Division 106 of the Health and Safety Code).

(B) A foreign penal civil action, as defined in Section 2029.200 of the Code of Civil Procedure.

- (5) Disclose precise geolocation information to a federal government agency unless required to do so by federal law.*

SEC. 2. *The Legislature finds and declares that this act furthers the purposes and intent of the California Privacy Rights Act of 2020.*

~~SECTION 1. Section 33319 of the Education Code is amended to read:~~

~~33319.(a)The department shall encourage and assist local educational agencies to improve and monitor the health of their pupils. The department shall provide guidance and assist local educational agencies to secure the voluntary assistance of local health professionals, schools of medicine, schools of public health, schools of nursing, voluntary health agencies, and other appropriate entities to provide pupil health screening and appropriate medical referrals and to provide valuable health information to pupils and their parents. The department shall encourage local educational agencies to contact and cooperate with local maternal, child, and adolescent health boards and child health and disability prevention programs established pursuant to Article 6 (commencing with Section 124025) of Chapter 3 of Part 2 of Division 106 of the Health and Safety Code.~~

~~(b)As part of the assistance provided to local educational agencies pursuant to subdivision (a), the department shall provide information and guidance to local educational agencies that request the information and guidance to establish "Health Days" to provide screenings for common health problems among pupils and to provide information to pupils and parents on the prevention of illness, proper nutrition, and other aspects of good health. The Health Days should be organized and staffed by school nurses working in cooperation with volunteers from schools of medicine, schools of public health, schools of nursing, voluntary health agencies, health professionals, local maternal, child, and adolescent health boards, and other appropriate entities. Medical screenings and services conducted pursuant to this section shall be conducted in accordance with Chapter 9 (commencing with Section 49400) of Part 27 of Division 4.~~

~~(c)The department shall encourage local educational agencies to participate in programs that offer reimbursement for school-based health services and school-based mental health services, including, but not limited to, both of the following:~~

~~(1)The Medi-Cal Billing Option Program for local educational agencies pursuant to Section 14115.8 of the Welfare and Institutions Code.~~

~~(2)The statewide fee schedule for school-linked outpatient mental health or substance use disorder treatment pursuant to Section 5961.4 of the Welfare and Institutions Code.~~

~~(d)For purposes of this section, "local educational agency" means a school district, county office of education, or charter school.~~