

AMENDED IN SENATE APRIL 15, 2013

AMENDED IN SENATE APRIL 9, 2013

SENATE BILL

No. 501

Introduced by Senator Corbett

February 21, 2013

An act to add Part 2.8 (commencing with Section 60) to Division 1 of the Civil Code, relating to privacy.

LEGISLATIVE COUNSEL'S DIGEST

SB 501, as amended, Corbett. Social networking Internet Web sites: privacy: minors.

Existing law requires an operator of a commercial Internet Web site or online service that collects personally identifiable information through the Internet about individual consumers residing in California who use or visit its site or online service to conspicuously post its privacy policy on its Internet Web site. Existing law also prescribes various prohibitions with regard to disclosures of personal information related to, among other things, driver's licenses, social security numbers, and direct marketing.

This bill would require a social networking Internet Web site, as defined, to remove the personal identifying information, as defined, of any registered user, as defined, within 96 hours after his or her request and would also require removal of that information in that same manner regarding a user under 18 years of age upon request by the user's parent or *legal guardian*. The bill would impose a civil penalty, not to exceed \$10,000, for each willful and knowing violation of these provisions.

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

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

1 SECTION 1. Part 2.8 (commencing with Section 60) is added
2 to Division 1 of the Civil Code, to read:

3
4 PART 2.8. SOCIAL NETWORKING PRIVACY ACT
5

6 60. (a) ~~(1)~~—A social networking Internet Web site shall remove
7 the personal identifying information of a registered user in a timely
8 manner upon his or her request. In the case of a registered user
9 who identifies himself or herself as being under 18 years of age,
10 the social networking Internet Web site shall also remove the
11 information in a timely manner upon the request of a parent *or*
12 *legal guardian* of the registered user.

13 ~~(2) Notwithstanding subdivision (b) of Section 62, for purposes~~
14 ~~of this subdivision, “personal identifying information” shall not~~
15 ~~include a person’s name.~~

16 (b) A request submitted by a registered user pursuant to
17 subdivision (a) shall include sufficient information to verify the
18 identity of the user and shall specify any known location of the
19 information that is the subject of the request.

20 62. For purposes of this part:

21 (a) “In a timely manner” means within 96 hours of delivery of
22 the request.

23 (b) “Personal identifying information” means a person’s ~~name~~;
24 address, telephone number, driver’s license number, *state*
25 *identification card number*, social security number, employee
26 identification number, mother’s maiden name, demand deposit
27 account number, savings account number, or credit card number.

28 (c) “Registered user” means any person who has created an
29 account for purposes of accessing a social networking Internet
30 Web site.

31 (d) “Social networking Internet Web site” means an Internet
32 Web-based service that allows an individual to construct a public
33 or partly public profile within a bounded system, articulate a list
34 of other users with whom the individual shares a connection, and
35 view and traverse his or her list of connections and those made by
36 others in the system.

37 65. A social networking Internet Web site that willfully and
38 knowingly violates any provision of this part shall be liable for a

- 1 civil penalty, not to exceed ten thousand dollars (\$10,000) for each
- 2 violation of this part.

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