

AMENDED IN SENATE APRIL 30, 2013

AMENDED IN SENATE APRIL 15, 2013

AMENDED IN SENATE APRIL 9, 2013

**SENATE BILL**

**No. 501**

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**Introduced by Senator Corbett**

February 21, 2013

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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 also authorize a social networking Internet Web site to require a request submitted for the removal of personal identifying information to include a specified statement. The*

*bill would not require removal of the personal identifying information if federal or state law otherwise requires the social networking Internet Web site to maintain the information. 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) 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 (b) A request submitted by a registered user pursuant to  
14 subdivision (a) shall include sufficient information to verify the  
15 identity of the user and shall specify any known location of the  
16 information that is the subject of the request.

17 (c) A social networking Internet Web site may require a request  
18 submitted by a registered user pursuant to subdivision (a) to  
19 include the following statement:

20 “I attest that the information in this request is accurate, that I  
21 am the registered user or the parent or legal guardian of the  
22 registered user to whom the personal identifying information in  
23 this request pertains, and that I am authorized to make this request  
24 under the laws of the State of California.”

25 (d) A social networking Internet Web site is not required to  
26 remove or otherwise eliminate personal identifying information if  
27 any other provision of federal or state law requires the Internet  
28 Web site to maintain the information.

29 (e) This section shall not be construed to limit the authority of  
30 a law enforcement agency to obtain any content or information

1 *from a social networking Internet Web site as authorized by law*  
2 *or pursuant to an order of a court of competent jurisdiction.*

3 62. For purposes of this part:

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

6 (b) “Personal identifying information” means a person’s address,  
7 telephone number, driver’s license number, state identification  
8 card number, social security number, employee identification  
9 number, mother’s maiden name, demand deposit account number,  
10 savings account number, or credit card number.

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

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

20 65. A social networking Internet Web site that willfully and  
21 knowingly violates any provision of this part shall be liable for a  
22 civil penalty, not to exceed ten thousand dollars (\$10,000) for each  
23 violation of this part.