

## Cal Civ Code § 1798.160

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*Deering's California Codes Annotated > CIVIL CODE (§§ 1 — 7021) > Division 3 Obligations (Pts. 1 — 4) > Part 4 Obligations Arising from Particular Transactions (Titles 1 — 22) > Title 1.81.5 California Consumer Privacy Act of 2018 (§§ 1798.100 — 1798.199.100)*

### § 1798.160. Consumer Privacy Fund

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(a) A special fund to be known as the “Consumer Privacy Fund” is hereby created within the General Fund in the State Treasury, and is available upon appropriation by the Legislature first to offset any costs incurred by the state courts in connection with actions brought to enforce this title, the costs incurred by the Attorney General in carrying out the Attorney General’s duties under this title, and then for the purposes of establishing an investment fund in the State Treasury, with any earnings or interest from the fund to be deposited in the General Fund, and making grants to promote and protect consumer privacy, educate children in the area of online privacy, and fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches.

(b) Funds transferred to the Consumer Privacy Fund shall be used exclusively as follows:

(1) To offset any costs incurred by the state courts and the Attorney General in connection with this title.

(2) After satisfying the obligations under paragraph (1), the remaining funds shall be allocated each fiscal year as follows:

(A) Ninety-one percent shall be invested by the Treasurer in financial assets with the goal of maximizing long term yields consistent with a prudent level of risk. The principal shall not be subject to transfer or appropriation, provided that any interest and earnings shall be transferred on an annual basis to the General Fund for appropriation by the Legislature for General Fund purposes.

(B) Nine percent shall be made available to the California Privacy Protection Agency for the purposes of making grants in California, with 3 percent allocated to each of the following grant recipients:

(i) Nonprofit organizations to promote and protect consumer privacy.

(ii) Nonprofit organizations and public agencies, including school districts, to educate children in the area of online privacy.

(iii) State and local law enforcement agencies to fund cooperative programs with international law enforcement organizations to combat fraudulent activities with respect to consumer data breaches.

(c) Funds in the Consumer Privacy Fund shall not be subject to appropriation or transfer by the Legislature for any other purpose.

## History

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Added Stats 2018 ch 55 § 3 (AB 375), effective January 1, 2019, operative January 1, 2020. Amendment approved by voters, Prop. 24 § 18 (2020 Bill Text CA V. 9), on November 3, 2020, effective December 16, 2020.

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