

2026 Will Be the Year of the “Authorized Agent” – How You Can Stay Ahead of the Latest Consumer Privacy Trend

Insights

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We are noticing that an increasing number of data subject requests received by our clients are being submitted by “authorized agents” specifically set up to send such requests. These agents can be individuals or business entities, but we are increasingly seeing entities like data privacy mobile apps promote themselves as being able to do the job – which is leading to a surge in these requests. What do you need to know about this trend as we head into the new year, and what are some action steps you can take to stay ahead of the curve?

Data Subject Requests

Many state consumer privacy laws, like the California Consumer Privacy Act (CCPA), grant consumers rights regarding the personal information that businesses collect about them. Key rights provided under these laws can include:

- to know what **personal information** a business has about you;
- to request **deletion** of your personal information;
- to **opt out** of the sale or sharing of your personal information;
- to **correct inaccurate personal information**; and
- to limit how your **sensitive personal information** is used and disclosed.

The Rise of the Authorized Agent

Some consumers choose to exercise their rights through authorized agents who may submit requests to access, delete, or limit the use of their personal and private information on their behalf. (Ironically, as consumers use these agents to submit their requests, they are providing a significant amount of their personal information to yet another party to facilitate the requests.)

An authorized agent is a third party, either an individual or a business entity, whom a consumer designates to act on their behalf when making privacy-related requests. These agents serve as intermediaries between consumers and the businesses that collect, hold and share their personal information, helping consumers exercise their rights to know, access, delete, or opt-out of the sale of their personal information.

The use of authorized agents to submit these data requests have become a significant topic among privacy professionals in the last few years. This is due to an increase in such requests received by businesses, as well as an investigative sweep by the California Attorney General which alleged that some businesses have failed to honor data subject requests submitted via authorized agents. But 2026 is bound to be the year that authorized agents exponentially increase in number and impact.

The reason? There has been a recent surge in mobile apps that exist to allow consumers to easily authorize the entity to submit data requests for them. By simply downloading an app and signing up, consumers can have these entities submit privacy requests across numerous companies, saving them the hassle of contacting each business individually. This convenience is advertised as offering consumers greater control over their personal information.

New Challenges For Your Business

While these apps offer the ability to easily submit multiple consumer requests, they also introduce a range of legal and operational challenges for businesses like yours that will be on the receiving end of these requests.

Proper Authority and Information

One major concern is confirming whether an authorized agent truly has the authority to act on behalf of the consumer. Additionally, businesses must still verify the consumer's identity, which can be complicated if the consumer provides incomplete or incorrect information, such as misidentifying their state of residence, when using an app.

Multistate Compliance Concerns

Consumers residing in states without a state consumer privacy law are not legally entitled to submit rights' requests. Businesses are not required to honor requests from individuals in states without a consumer privacy law, although they may choose to do so anyway. It may be more challenging for businesses to properly confirm their legal responsibilities if the app acting as an authorized agent does not verify the consumers' identity prior to submitting the requests or misrepresents the consumer's identity.

Surge in Requests

The ease of submitting requests through these mobile apps will lead to a surge in the number of requests received, which can quickly overwhelm businesses. Processing, verifying, and coordinating these requests can be time-consuming and inefficient for internal teams.

Incorrect Procedures

Finally, we have observed that some authorized agents fail to follow the proper procedures or submit the required documentation when making data requests. For example, certain businesses require requests to be submitted through a specific webform, but some agents simply send an email to a general inbox, which does not comply with the company's established process. There are clear guidelines and regulations for submitting consumer rights requests, but some authorized agents disregard these requirements, creating further complications for businesses.

Key Action Steps to Stay Ahead of the Trend

Looking ahead to 2026 and beyond, businesses should consider the following steps to adjust your compliance strategy to meet this new trend:

1. Verify and Validate: You should always confirm both the authority of the authorized agent and the identity of the consumer before fulfilling any data request. This helps prevent unauthorized disclosure of personal information and addresses concerns about the legitimacy of certain mobile applications acting as agents.

2. Standardize Internal Processes: Establish clear, step-by-step internal procedures for handling all types of data subject requests. Consistent protocols help ensure compliance and streamline response efforts.

3. Effective Communication: Make sure authorized agents, especially those using mobile applications, are aware of and follow your business's required procedures for submitting requests. Proactively communicate the proper channels to submit requests and redirect requests received through other channels to the proper method to ensure that they are processed correctly and in compliance with state privacy laws.

Conclusion

We will continue monitoring developments in this area as more data subject requests by authorized agents are received by our clients. If you have questions about authorized agents or would like assistance evaluating your data privacy practices, please contact your Fisher Phillips attorney, the authors of this Insight, or any member of our [Privacy and Cyber Practice Group](#) or [Consumer Privacy Team](#). To stay informed, subscribe to [Fisher Phillips' Insight System](#) and visit [FP's U.S. Consumer Privacy Hub](#) for additional compliance resources.

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