

Expansion of California privacy law qualifies for ballot

26 June 2020, by Kathleen Ronayne



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California voters will decide a ballot measure in November that would give them more power over how companies use their data, an extension of a landmark privacy law passed in 2018.

Secretary of State Alex Padilla announced Wednesday a measure to amend the law will be on the Nov. 3 general election [ballot](#).

Thursday is the deadline for initiatives to qualify; they need hundreds of thousands of verified voter signatures to get on the ballot.

Others ballot measures this fall would roll back a law that limits taxes on businesses and exempt ride-share services from a new state employment law.

The consumer privacy measure would, among other things: Allow consumers to prevent businesses from sharing their [personal information](#); limit businesses' use of geolocation, race, health or other information; and create a state agency to enforce and implement the law. The agency would cost an estimated \$10 million per year.

It builds on the California Consumer Privacy Act, which took effect Jan. 1. Lawmakers passed it in 2018 under pressure from Alastair Mactaggart, a wealthy California developer, who spent millions of his own money to qualify an even more sweeping measure for the ballot. He withdrew his measure when the law passed under a compromise with legislators.

Under the existing law, consumers can request companies, including internet giants Google and Facebook, tell them what [personal data](#) they have collected and what third parties the companies shared it with. Consumers can ask companies to delete it or stop selling it. Companies can't sell data from children under 16 without consent.

Mactaggart's new initiative would triple the penalties for companies that violate the rules for children under 16.

"California has led the nation in securing fundamental privacy rights," Mactaggart said in a statement. "During these times of unprecedented uncertainty, we need to ensure that the laws keep pace with the ever-changing ways corporations and other entities are using our data."

Some groups say its too soon to change the law. The Civil Justice Association of California noted laws passed at the ballot box can't be amended by lawmakers if pieces of it prove to be "problematic for [consumers](#) and businesses." Another measure would have to be approved at the ballot.

"California businesses need regulatory certainty – not a [moving target](#) – especially during these unprecedented times when many are in survival mode," the group said in a statement.

Dylan Hoffman, director of California Government Affairs for the Internet Association, said the organization's member companies, which include Amazon, Facebook and Google, are focused on

complying with the existing law and that further changes should be made by lawmakers, not at the ballot.

"The internet industry believes that the Legislature is the proper venue to vet such a complex and technical area of law and policy," he said in an emailed statement.

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