



ALEX PADILLA
California Secretary of State

AP18:102

FOR IMMEDIATE RELEASE

June 25, 2018

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**New Measure Eligible for California's November 2018 Ballot
*Establishes New Consumer Privacy Rights; Expands Liability for Consumer Data Breaches. Initiative Statute.***

SACRAMENTO - Secretary of State Alex Padilla today announced that an initiative is eligible for the November 6, 2018, General Election ballot.

In order to become eligible for the ballot, the initiative needed 365,880 valid petition signatures, which is equal to five percent of the total votes cast for governor in the November 2014 General Election.

An initiative can qualify via random sampling of petition signatures if the sampling projects a number of valid signatures greater than 110 percent of the required number. The initiative needed at least 402,468 projected valid signatures to qualify by random sampling, and it exceeded that threshold today.

On June 28, 2018, the Secretary of State will certify the initiative as qualified for the November 6, 2018 General Election ballot, unless the proponent withdraws the initiative prior to that date pursuant to Elections Code section 9604(b).

The Attorney General's official title and summary of the initiative is as follows:

ESTABLISHES NEW CONSUMER PRIVACY RIGHTS; EXPANDS LIABILITY FOR CONSUMER DATA BREACHES. INITIATIVE STATUTE. Gives consumers right to learn categories of personal information that businesses collect, sell, or disclose about them, and to whom information is sold or disclosed. Gives consumers right to prevent businesses from selling or disclosing their personal information. Prohibits businesses from discriminating against consumers who exercise these rights. Allows consumers to sue businesses for security breaches of consumers' data, even if consumers cannot prove injury. Allows for enforcement by consumers, whistleblowers, or public agencies. Imposes civil penalties. Applies to online and brick-and-mortar businesses that meet specific criteria. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Increased costs, potentially reaching the low tens of millions of dollars annually, to state and local governments from implementing and enforcing the measure, some or all of which would be offset by increased penalty revenue or settlement proceeds authorized by the measure. Unknown impact on state and local tax**

revenues due to economic effects resulting from new requirements on businesses to protect consumer information. [\(17-0039.\)](#)

The proponents of this initiative are Mary Ross and Alastair Mactaggart. The proponents can be reached c/o James C. Harrison at (510) 346-6200.

For more information about how an initiative qualifies for the ballot in California, visit <http://www.sos.ca.gov/elections/ballot-measures/how-qualify-initiative/>

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