

California Proposition Overviews
2020 General Election
By Neil Wilson

Proposition 14 Overview

Authorizes Bonds to Continue Funding Stem Cell and Other Medical Research

- This is a 20 year, \$5.5 billion bond measure to fund stem cell research projects.
- Expands the “Alpha Stem Cell Clinic Program” by establishing the “Community Care Centers of Excellence Program.”
- The center is to be a location to conduct clinical trials, treatments and provide cures for all patients using the center. Centers are to be placed across the state.
- Also expands the authority of the ICOC to fund grants in research, trials and patient treatment
- The membership of the ICOC board is expanded from 29 to 35.
- Note: The Alpha Stem Cell Clinic Program was established when proposition 71 was passed in 2004. That was a \$3 billion bond to fund the research of stem cell therapies. This is a state agency. Proposition 14 will expand that program.
- Establishes a training program for college students to develop skills and receive internships, fellowships or residencies in the field of stem cell research and treatments.
- Bond Monies will reestablish the “Shared Research Laboratory Program”.
 - Program will provide grants to help colleges and other research groups: instruction, research methods, supply of cell lines, culture materials, and training opportunities to students.
- Sets up a Board called the “Treatments and Cures Accessibility Working Group”.
 - Group is a board of 17 members who are nominated by the chair of the committee and approved by the state.
 - 5 members are to be from the ICOC (California’s Stem Cell Agency Group)
 - Person from private sector with experience in Stem Cell treatments
 - Experts in Federal Therapy coverage, California’s public insurance program, negotiating with Private industries in treatments, in navigating financial support for patients,
 - 2 members from Hospitals that are currently conducting clinical trials.
 - A philanthropist who can assist patients in accessing and financing treatments.
 - 2 members from Patient Advocacy programs.
 - A chair and vice chair.
- Goal of board is to examine means of getting patients into clinical trials and helping them being able to finance the costs of that treatment.
- ICOC would be expanded from 29 to 35 members.
 - This board consists of Chancellors from the UC schools, and other people appointed by the Governor from hospitals, grant administrators, and other people with medical experience appointed by State executive officers.
 - Expansion includes a nurse with clinic trial experience and expertise.

- 2 additional members who either are involved in the treatment of or advocate for patients in type 2 diabetes, multiple sclerosis, amyotrophic lateral sclerosis and mental health conditions.
- Chair & Vice chair are elected by board members and serve 6 year terms.
- Chair in job description must now be able to have had successful documented stem cell research, or vital research opportunities in therapy development or therapy delivery.
- Also granted authority to remove members from the board with a 60% vote. The board is granted 90 days to appoint a new member to the board.
- They must also hold 4 public meetings a year (increase from the current 2)
- Royalties earned by the CIRM are to be placed in an interest bearing account in the general fund. Money can only be used for offsetting the costs of providing treatments and cures for patients.
- 25% of all revenues over \$500,000 go to the general fund. The \$500,000 shall be adjusted annually by the CPI.
- Every 4 years, the ICOC shall update its standards relating to Conflicts of Interest, ethical research and treatment, and independent financial audits that are aligned to the standards of the National Academy of Sciences.
- Reimbursable expenses include medical expenses, food, lodging and travel expenses for research participants and their caregivers or family members who travel with them.

Amends Section 12 of Section 125290.40 of the Health and Safety Code to include:

- Code Deals with ICOC Functions. Section adds the following powers:
- Making final decisions on research standards and grant awards for research, therapy development and delivery.
- Develop and implement programs to enhance patient access to stem cell treatments and cures through hospitals & clinics.
- Oversee the research at all facilities they operate.
- Develop, establish & oversee policies and programs to make treatments and cures affordable and available to California patients.
- Develop Conflict of Interest standards for the industry.

Other ICOC Powers

- ICOC can employ a maximum of 85 full time equivalent workers in its agency.
 - 70 by the agency directly. 15 supporting treatment development efforts.
- Make appointments by a majority vote to the Treatments and Cures Accessibility and Affordability Working Group. They will serve 6 year terms, and may serve a maximum of 2 6 year terms.
- May appoint up to 3 ad-hoc voting members to each working group during expert review sessions.
 - Working Groups review applicants for ICOC grants.
 - Adds language for a minority recommendation report.
- Spending of the Bond Monies
- Of the \$5.5 billion allocated in the bonds:

- 95% of the annual budget is required to be spent on research, therapy development and treatments. The breakdown of the costs is below.

Item Being Spent	Cost	Sub Total
2021 Budget	\$550 million	\$550 million
2022 Budget	\$550 million	\$1.1 billion
2023 Budget	\$450 million	\$1.55 billion
2024 Budget	\$450 million	\$2 billion
2025-2030 Budget	\$450 million (6 years)	\$4.7 billion
Implementation Costs (3%)	\$150 million	\$4.850 billion
General Administrative Costs (3.5%)	\$175 million	\$5.025 billion
CIRM payroll – 15 people (1%)	\$50 million	\$5.075 billion
New Community Care of Excellence Facilities, equipment & labs. (1.5%)	\$75 million	\$5.150 billion
New Shared Lab Facilities built & operating before 2026 (.5%)	\$25 million	\$5.175 billion. This is the total cost for 1st 10 years.
Annual Budget 2031-2040	\$300 million per year	\$8.175 billion
Projected Interest on Bonds	\$23 million a year	\$2.3 billion
Projected Total Cost of Bond		\$10.475 billion
Original Cost of Bond		\$5.5 billion

- \$1.5 billion of proceeds are to be for grants related to research, therapy development and therapy delivery. Diseases to be covered are:
 - Alzheimer’s disease, Parkinson’s disease, stroke, dementia, epilepsy, schizophrenia, depression, traumatic brain injury, brain cancer, and autism.
 - This cost comes from the 95% of the spending category.

Total Costs of Bond

- \$5.175 billion in the first 10 years.
- \$300 million additional in research, therapy development and treatment costs each year after. This will add another 3 billion in costs from year 11 to year 20:
- **\$8.175 billion total.**
- CIRM is also expected and required to find additional revenue streams to offset these costs.

VAC Note Prop 14: VOTE NO

**Proposition 15
The California Schools and Local Communities Funding Act of 2020**

- This initiative is a constitutional amendment.

- It revises Proposition 13 passed in 1978 to require that commercial and industrial Property be assessed at current market value.
- All taxes collected are allocated as the state would normally distribute them on a county and city basis. Funds for schools are deposited in a fund called the “Local School and Community College Property Tax Fund”.
 - 89% is allocated to K-12 schools
 - 11% is allocated to Community Colleges.
 - Basic Aid Schools will receive less funds than schools receiving ADA.
 - State reimburses counties and cities for costs related to collecting the taxes.
 - Guarantees a minimum of \$100 per ADA increase in funding for schools.
- Districts will now be required to disclose the amount they receive in property tax revenues to the state and the public and how they were spent.

Tax Code Changes

- Starting with the 2022-2023 fiscal year:
 - All commercial and industrial property worth more than \$3 million will be assessed at their fair market value.
 - Property taxes will be assessed on the current fair market value cost.
 - Property is to be assessed at least once every 3 years at “full cash value”.
 - Appeals require tax payer to provide burden of proof that the property was not properly assessed by the county assessors. Appeals of “I think you were wrong” won’t be considered.
- Residential and agricultural property is not part of the assessment changes.
- A task force will be created to determine what legal codes are need to implement the new taxes.

Commercial Property is Defined as:

- Any land zoned for commercial or industrial use.
- Any vacant land not zoned for residential or agricultural use or production except for land designated as parks or open spaces. This property is reassessed at least once every 3 years.
- Mixed use property will not have their initial reassessments until after January 1, 2025.
- All mixed property values will be adjusted for inflation every 2 years starting in 2025.

Small Business Impact

- If 50% or more of a property is owned or occupied by a small business, that property will not be initially reassessed until the 2025-2026 fiscal year.
- But after 2026, it will be assessed in the same way as all other commercial and industrial properties.
- Small business will be defined as a company or business with 50 or less employees and is independently owned by an individual and not controlled by an outside source, and the business owns property in California.

- They will not be reassessed if the value of their property is under \$3 million.

Business Property Valuation

- If 50% or more of a property is owned or occupied by a small business, that property will not be initially reassessed until the 2025-2026 fiscal year.
- But after 2026, it will be assessed in the same way as all other commercial and industrial properties.
- Small business will be defined as a company or business with 50 or less employees and is independently owned by an individual and not controlled by an outside source, and the business owns property in California.

VAC Note Prop 15: VOTE NO

Proposition 16 Government Preferences

- This is an initiative placed on the ballot by the California legislature to Amend Article 1, Section 31 of the state Constitution.
- This would repeal Proposition 209 from 1996 which states:
 - “The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting.”

VAC Note Prop 16: VOTE NO

Proposition 17 Elections: Disqualification of Electors

- This is a constitutional amendment placed on the ballot by the legislature. It amends Article 2, section 2 of the state constitution.
- It grants any resident of the state who is a US citizen and at least the age of 18 the right to vote.
- Any prisoner who lost their right to vote while serving a term in federal or state prison will have their right to vote restored after finishing their prison term.
- Any person serving a prison term or who is deemed incompetent may be disqualified to vote

VAC Note Prop 17: VOTE NO

Proposition 18
Elections: Voting Age

- This is a constitutional amendment placed on the ballot by the legislature. It amends Article 2, section 2 of the state constitution.
- It grants any resident of the state who is a US citizen and at least the age of 18 the right to vote.
- Any prisoner who lost their right to vote while serving a term in federal or state prison will have their right to vote restored after finishing their prison term.
- Any person serving a prison term or who is deemed incompetent may be disqualified to vote

VAC Note Prop 18: VOTE NO

Proposition 19
The Home Protection for Seniors, Severely Disabled, Families, and Victims of Wildfire of Natural Disasters Act

- This is a constitutional amendment placed on the ballot by the state Legislature. This adds sections 2.1, 2.2 & 2.3 to Article 13 section A of the state constitution where it deals with tax limitation.
- If a person is severely disabled, a disabled veteran, over the age of 55 or a victim of a natural disaster or wildfire they will be able to move to a new location, purchase a new property and keep the same valuation for their property taxes.
- It prevents these individuals from seeing their property taxes rise when they purchase a new property.
- A person has 2 years from the time of the sale of the original property to take the exemption.
- Also, if the new property is valued at less than the original property, the value of the new property shall be what the owner is taxed on.
- A person may take this transfer up to a maximum of 3 times.

Inheritance/Property Transfer Notes

- The first \$1 million of a property is exempt from taxation when transferred as an inheritance.
- Anything over \$1 million is taxable.
- For example, if you receive a property worth \$1.4 million, you will be taxed on a property value of \$400,000.
- The \$1 million total will be adjusted for inflation.

California Fire Response Fund

- This is a new fund created by the proposition along with the County Revenue Protection fund.
- Funds in these accounts may be continuously allocated and spent and may have a negative balance.
- The negative balance will be reimbursed by the state.
- Goal of this fund is to increase the staffing of fire fighters in regions of the state that are understaffed.
- This is a new fund created by the proposition along with the County Revenue Protection fund.
- Funds in these accounts may be continuously allocated and spent and may have a negative balance.
- The negative balance will be reimbursed by the state.
- Goal of this fund is to increase the staffing of fire fighters in regions of the state that are understaffed.
- The money in this fund may be spent as follows:
- 20% to Dept. of Forestry to fund fire suppression staffing.
- 80% to be placed in Special District Fire Response Fund.
 - Of this money 50% to fund fire suppression staffing in underfunded districts.
 - 25% to fund low property tax districts, 25% to understaffed districts.

VAC Note Prop 19: VOTE NO

Proposition 20

Restricts Parole for Non-Violent Offenders. Authorizes Felony Sentences for Certain Offenses Currently Treated only as Misdemeanors

- This is an 18 page initiative placed on the ballot.
- This amends Section 3003 of the Penal Code.
- It adds Sections 490.3 & .4, 3040.1, .2, .3 & .4 to the Penal Code.
- Amends Sections 296, 459.5, 490.2, 3003, 3041 & 3455 of the Penal Code.
- 296 relates to the use of DNA evidence.
- 459 & 490 deal with categories of theft.
- 3040, 3041 & 3455 deal with parole regulations.

Section 3003 Provisions

- This adds language requiring that supervision from prior paroles be included to a local county when a prisoner is released.
- A felon is not to be released to an area within 35 miles of where the victim of a crime or the witness of a crime lives when the crime is violent or caused bodily harm.

Section 3040.1 Provisions Being added

- This section defines what a “violent felony offense” is.

- It is a list of 51 items including: murder, rape, sodomy and other sexual assaults, any capital offense, kidnapping, arson, “any robbery”, carjacking, witness threats, resisting a peace officer, hate crimes, human trafficking and conspiracy to commit a felony on the list.

Section 3040.2 – Provisions Being Added

- This creates a list of 7 factors to consider when releasing a non-violent offender.
- It also creates a list of 15 factors to consider when deciding not to release a non-violent offender.
- They are expected to consider “all relevant, reliable information about the inmate”.
- In general, they are to consider: the conviction itself, their criminal history, behavior in prison, input from the prisoner and victim, their mental condition, past & present attitude about the crime and any other relevant information.

Factors for Releasing a Prisoner

- Multiple victims involved.
- Age and mental condition of victim.
- Took advantage of position of trust or in position of leadership.
- Use of fire arm.
- Physical harm to victim.
- Done as part of a gang.
- Other crimes involved
- Not stopping when you could.
- Prior history of parole, escape, violence, jail history, behavior in jail & lack of remorse. Juvenile convictions may be factored in to decision.

Factors for Releasing a Prisoner Include:

- No prior history of violent crime or no prior criminal history.
- A demonstration of remorse.
- Their age reducing the likelihood of committing another crime.
- Their plans after prison and skills developed in prison.
- Behavior in prison
- Circumstances of the conviction.
- The crime was “an unusual situation” that won’t be repeated.

Section 3040.3 – a new section

- If an inmate is serving multiple sentences, and one of them is a “violent felony”, then that person is classified as a “violent offender”.
- A prisoner whose sentence includes an enhancement that results in an act being deemed a “violent” felony shall be classified as a “violent offender”.

Section 3040.4: A new section

- Reasonable notice (90 days) is required to victims of a crime prior to an inmate being interviewed for early parole or release.
- Victims will be given the right to participate in hearings.
- The safety of the victims, their families & public is to be considered as a part of their decision.
- Victims to be told of the decision within 10 days of the decision being made.

Appealing Parole Board Decisions

- An inmate or a prosecuting agency have 30 days to request a review of the decision.
- If parole is denied, they may not be considered again for an early parole or release for 2 years.

Section 3041 Amendments

- Adds “elderly parole” provisions into the penal code.
- Requires the entire criminal history of the inmate be considered when choosing to release or not release.

Penal Code Section 3454 Amendments:

- If a person is given a “Flash Incarceration”, the probation department is to notify the court, the public defender, the district attorney and sheriff each time it happens.
- A “Flash Incarceration” is a brief jail time period given to a person who has violated their probation.

Section 3455 Amendments

- Adds language that violating parole a third time may be grounds for terminating or modifying parole terms.
- If a peace officer or a probation officer has “probable cause” to believe a parolee has violated their probation terms or if the parolee failed to show up to a hearing regarding their probation terms, they may arrest them without a warrant.

Penal Code 296 Amendments

- Adds to the list of people require to provide swab samples, right thumbprints and hand prints of each hand if they plead guilty or no contest to an offense.
- This includes those who shoplift, forge any financial document, defrauds a person, commits grand theft, domestic violence, drug possession, knowingly purchases stolen property, and assaults of an elderly person, a disabled person, a peace officer, firefighter or medic.

Penal Code 459.5 Amendments

- Shoplifting is redefined as entering a commercial establishment to “steal retail property or merchandise” during its business hours at a value of under \$950.
- It is to be punished as misdemeanor.

- Does not include situations involving the theft of a firearm, sale of an access card, transfer of stolen property or a vehicle, identity theft or fraud. (This provision is also added to Penal Code 490.2)

Section 490.3: A New Section

- A sentence of up to one year in prison is to be given in the following property crimes if the value involved is over \$250 and its been committed on a separate occasion.
- Petty Theft, Shoplifting, grand theft, burglary, carjacking, robbery, car theft, a crime against an elder, forgery, unlawful use of access card and identity theft.

Section 490.4: A New Section

- This creates the crime of “Organized Retail Theft”.
- It is defined as a person who coordinates with 1 or more people to:
 - Commit 2 or more thefts in a period of 180 days.
 - Steals over \$250 in merchandise.
- Person found guilty shall be sentenced to a maximum of 1 year in the county jail.

VAC Note Prop 20: VOTE YES

Proposition 21

Local Government’s Authority to Enact Rent Control on Residential Property

- This Initiative amends 1954.50, .52, and .53 of Title 5 of Part 4 of the Civil Code.
- Allows a person who has owned a property for over 15 years and owns only 1 or 2 homes to set what the rent of the property will be.
- Homeowners/landlords have the right to a fair return on a property. Local governments may not restrict this
- In counties or cities with rent control laws, the amount of the rent increase may not exceed 15% in a 3 year period.
- When the dwelling is vacated, the owner may establish a new rental rate for a new tenant. But the rent charged may not be raised more than 15% of the last month’s rent of the previous tenant.
- That rent may not go up more than 15% over a 3 year period.
- The right to change the rent is restricted if the owner has been cited for a health and safety code violation.
- Note: These rules only apply in cities where rent control laws exist. In communities where there is no rent control, these rules do not apply.

VAC Note Prop 21: VOTE NO

Proposition 22

Changes Employment Classification Rules for App-Based Transportation and Delivery Drivers

This is a referendum asking to overturn portions of AB 5.

- AB 5 was passed by the Legislature in 2019 in response to a Supreme Court Decision in the case of Dynamex Operations West vs. Superior Court
- The case and law set restrictions on who can be classified as Independent Contractors versus those who are classified as employees.
- AB 5 affects many industries that were previously classified as “independent contractors”. This includes Truck drivers, journalists and independent drivers all whom have sued the state on the law.
- This referendum deals specifically with the Uber, Lyft, Doordash and other delivery services that are “App Based”.
- This replaces that portion of AB 5 with the provisions that are in this proposition.

Conditions to be Classified as Independent Contractor in this referendum.

- 1. Does not give person a set schedule or required amount of hours to work.
- 2. Does not require person to accept specific jobs.
- 3. Person can work for other services as they please.
- 4. Person can work in another career or job.

Contracts and Salaries

- The company and the worker are to enter into a contract prior to the start of work.
- There must be clear written grounds for terminating a contract. It can not be done at a whim.
- Minimum Salary: 120% of minimum wage.
- All tips or gratuities from customer to employee are to be paid to the employee in full with no deductions.
- Employee to be paid \$.30 per “engaged mile” driven.

Health Care Subsidies

- If an employee averages 25 hours of work per 3 month period, the company shall pay to the employee 100% of the ACA contribution (82% of a monthly Covered California Bronze Plan Premium).
- For a person who works 15-25 hours a week: 50%.
- Payments of the subsidies are quarterly by January 15, April 15, July 15 and October 15.

App Based Companies must...

- Provide occupational accident insurance of \$1 million.
- Disability payments that are 66% of the average weekly earnings (last 28 days) of an employee from all network companies for up to 104 weeks.
- Provide Accidental Death insurance.
- Provide \$1 million in automobile liability insurance to pay for 3rd party property damage or injuries
- Maintain Liability Insurance Policies.
- Have anti discrimination policies.

- Sexual harassment policies and trainings.
- Provide a complaint process that allows for confidentiality and a timely investigation and remedial actions and resolutions of the complaints. They may be submitted electronically.
- Conduct Criminal Background checks of all employees. Those found with a felony history or convicted of one in the past 7 years shall not be allowed to work for the company.
- Develop a zero tolerance policy for working under the influence of drugs or alcohol.
- Provide driver safety training for all employees.
- Training for the handling of the delivery of food products.
- All required trainings must happen by July 1, 2021.
- Ensure no employee works more than 12 hours in any 24 hour period.
- Provide a 1099 for any employee earning over \$600 in a calendar year.

VAC Note Prop 22: VOTE YES

Proposition 23

Regulation of Kidney Dialysis Clinics. Establishes Minimum Staffing and Other Requirements

- This is an initiative that amends Section 1226 of the Health and Safety Code.
- Requires Dialysis Companies accept all insurance payments -- including Medicare and MediCal -- and individual payments for services.
- A licensed physician must be present when services are being provided. This is to be done at the clinic's expense.
- May be granted an exception if there is a shortage.
- Clinics may be fined \$100,000 for not being in compliance with regulations or failing to submit required reports by the state.
- A clinic reducing services or closing must notify in writing and get permission from The Department of Public Health.

VAC Note Prop 23: VOTE NO

Proposition 24

Amends Consumer Privacy Laws

- Clinics may be fined \$100,000 for not being in compliance with regulations or failing to submit required reports by the state.
- A clinic reducing services or closing must notify in writing and get permission from The Department of Public Health.

Initiative Lists 8 Rights Every Consumer has:

- 1. Right to know who is collecting their information and how it is being used by a company that collects the information.
- 2. Consumers have the right to control the use of their personal info.
- 3. Consumers should have access to their personal information and correct it, delete it or take it with them from one company to another.
- 4. Consumers should easily be able to exercise right #3.
- 5. Consumers should not be penalized for exercising these rights.
- 6. Consumers should be able to hold businesses accountable for not taking precautions to protect their information.
- 7. Consumers should benefit from businesses using their information.
- 8. Privacy interests of employees and independent contractors should be protected.

Businesses Have 7 Responsibilities

- 1. They should clearly and specifically inform customers of what information they collect, how it is done and how a consumer can exercise their rights and choices.
- 2. Consumer information should only be done for specific, explicit and legitimate disclosed purposes.
- 3. Businesses only collect what is relevant and necessary for the purposes of why it is being collected.
- 4. Consumers are provided with easily accessible means for consumers to get their personal information to edit, delete or correct information.
- 4b. The consumer should be able to easily opt out of their information being sold to other companies.
- 5. Businesses should not penalize consumers for exercising their rights.
- 6. Businesses should take precautions to protect consumers' personal information.
- 7. Businesses should be held accountable when they violate consumers' privacy rights. Higher penalties if that involves children.

Civil Code, Section 1798.100 Amendments

- Consumers are to be told and informed:
 - the categories of information collected and its source.
 - They are to be told of what information is shared and/or sold.
- May not collect information that is not relevant to the purposes of what the business needs the information for.
- Consumers must be told how long the business will keep the information.
- What companies their information is sold to or shared with.
- Take reasonable actions to protect the privacy of the information being shared by the consumer.

Civil Code 1798.105 changes – Right to Delete

- When a request is given to delete information, all 3rd party groups associated with the company must be informed of the request and delete the information.
- Businesses may maintain a database of requests to delete information.
- Deleting information does not invalidate written warranties or product recalls. A company may retain relevant information of a customer to allow the fulfillment of a warranty or a product recall once the deletion request is submitted.

- Companies may also retain information needed to complete consumer studies or product studies or statistical research.

Civil Code 1798.106 Changes- Right to Edit

- The right to correct information is to be disclosed to a consumer.
- Consumers have the right to access this information held by a company.
- Businesses that receive a “verifiable request” are responsible to correct and update their information.

Section 1798.115 changes-Sharing of Information

- The words “shared” are added to emphasize if a business “sells or shares” information.
- The words “categories” to emphasize that categories of information sold or shared to a business needs to be disclosed to a consumer.

Section 1798.120 – Opt out Provision changes

- “shared” added to emphasize “sell or sharing” of information.
- You may opt out of the selling or sharing of information.
- Parents must given consent to the selling or sharing of information if the consumer is between the ages of 13-16.
- Businesses must notify consumers of the right to limit the sharing of their personal information to other companies. (1798.121)
- If the information is used for purposes other than what is disclosed, the business must provide notice to the customers of the change and the right to limit the sharing of that information.
- 3rd parties may not use that information when a request is received.

Section 1798.130 changes – Editing Information

- Internet companies only need to provide an e-mail address to allow for requests to delete, edit or correct information.
- All other companies shall have a form that is readily available, have a toll free number to call in changes and allow people to submit changes through the company website.
- This shall be done free of charge to all consumers.
- Companies have 45 days to complete all updates.
- Businesses can require authentication of the consumer to verify the person is wanting to complete the update.
- Customers may request a company to disclose what information they have on the customer. Requests can be made twice a year.

Section 1798.135 changes: Limiting the sharing of your personal information.

- Websites must have clear links to “Do not Sell my information” and to “Limit what is shared”.
- Consent statements should be informing the customer how they can opt out of having their information shared.
- Consumers should not have to “create an account” in order to opt out of the selling or sharing of their information.
- The opting out is good for 12 months. At that time the consumer will have to sign up again.

Section 1798.145 changes – Exemptions

- Information that is collected that shall be kept:
- Be provided to law enforcement agencies to comply with a subpoena for information. That information must be held at least 90 days by a company before its deletion.
- Allow a government agency to obtain the information on an emergency basis or when a life is in danger.
- Personal information in a medical study shall be kept.
- Information obtained for credit checks and worthiness.
- Vehicle information.

Changes to Section 1798.155: Administrative

- A company can be fined \$2500 per intentional violation of the privacy sharing of a consumer.
- Fines are deposited in the Consumer Privacy fund to carry out the costs investigating and prosecuting consumer violations.
- 91% of unused funds are to be invested in long term investments. Earnings to go into general fund.
- 9% of unused funds to go to grants for non-profit groups.

Section 1798.185 changes

- Businesses are not required to disclose trade secrets to a consumer.
- Businesses are not to place undue burdens on consumers nor retaliate against consumers who wish to change information or exercise opt out or sharing rights.
- Adjust monetary thresholds every 2 years using the CPI.
- Establish how often a customer can change their information and how it is to be done.
- Business purposes for the information must clearly be disclosed.
- Provide reports to state on how they are protecting information.
- Section also adds 20 new requirements for the creation of regulations.
- Most are around the process of obtaining information, updating it and sharing it.
- Insurance regulations are to be compared. The ones that are stronger are the ones that will prevail.
- Regulations are to be written and implemented by the California Privacy Protection Agency July 1, 2022.

California Privacy Protection Agency

- This will be a new agency created by the government.
- Creates a 5 member board to write regulations and enforce the provisions of this Proposition.
- Members are to serve no longer than 8 consecutive years.
- Paid a per-diem rate of \$100 per day for expenses related to the performance of their duties.
- Agency shall have an executive director and employees needed to perform its duties and obligations.
- Provided an annual budget of \$10 million.

VAC Note Prop 24: VOTE NO

Proposition 25

Referendum to Overturn a 2018 Law That Replaced Money Bail System With a System Based on Public Safety Risk.

- This is a referendum to overturn SB 10 passed in 2018 by the Legislature.
- This law amended the Government Code 27771 and Sections 1320.7-9 of the Penal Code.
- A yes vote says you approve of the law that has been passed. A no vote says you are rejecting the law that has been passed.
- SB 10 eliminated the bail system to release prisoners before their trial.
- A person will generally be released for most misdemeanors within 12 hours of their arrest.
- People arrested for other crimes will be assessed for their risk of committing a new crime if they are released.
- State Trial Courts are responsible for making the decision.
- Courts may deny release if they believe the person is at risk for not showing up to trial or may commit another crime.
- No bail is to be charged for the release.

VAC Note Prop 25: VOTE NO

