



October 6, 2020

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Honorable Board of Supervisors  
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San Rafael, CA 94903

Re: **Consider “Support” Resolutions Regarding Propositions 15-18 and 25; “Oppose” Resolutions Regarding Propositions 19-20; and provide direction regarding remaining propositions appearing on the November 3, 2020 Statewide Ballot**

Dear Supervisors:

**RECOMMENDATION:** Consider adopting “Support” resolutions relating to Propositions 15-18 and 25; “Oppose” resolutions regarding Propositions 19-20; and provide direction regarding remaining propositions on the November 3, 2020 Statewide Ballot.

**BACKGROUND:** There are twelve measures on the November 3, 2020 statewide ballot. Absentee ballots are being mailed by the Registrar of Voters beginning October 5. We are bringing forward a high-level overview regarding these measures with recommended “Support” positions on five and “Oppose” positions on two. Based on prior Board policy, and consultation with your Board’s Legislative Subcommittee of Supervisors Sears and Arnold, we are not recommending positions regarding the remaining five measures and seek any direction from your Board. To better assist your Board, we are framing the twelve measures into two broad categories:

- A. Recommended position: “Support” or “Oppose”** based on past Board policy action or consistency with the Legislative Plan; or
- B. “No position recommended”:** Because the measure does not directly comport with County government or policy, or based upon the recommendation of your Board’s Legislative Subcommittee.

Summary background information can be found in Attachment A, a Quick-Reference Guide prepared by the California Secretary of State. The full Official Voter Information Guide (112 pages) is available from the Secretary of State’s website at: <https://vig.cdn.sos.ca.gov/2020/general/pdf/complete-vig.pdf>. Specific ballot language is also available from the Secretary of State’s website at: <http://www.sos.ca.gov/elections/ballot-measures/qualified-ballot-measures/>.

#### **A. RECOMMENDED POSITION (SUPPORT OR OPPOSE)**

**PROPOSITION 15** would tax most commercial and industrial property based on its fair market value, beginning in 2022-23. The measure is estimated to increase tax revenue from these properties by between \$6.5 billion to \$11.5

billion per year statewide. Because the measure would tax commercial and industrial property differently than residential and agricultural property, it's also known as the "split roll" measure.

The increased property tax revenue would be distributed to counties, schools, cities, and special districts, in essentially the same proportion as under current law. The measure would increase the amount of work county assessors do and could require changes in how they do their work. Increased revenue is first required to cover costs incurred by counties to administer the program, as well as any losses to the state General Fund resulting from decreased corporate and personal income taxes.

[Supporters](#) include a broad range of organizations from education, health care, and local school boards. These organizations generally argue that, while the wealthiest corporations avoid paying their fair share, California schools have the most crowded classrooms in the nation and our local communities are struggling to respond to the impact of the COVID-19 pandemic. Supporters include the California Teachers Association; California Nurses Association; Health Access California; AFSCME; California State Firefighters Association; SEIU California; the Board of Supervisors for Alameda, Contra Costa, Los Angeles, San Francisco, Santa Barbara, Santa Clara, and Santa Cruz Counties. The League of Women Voters of California also supports Prop 15.

[Opponents](#) generally argue that the measure will raise taxes on business property, which will ultimately be passed on to consumers in the form of increased costs on just about everything people buy and use. Opponents also argue that increasing business taxes is particularly problematic at this time given the reduced economic activity associated with COVID-19. Opponents include the California Business Roundtable; California Chamber of Commerce; Western Growers Association; and the Howard Jarvis Taxpayers Association. The California State Association of Counties (CSAC) did not take a position.

Per the Legislative Analyst's Office (LAO), the increased property taxes on commercial properties, valued more than \$3 million, could provide \$6.5 billion to \$11.5 billion in new funding to local governments and schools.

After offsetting local costs of implementation, the Department of Finance estimates net increased revenues of approximately \$19 million for the county, cities and special districts. In addition, Prop 15 would generate approximately \$23 million for schools, of which approximately \$7.5 million would be distributed to Marin County schools.

Consistent with Board policy and the Legislative Plan to provide a sustainable, quality education system, and also because the measure assures more equitable taxation policy and additional revenues for local government services and education, including reimbursement for the increased local costs of implementation, we recommend a **SUPPORT position on Proposition 15.**

**PROPOSITION 16**, regarding State Constitution Section 31 of Article 1, would repeal the 1996 Proposition 209 ban on the consideration of race, sex, color, ethnicity, and national origin in public education, public employment, and public

contracting. Prop 209 effectively banned Affirmative action in state hiring, contracting, and education. Prop 16 would reverse that ban and allow schools and public institutions to take race, ethnicity, color, national origin, and gender into consideration when admitting students to colleges, hiring employees for public jobs, and selecting contractors for public projects.

[Supporters](#) include CSAC, the State Legislature, the League of California Cities, and the Western Center on Law and Poverty. Your Board supported ACA 5 in June, which placed the measure on the ballot. The League of Women Voters of California also supports, arguing that “Prop 16 provides all Californians a fair opportunity in education, employment, and contracting.”

[Opponents](#) include Californians for Equal Rights led by Ward Connerly, generally arguing that consideration of race and gender devalues merit and legalizes discrimination. Tom Campbell, Former Dean, Haas School of Business at UC Berkeley, is also a prominent opponent.

The LAO estimates that approval would have no direct effect on state and local entities because the measure does not require any change to current policies or programs.

Consistent with CSAC, and also with Board policy and the Legislative Plan in favor of civil rights and equity, we recommend a **SUPPORT position on Proposition 16.**

**PROPOSITION 17** would restore the right to vote to a person who is on parole (those convicted of felonies when they have finished serving their term of confinement to prison). According to the California Department of Corrections and Rehabilitation, there are currently over 50,000 Californians on parole.

[Supporters](#) include the American Probation and Parole Association and Anti-Defamation League, generally arguing that people who are able to become civically engaged in their communities after they are released are actually three times more likely to never be arrested again.

Supporters also argue that Prop 17 would enhance equity. People of color, and especially Black men, are overrepresented in prison populations nationwide. Many states instituted broad felony disenfranchisement provisions after the Civil War, when Black men were given the right to vote and property taxes and other voting restrictions were eliminated. Per CSAC’s analysis, California is one of only three states that denies the right to vote to people on parole, but allows those on probation to vote. CSAC did not take a position on Prop 17. The League of Women Voters of California supports, as does ACLU California; the Brennan Center for Justice; Governor Newsom; SEIU; AFSCME; and the California Labor Federation. Marin County’s criminal justice department heads also support.

Opponents include the Election Integrity Project California, Inc. and Crime Victims United of California, which generally argues that while on parole, a former criminal's liberties, such as movement, association, activities and even ownership of certain items, are still heavily restricted and regularly monitored by

the system. Any misstep results in immediate re-incarceration. In other words, an individual on parole has not regained the full trust of the society at large, nor the privilege to participate as a full member of that society.

There is no significant fiscal impact for this measure to be implemented.

Consistent with Board policy in favor of increasing voter turnout, equity and also restorative justice, we recommend a **SUPPORT position on Proposition 17.**

**PROPOSITION 18**, regarding elections and voting age, would make eligible 17-year-olds who will be 18 years old by the time of the next general election to vote in the primary election and any special elections preceding the general election.

Supporters include the League of Women Voters of California, California School Boards Association and the University of California Student Association, which generally contend that young people whose birthdays fall between the primary and general election are currently at a disadvantage to those who are permitted to vote in the primaries. Because many 17-year-olds are still in high school, allowing them to participate in primary elections while they are taking classes on civic engagement could increase turnout, and studies also reportedly have shown that, once a person votes in an election, they are more likely to do so again and allows for increased voter engagement.

Opponents, which include the Howard Jarvis Taxpayers Association, contend that 17-year-olds are still minors, have virtually no experience with earning a living and paying taxes, which are real life experiences vital for voting.

CSAC did not take a position on Prop 18. The LAO estimates that approval would increase statewide county costs likely between several hundreds of thousands of dollars and \$1 million every two years by increase work for county election officials.

Consistent with Board policy in favor of increasing voter turnout, we recommend a **SUPPORT position on Proposition 18.**

**PROPOSITION 19** would (a) significantly expand the tax benefit for existing homeowners wishing to move; (b) restrict the property tax benefit for transfer of family property; and (c) establish funds with the intent of providing increased funding to certain fire protection districts and local agencies.

Generally speaking, qualifying homeowners currently may transfer their property tax base to a replacement residence only if the replacement property is of equal or lesser value; the replacement residence is in a specific county; and the transfer occurs only once. The table on the following page summarizes Prop 19's key changes:

	<b>Homeowner Eligibility</b>	<b>Residential Property Eligibility</b>	<b>Frequency</b>	<b>County to County Transfer</b>
<b>Current Law</b>	Restricted to homeowners 55+ or severely disabled	Restricted to replacement properties of equal or lesser value	A once in a lifetime	Only if approved by Board of Supervisors
<b>Proposed Initiative</b>	Same	No value limit on replacement properties	Up to three times in a lifetime	Permitted anywhere in state, between any counties

[Supporters](#) include the California Association of Realtors, arguing that approval will increase home sales by, first, allowing most homeowners to keep their accumulated tax benefit when purchasing a new home and, second, restricting the property tax benefit currently given to inheritors of real property. Other supporters include the Congress of California Seniors; Californians for Disability Rights; California Professional Firefighters; California Statewide Law Enforcement Association; California Nurses Association; Governor Newsom; California Business Roundtable; and California Black Chamber of Commerce.

Opponents include CSAC, which argues that the measure will significantly reduce a reliable source of revenue – and that approval would erode local control over property tax revenues. CSAC argues that it “would expand property tax portability for homeowners and keep property taxes suppressed under Proposition 13 (1978) by allowing eligible homeowners to keep their artificially low property tax bill when they move to a home of any value, anywhere in the state, as many times as they choose.”

The League of Women Voters of California also opposes Prop 19, arguing that “Prop 19 exacerbates an already inequitable property tax system - offering tax breaks to people who do not need them.” In addition, “while the plan to put state revenue from increased home sales into a fund to support firefighting may sound appealing, it will make it more difficult for the legislature to fund the state’s response to other natural disasters or public health crises.”

The LAO estimated that a similar measure might result in increased revenue in the tens of millions of dollars per year collectively for local agencies, but also tens of millions in new costs for county assessors. On the low end, the measure could reduce local agency revenues by tens of millions of dollars in addition to increased costs to assessors. Counties probably would need to hire new staff and make computer upgrades to carry out the measure, increasing costs for counties by tens of millions of dollars per year.

In addition to County fiscal effects, the equity aspects of increasing this tax break for homeowners over 55 should be considered. According to the Public Policy Institute of California, California’s income inequality ranks sixth worst in the United States. Homeowners over 55 are overwhelmingly more likely to be wealthy and white compared to other Californians, partly because residential property is the

most important factor in building generational wealth, and partly due to the persistent effects of widespread discriminatory real estate practices, such as redlining. Homeowners are also more likely to have higher income and higher net worth than renters. Per CSAC's analysis, to the extent this portion of Proposition 19 further expands the tax break for homeowners over 55, it will increase these inequities and could result in a lower level of government services than would otherwise be provided due to reduced local tax revenue.

Consistent with CSAC; with Board policy to maintain local discretion with regard to local revenue sources; and with Board policy to ensure an equity approach toward policy, we recommend an **OPPOSE position on Proposition 19.**

**PROPOSITION 20** would amend state law to (1) increase penalties for certain theft-related crimes, (2) change the California Department of Corrections and Rehabilitation's existing nonviolent offender release consideration process, (3) change county probation community supervision practices, and (4) require DNA collection from adults convicted of certain misdemeanors.

Supporters of Proposition 20 generally argue that, despite the violent nature, certain crimes are incorrectly designated as non-violent under California law. Because they are designated as non-violent, offenders serving current state prison terms for these crimes are eligible for parole consideration after serving the full term for their primary offense. Additionally, they argue this measure provides protection against violent crime by allowing DNA collection from persons convicted of theft or drug offenses. Supporters include the California Chamber of Commerce; California Grocers Association; California Retailers Association; League of California Cities; and a number of public safety leaders.

Opponents include the League of Women Voters of California, California Democratic Party, ACLU of California, National Center for Crime Victims, California Teachers Association, SEIU California, ACLU of California, and the Chief Probation Officers of California, which generally argue that California already has lengthy sentences and strict punishment for serious and violent crime and this measure would unnecessarily result in tens of millions of dollars being spent on prisons while cutting rehabilitation programs and support for crime victims.

Additionally, opponents argue that increasing penalties for theft related crimes will have a disproportionate impact on Black, Latino, and low-income individuals. Lastly, they argue that California has made progress by enacting criminal justice reforms in recent years to reduce prison spending and expand rehabilitation, and this measure would repeal California's progress. The League of Women Voters argues that "Prop 20 sends California in the wrong direction at a time when there is forward momentum toward smart justice approaches that increase public safety and reduce costs to the state." Marin County's criminal justice department heads all oppose.

The LAO estimates increased state and local correctional costs likely in the tens of millions of dollars annually, primarily due to increases in county jail populations and levels of community supervision. Also, increased state and local court-related costs could total more than several million dollars annually. Last,

increased state and local law enforcement costs could total more than a few million dollars annually related to collecting and processing DNA samples.

Consistent with Board policy in favor of continued restorative justice policy, and also ensuring equity in criminal justice, we recommend an **OPPOSE position on Proposition 20.**

**PROPOSITION 25**, regarding cash bail, requires a majority of voters to approve a 2018 state law (Chapter 244, Statutes of 2018, Hertzberg-SB 10) before it can take effect. SB10 was approved by the Legislature in 2018 to replace the current money bail system with a system for pretrial release from jail based on a determination of public safety or flight risk, and limits pretrial detention for most misdemeanors.

Proposition 25 is a referendum on SB 10 and will determine whether the bill will go into effect. Specifically, approval would (1) eliminate release on bail, (2) create a new process for release before arraignment, and (3) change the existing process for release at arraignment.

Supporters include the California Democratic Party, California Teachers Association, and League of Women Voters of California, which generally argue that safety, not money or race, should be the guiding factor to determine who must stay in jail before they go to trial. The bail reform law balances safety, fairness, and the rights of defendants and victims, and no one who is a safety risk can use bail to buy their way out of jail just because they are wealthy. Prop 25 creates a fairer system that doesn't base freedom on the ability to pay, but rather on the public safety risk of the defendant. There are roughly 46,000 people awaiting trial in local jails. Many of the defendants are not a safety risk to the public. Other supporters include SEIU California, Western Center on Law and Poverty; and the California Medical Association.

The League of Women Voters argues that "cash bail both criminalizes poverty and reflects the systemic racism that plagues our criminal legal process. California must move away from the money bail system to create a fairer and more equitable criminal legal system that balances public safety with the presumption of innocence." The Chief Probation Officers Association and Public Defenders Association of California support, as do all of Marin County's criminal justice department heads.

Opponents include the California Black Chamber of Commerce; California Business Roundtable; California Peace Officers' Association; and the American Bail Coalition, which argues that the bail reform will eliminate the right of people accused of a crime to have a choice of securing their release through bail or a pretrial release program. Instead, it will force Californians to rely on a computer-generated system of profiling managed by government bureaucrats to determine who can and cannot get out of jail pending trial. Additionally, some opponents contend that certain civil rights groups oppose Proposition 25 because it will create more biased outcomes against people of color and those from economically disadvantaged areas.

The LAO estimates increased state and local costs possibly in the mid-hundreds of millions of dollars annually for a new process for releasing people from jail prior to trial. It is unclear whether some of the increased state costs would be offset by local funds currently spent on this type of workload. Also, there is estimated decreased county jail costs possibly in the high tens of millions of dollars annually. Lastly there is an unknown net impact on state and local tax revenues generally related to people spending money on goods rather than paying for release from jail prior to trial.

Consistent with Board policy in favor of restorative justice and ensuring equity in criminal justice, we recommend a **SUPPORT position on Proposition 25.**

## **B. NO POSITION RECOMMENDED (NEUTRAL)**

Below we provide a brief overview regarding the remaining five measures on the November 3 ballot. Based on prior Board policy, and/or based upon the recommendation of the Legislative Subcommittee, we are not recommending a formal Board position on these measures but welcome any Board direction.

**PROPOSITION 14**, regarding funding stem cell and other medical research, would authorize \$5.5 billion in general obligation bonds primarily for stem cell research and the development of new medical treatments.

[Supporters](#) include the American Association for Cancer Research, the University of California Board of Regents, patient advocates, scientists, and doctors for continuing funding for stem cell research, treatments, and cures.

The Center for Genetics and Society opposes the measure, arguing that it lacks legislative oversight of the California Institute for Regenerative Medicine which provides the grants to support stem cell research from the bonds.

At the time of print, there were no PACs registered to oppose the ballot initiative.

**PROPOSITION 21** would amend state law to allow local governments to establish rent control on residential properties over 15 years old. It allows rent increases on rent-controlled properties of up to 15 percent over three years from previous tenant's rent above any increase allowed by local ordinance. It exempts individuals who own no more than two homes from new rent-control policies. In accordance with California law, it provides that rent-control policies may not violate landlords' right to a fair financial return on their property.

[Supporters](#) include the ACLU, Healthy Housing Foundation, California Nurses Association, California Alliance for Retired Americans, SEIU, and Housing California, which generally argue the measure would allow communities to limit rent increases and preserve affordable housing. They also argue it brings stability to seniors, families and working Californians where wages have remained stagnant, while rents have increased astronomically. Per the supporters, half of all renters statewide — more than 3 million households —



spend more than 30 percent of their income on rent, meeting the federal government's definition of "rent-burdened."

Opponents include the California Council for Affordable Housing, California Chamber of Commerce, Howard Jarvis Taxpayers Association, California Seniors Advocates League and a number of real estate agencies, which generally argue it would make it more difficult for seniors to find affordable housing by slowing the construction of new projects and reducing the number of properties on the market to rent. Opponents also point to findings of the LAO analysis of the initiative, which noted Proposition 21 could diminish property values and result in less revenue for communities.

If communities respond to this measure by expanding their rent control laws beyond the existing protections for renters, the LAO estimates it could lead to several economic effects, including:

- some landlords selling their rental housing to new owners who would live there instead of renting;
- the value of rental housing would decline because potential landlords would not want to pay as much for these properties;
- some renters would spend less on rent and some landlords would receive less rental income; and
- some renters would move less often; for example, fewer renters would move because their rents increase.

Overall, the size of these effects would depend on how many communities pass new laws, how many properties are covered, and how much rents are limited. If communities that already have rent control expand their rules to include newer homes and single-family homes, revenue losses could be in the high tens of millions of dollars per year statewide. If many communities create new rent control rules, revenue losses could be larger. If few communities make changes, revenue losses would be minor.

Marin County Community Development Agency staff recommend support, with the following arguments:

- It increases affordability for renters in the face of a rental housing crisis;
- It prevents displacement of existing renters; and people of color are twice as likely to be facing displacement; and
- It allows local communities to adopt policies which meet their local needs.

The League of Women Voters remained Neutral, arguing that "Rent control policies are one strategy to address California's housing challenges, offer tenant protections, and prevent displacement. Rent control may be an effective short-term solution but studies suggest that its longer-term impact may, in certain cases, stifle the building of high-density and more affordable housing."

**PROPOSITION 22** would establish different criteria for determining whether app-based transportation (rideshare) and delivery drivers are "employees" or "independent contractors." This measure would make app-based rideshare and delivery drivers independent contractors; current state law that limits the ability

of companies to hire independent contractors would therefore not apply to drivers.

Independent contractors are not entitled to certain state-law protections afforded employees—including minimum wage, overtime, unemployment insurance, and workers' compensation. Instead, companies with independent-contractor drivers will be required to provide specified alternative benefits, including: minimum compensation and healthcare subsidies based on engaged driving time, vehicle insurance, safety training, and sexual harassment policies.

[Supporters](#) include a coalition of community, consumer, and senior advocates, as well public safety organizations, and business and taxpayer groups, which argue that recent legislation takes away the ability of app-based drivers to work as independent contractors - eliminating hundreds of thousands of jobs and threatening the availability of rideshare and food delivery services. Supporters include California Chamber of Commerce, California Small Business Association, California Peace Officers Association, California Police Chiefs Association, California State Sheriffs' Association, Uber, Lyft, and DoorDash.

They argue that Prop 22 protects the ability of app-based drivers to choose to work as independent contractors with control over where, when, how long and for who they work. Additionally, it would provide new benefits for app-based drives such as guaranteed minimum earnings and new health care benefits. Proponents also note it would save hundreds of thousands of California jobs at a time when millions are struggling to pay their bills. Lastly, it would implement strong new public safety protections such as recurring background checks of drivers and mandatory safety courses.

[Opponents](#) include a broad coalition of labor organizations, state and local elected officials, and the California Democratic Party, which generally argue corporations such as Uber, Lyft, DoorDash, and Instacart refuse to follow California law that requires them to treat rideshare drivers, grocery shoppers, and other gig workers as employees.

They argue these companies have been violating the law for years, cheating workers out of basic protections, and are now being sued by California's Attorney General and City Attorneys from San Francisco, Los Angeles, and San Diego for refusing to follow the law. They argue this measure will do exactly the opposite of what it claims to do - instead of protecting drivers, this legal loophole would allow gig companies to make billions of dollars while abandoning their responsibility to pay for basic worker protections like unemployment insurance, Social Security, Medicare, and the life-saving protective equipment drivers, riders, and their families depend on to stay safe and healthy.

The LAO estimates a minor increase in state income taxes paid by rideshare and delivery company drivers and investors.

**PROPOSITION 23** would require at least one licensed physician on site during treatment at outpatient kidney dialysis clinics; authorizes Department of Public Health to exempt clinics from this requirement due to shortages of qualified licensed physicians if at least one nurse practitioner or physician assistant is on

site. Requires clinics to report dialysis-related infection data to state and federal governments. Requires state approval for clinics to close or reduce services. Prohibits clinics from discriminating against patients based on the source of payment for care.

[Supporters](#) include SEIU-United Healthcare Workers West and the California Labor Federation that argue Prop 23 would regulate dialysis clinics and increase staff spending.

[Opponents](#) include the California Medical Association and American Nurses Association California that contend this measure would put dialysis patients' lives at risk and hurt all Californians by making patients wait longer to see their doctors and increase health care costs by hundreds of millions annually.

The LAO estimates under the measure, state Medi-Cal costs, and state and local employee and retiree health insurance costs could increase due to: governing entities negotiating higher payment rates; patients requiring treatment in more costly settings like hospitals. This scenario would lead to increased costs for state and local governments likely in the low tens of millions of dollars annually. This represents a minor increase in the state's total spending on Medi-Cal and state and local governments' total spending on employee and retiree health coverage.

**PROPOSITION 24**, regarding consumer privacy laws, would (1) change existing consumer data privacy laws, (2) provide new consumer privacy rights, (3) change existing penalties and limit the use of penalty revenues, and (4) create a new state agency to oversee and enforce consumer data privacy laws. If approved, most of this proposition would take effect in January 2023. Some portions of the proposition, such as the creation of the new state agency and requirements for developing new regulations, would go into effect immediately.

[Supporters](#) include the Californians for Consumer Privacy and a number of privacy and civil society groups, which argue that Prop 24 gives consumers the power to take back control over our information from thousands of giant corporations. They argue it would do the following: create new rights to stop businesses using our sensitive personal information, including about our health or finances, or knowing and selling our location without our knowledge or consent; triple fines for collecting and selling children's private information; and it require opt-in consent in order to sell from consumers under the age of 16. Supporters also include the California Professional Firefighters, Common Sense Media, and the California State Conference NAACP.

[Opponents](#) include ACLU California, California Small Business Association, Consumer Action, Consumer Federation of California, Californians for Privacy Now, and Media Alliance, which point out that Proposition 24 rewrites a law that took effect this year, with enforcement just having begun July 1, 2020. They argue Prop 24 rewrites that law before we know what needs to be fixed. Smaller businesses that spent billions to adapt to the brand new law will be forced to spend vast sums once more at a time that an economic slowdown threatens the survival of many California businesses. Additionally they argue, it was written behind closed doors with input from giant tech corporations that collect and

misuse our personal information – while the measure’s sponsor rejected almost every suggestion from 11 privacy and consumer rights groups.

The League of Women Voters opposes “due to the complexity of a 52-page initiative with impacts and nuances that are difficult for voters to discern and rollbacks to existing protections.” According to the League, “Among the troubling aspects of Prop 24 is its expansion of “pay for privacy” through the addition of loyalty and rewards programs, allowing businesses to charge consumers more or provide worse service if they choose to exercise their privacy rights.”

Finally, Consumer Reports and the Electronic Frontier Foundation — each neutral on Prop. 24 — characterize it as a missed opportunity to switch the burden from consumers to businesses by requiring the later to obtain permission before scooping, sharing or monetizing personal information, a standard known as “opt in.” The initiative maintains an “opt out” standard. The Electronic Frontier Foundation notes that it is “a mixed bag of partial steps backwards and forwards.”

The LAO estimates increased annual state costs of at least \$10 million to enforce expanded consumer privacy laws. These costs include a new state agency to oversee and enforce consumer privacy laws; increased State Department of Justice and DOJ and state court workload; and would have various impacts on business and consumers, which could then impact state and local tax revenues by an unknown net amount. Some costs would be offset by penalties for violating these laws.

Please feel free to contact us should you have any questions or concerns regarding any of the above ballot measures.

**Submitted by:**



Chanthip Phongkhamavath  
Budget and Management Analyst

**Reviewed by:**



Daniel Eilerman  
Assistant County Administrator

Attachment A: Quick-Reference Guide, California Secretary of State  
Attachment B: LAO Fiscal Summary and Analysis  
Recommended Resolutions