

California lawmakers advance last-minute data privacy bill

June 26 2018, by Sophia Bollag



Assemblyman Ed Chau, D-Arcadia, left, and Sen. Bob Hertzberg, D-Van Nuys, celebrate after their internet privacy bill was approved by the Senate Judiciary Committee, Tuesday, June 26, 2018, in Sacramento, Calif. The bill would let consumers ask companies to delete their information or refrain from selling it, among other data privacy provisions. The bill, which is aimed to keep a related initiative off the November ballot. (AP Photo/Rich Pedroncelli)

California state senators advanced a last-minute internet privacy bill

Tuesday ahead of a deadline while acknowledging it would need changes if it becomes law.

The [bill](#) would let consumers ask companies what [personal data](#) they collect and opt out of having their data sold, among other privacy provisions.

Lawmakers voted to pass the measure, AB375, out of the Senate Judiciary Committee.

The bill is aimed at keeping a related initiative off the November ballot. Lawmakers negotiated it with San Francisco housing developer Alastair Mactaggart, who spent millions of dollars to place the initiative on the ballot. He said he would pull the measure from the ballot if the bill is signed into law by the Thursday deadline to withdraw initiatives.

The bill now moves to the Senate Appropriations Committee, a spokeswoman for co-author Sen. Bob Hertzberg, D-Van Nuys, said. The full Assembly and Senate each plan to vote on the bill Thursday. Gov. Jerry Brown's office has not said whether he will sign it.

Lawmakers can more easily amend laws they pass than alter voter-enacted initiatives.

Lawmakers say the legislation will affect every California consumer and will likely inform legislation throughout the country.

Mactaggart said he supports the bill and his initiative, though he believes the legislative process is better tailored for enacting such policy. He said he has been pushing legislators to address the issue.

Those who spoke against the bill, including the California Chamber of Commerce, said they favored it over the initiative and urged future

changes.

"Although AB375 is deeply flawed, the privacy initiative is even worse," chamber lobbyist Sarah Boot said.



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The bill has unclear language and could prevent companies from providing loyalty programs and notifications to customers, Boot said.

The bill would let consumers ask companies such as Google and Facebook what personal data has been collected, why it was collected and what categories of third parties have received it.

Consumers could also ask companies to delete their information and refrain from selling it.

Companies could offer discounts to customers who allow their data to be sold and could charge those who opt out a reasonable amount based on how much the company makes selling the information.

The bill would also bar companies from selling data from users under 16 without consent.

Assemblyman Ed Chau, an Arcadia Democrat and the chief bill author, said he doesn't like the rushed process forced by the ballot measure deadline, but he stressed that his bill gives Californians important privacy protections.

Sen. Hannah-Beth Jackson of Santa Barbara, who chairs the Judiciary Committee, cited negotiations late Sunday night that led to amendments to narrow technology companies' liability in the event of data breaches.

Consumers could sue under the bill if their data was not encrypted or redacted and the [company](#) that collected it did not have reasonable security measures in place to protect it.

Amendments suggested by Mactaggart were scrapped ahead of the committee hearing after a coalition funded by technology giants decried them, demonstrating their influence in the Capitol.

Jackson and the other Democrats on the committee supported the bill, but she said she believes it still has an "enormous" number of problems

[lawmakers](#) would need to address before it takes effect in 2020.

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