

City Privacy Policy*

Digest by the Ballot Simplification Committee

Status: Draft for Consideration
On: Tuesday, July 31, 2018
Members: Packard, Anderson, Patterson, Raveche

Deadline to Request Reconsideration: TBD

The Way It Is Now: The City has laws that provide some privacy protections in the collection, storage, sharing, or use of personal information, including electronic data, by the City and its contractors. But the City does not have a comprehensive policy regarding the protection of personal information.

The Proposal: Proposition ___ is a Charter amendment that would adopt a policy to guide City agencies and officials when they consider proposed laws regulations, policies, and practices protecting privacy. The policy would apply to the collection, storage, sharing, and use of any individual's personal information, such as identifying and contact information, financial information, medical and health-related information, and genetic and biometric data.

The policy would include these guidelines:

- Inform individuals who are likely to be affected by the collection, storage, sharing, or use of their personal information;
- Ensure that personal information is collected, stored, shared, or used only for a lawful purpose;
- Allow individuals to access and correct personal information collected about them;
- Obtain consent to the collection, storage, sharing, or use of personal information;
- Discourage the collection, storage, sharing, and use of personal information, retain that information only as long as necessary, and remove identifying information from data collections;
- Adopt policies and practices for responding to requests for personal information from governmental entities;
- Refrain from tracking individuals in a way that collects their personal information;
- Avoid bias or inaccuracy in collecting, storing, sharing, and using personal information; and
- Protect personal information from unauthorized disclosure or access, or accidental loss.

Proposition ___ would require the City Administrator, by May 29, 2019, to propose an ordinance to the Board of Supervisors addressing the collection, storage, sharing, and use of personal information consistent with these guidelines. The ordinance must contain rules for the City; the City's contractors, recipients of grants, and tenants; and the holders of City permits and licenses; and it may also provide rules for other persons or entities that the City has authority to regulate. It also would authorize, but not require, the Board of Supervisors to adopt ordinances regarding privacy that would bind all City agencies.

A "YES" Vote Means: If you vote "yes," you want to amend the City Charter to adopt the privacy policy and require the City Administrator to propose an ordinance regarding privacy consistent with specified guidelines.

A "NO" Vote Means: If you vote "no," you do not want to amend the City Charter to adopt the privacy policy.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*