

MAKE SURE TO FILL IN ALL SHADED SECTIONS

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following circulating title and summary of the chief purpose and points of the proposed measure:

LIMITS ON USE OF FACILITIES IN GOVERNMENT BUILDINGS AND BUSINESSES.

Prohibits individuals from using facilities in government buildings except in accordance with their sex as determined at birth, through medical examination, or court judgment recognizing a change of gender. Creates legal damages claim of at least \$4,000 against a government entity or person that violates the provision. Allows businesses to prohibit employees or patrons, including transgender people, from using facilities except in accordance with their sex as determined at birth, through medical examination, or court judgment. Exempts businesses from criminal and civil liability for implementing such a prohibition. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: Increase in state court costs related to civil claims, not likely to exceed a few tens of millions of dollars annually. Unknown increase in state and local government costs related to actions taken to avoid, litigate, or remedy civil claims filed for violating the measure. Potential significant loss of federal funds. (15-0019.)

To the Honorable Secretary of State of California

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City and County), hereby propose amendments to the Health and Safety Code, relating to Personal Privacy, and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed statutory amendments read as follows:

PERSONAL PRIVACY PROTECTION ACT

In order to preserve fundamental interests in privacy, maintain public safety, and establish continued uniformity in building codes, the People of the State of California do enact the Personal Privacy Protection Act and do hereby add section 118501 to the Health and Safety Code as follows:

This Act shall be known as the Personal Privacy Protection Act.

(a) Notwithstanding any other provision of law, a person shall use facilities in accordance with their biological sex in all government buildings.

(b) A civil claim for violation of privacy shall lie against a government entity or a person for willful violation of this section. Such claim includes equitable relief and damages up to a maximum of three times the amount of actual damage but in no case less than \$4,000, and attorney's fees that may be determined by a court. A claim is limited to individuals whose privacy was actually vio-

lated while using facilities or who did not use facilities because of a violation under the Act.

(c) Notwithstanding any other provision of law, no business establishment shall be subject to criminal, civil, or administrative sanctions, or civil suits for requiring employees, patrons, students, or any other person to use facilities in accordance with their biological sex.

(d) Definitions:

(1) Biological sex means the biological condition of being male or female as determined at or near the time of birth or through medical examination or as modified by Health & Safety Code § 103425.

(2) Business establishment means any commercial or noncommercial entity open to, and serving, the public.

(3) Facilities mean restrooms, showers, dressing rooms, and locker rooms.

(4) Government entity shall include, but not be limited to, the state of California, any city, county, city and county, public university system, community college

district, school district, special district, or any other political subdivision or governmental instrumentality of, or within, the state.

(5) Government building means a structure owned, rented or occupied by a government entity.

(6) Law means California statutes, regulations, codes, policies or other rule enacted by a government entity.

(e) Exceptions: This section does not apply to facilities constructed for single use. Further, this provision does not apply to (1) use of family restrooms or (2) facilities in which a child, or a person with a medical condition, requires the assistance of another.

(f) If the Attorney General fails to mount a defense of the Act against legal challenge, or appoint a special Attorney General to do so, initiative proponents shall have the right to act as the agent of California for purposes of any necessary defense of this Act against legal challenge.

(g) Severability: Any part of this Act held invalid shall be severable from the remaining portions.

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK. THE PROPONENTS OF THIS PROPOSED INITIATIVE MEASURE HAVE THE RIGHT TO WITHDRAW THIS PETITION AT ANY TIME BEFORE THE MEASURE QUALIFIES FOR THE BALLOT.

All signers of this petition must be registered in _____ County.

This column for official use only.

1 Write in the name of the county.

2 Print your name and address. Then sign as you are registered to vote.

REGISTERED VOTERS ONLY	1.	Print Your Name: _____	Residence Address ONLY: _____	
	Signature as Registered to Vote: _____	City: _____	Zip: _____	

DECLARATION OF CIRCULATOR (To be handwritten by the circulator after above signatures have been obtained)

I, _____, am registered to vote in the County (or City and County) of _____, or am qualified to register to vote in California. My residence address is _____. I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, _____, at _____

SIGNATURE: _____ Email (optional): _____