

## Memorandum 2017-50

**California Public Records Act Clean-Up: Cross-References**

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At the request of the Legislature,<sup>1</sup> the Commission<sup>2</sup> recently began working on a nonsubstantive clean-up of the California Public Records Act (“CPRA”)<sup>3</sup> and related provisions. The main goal of the study is to make the CPRA more user-friendly, without changing its substance. Reorganizing the statute in a clear, readily understandable manner will spare many persons from needless work, confusion, and related expense.

In any nonsubstantive clean-up project, it is important to:

- (1) Identify all statutory cross-references *within* the body of law being reorganized (e.g., the CPRA), and
  - (a) Check whether each such cross-reference is flawed in some way;
  - (b) If such a cross-reference appears flawed, consider whether the error is so clear-cut that it warrants correction in the Commission’s proposal (with an accompanying Comment explaining that the revision is a technical correction, not a substantive change);<sup>4</sup> and
  - (c) As the Commission drafts its proposal, update any of these cross-references that needs to be changed to reflect the new statutory scheme.<sup>5</sup>

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1. See 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)).

2. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission’s website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission’s staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

3. Gov’t Code §§ 6250- 6276.48.

4. For examples of how the Commission handled problematic cross-references in the recent recodification of the deadly weapons statutes, see *Nonsubstantive Reorganization of Deadly Weapon Statutes*, 38 Cal. L. Revision Comm’n Reports 217, 257-64 (2009) & sources cited therein.

5. For example, a reference to “Section 6254.24” might be replaced with a reference to “Section 7920.530,” or a reference to “this chapter” might be replaced with a reference to “this division.”

- (2) Identify all code sections that *cross-refer to* the body of law being reorganized (e.g., the CPRA) or some aspect of it, and
  - (a) Check whether each such cross-reference is flawed in some way;
  - (b) If such a cross-reference appears flawed, consider whether the error is so clear-cut that it warrants correction in the Commission's proposal (with an accompanying Comment explaining that the revision is a technical correction, not a substantive change); and
  - (c) Once the Commission's proposal is drafted, prepare conforming revisions that update all of these cross-references (whether correct or incorrect) to reflect the reorganization.<sup>6</sup>

Careful attention to cross-references is necessary to help ensure that the Commission's eventual proposal is not only nonsubstantive but also meets the goal of being user-friendly, free of technical flaws that engender confusion, wasted effort, and unjustifiable expense.

Usually, the staff completes the first set of tasks gradually as the Commission drafts its proposed recodification. We turn to the second set of tasks later, after preparation of a complete draft of the recodification.

In this study, the staff had some time available before the Commission even approved a tentative outline for the recodification. We thus began some of the above-described work while awaiting further direction from the Commission, and we continued such work after the August meeting so as to bring it to completion.

In particular, the staff has identified all of the statutory cross-references within the CPRA (Task #1, preliminary step). The staff has also completed Tasks #1(a) and #1(b) described above.

This memorandum presents the results of the staff's work on CPRA cross-references to date. Unless otherwise indicated, all statutory references that follow are to sections of the Government Code.

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6. For conforming revisions in the recent recodification of the deadly weapons statutes, see *Nonsubstantive Reorganization of Deadly Weapon Statutes*, *supra* note 4, at 997-1315; see also *id.* at 252-53 (discussing conforming revisions).

## IDENTIFICATION OF STATUTORY CROSS-REFERENCES WITHIN THE CPRA

Initially, the staff carefully reviewed the CPRA and sought to identify every statutory cross-reference within it. Each cross-reference we found is highlighted in the attached Exhibit, in one of two ways:

- (1) A cross-reference to a statutory provision outside the CPRA (an external cross-reference) is shaded.
- (2) A cross-reference to a provision within the CPRA (an internal cross-reference) is in bold typeface.

**The staff welcomes identification of any statutory cross-reference within the CPRA that we overlooked.**

In preparing the attached Exhibit, the staff incorporated a 2017 bill that was enacted as urgency legislation and became operative immediately.<sup>7</sup> We did not attempt to incorporate any other 2017 legislation. **We will update our work on CPRA cross-references as needed after the Legislature takes its interim recess and the Governor acts on all bills sent to him for approval.**

## PROBLEMATIC CROSS-REFERENCES

After identifying the statutory cross-references within the CPRA, the staff checked each of those cross-references. We looked for clear-cut mistakes, such as a cross-reference to a nonexistent code section, a cross-reference to a provision that is totally unrelated to the subject matter in question, or an apparent transposition of digits.

We found that almost all of the cross-references within the CPRA appear to be correct, at least on initial review. We did note a handful of problems, being very conservative in determining whether a cross-reference appeared sufficiently problematic to warrant discussion in this memorandum. We kept in mind both the Legislature's directive that this clean-up be entirely non-substantive, and the Commission's directive that any proposed revision satisfy the following additional prudential criteria:

- (1) It is plainly beneficial.
- (2) It does not present a significant risk of unintended consequences (i.e., its effects seem straightforward and circumscribed).

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7. See SB 2843 (Committee on Budget & Fiscal Review), 2017 Cal. Stat. ch. 51, § 2, 3 (amending & repealing Gov't Code § 6253.2).

(3) It is not likely to be controversial.<sup>8</sup>

The cross-references in the CPRA that we identified as potentially problematic are discussed below, in the order that they appear within the CPRA. For each problematic cross-reference (or set of problematic cross-references), we (1) describe the issue and display the problematic cross-reference(s) in shaded text, (2) suggest a way to address the issue in drafting the CPRA recodification, and (3) seek guidance from the Commission on how to proceed.

### **Section 6254: Cross-References to Parts of the Insurance Code That No Longer Exist**

On June 20, 2014, the Legislature enacted an omnibus health trailer bill related to the Budget Act of 2014 that transferred responsibility for managing three health insurance programs (the Major Risk Medical Insurance Program, the Access for Infants and Mothers program, and the County Children’s Health Initiative Matching Fund Program) from the Managed Risk Medical Insurance Board to the Department of Health Care Services.<sup>9</sup> That transfer was implemented by enacting three new chapters in the Welfare and Institutions Code, and repealing three then-existing parts of the Insurance Code, effective January 1, 2016.

The repealed parts of the Insurance Code were Part 6.3 (commencing with Section 12695), Part 6.4 (commencing with Section 12699.50), and Part 6.5 (commencing with Section 12700) of Division 2. Despite the repeals, a code section in the CPRA (Section 6254) cross-refers in several places to those parts of the Insurance Code, without indicating that those parts have been repealed.

Wherever such a cross-reference appears, however, it is followed by a cross-reference to the corresponding chapter of the Welfare and Institution Code that now governs the program previously governed by the repealed part of the Insurance Code — i.e., Chapter 2 (commencing with Section 15810), Chapter 3 (commencing with Section 15850), or Chapter 4 (commencing with Section 15870) of Part 3.3 of Division 9 of the Welfare and Institutions Code.

The cross-references to the no-longer-existing parts of the Insurance Code are shown in gray below:

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8. See Minutes (Feb. 2017), p. 3.

9. See 2014 Cal. Stat. ch. 31, §§ 36-38, 65, 67, 69-71, 73, 74, 76-79, 81-90.

## § 6254. Exemptions from disclosure

6254. Except as provided in Sections 6254.7 and 6254.13, this chapter does not require the disclosure of any of the following records:

...

(v)(1) Records of the Managed Risk Medical Insurance Board and the State Department of Health Care Services related to activities governed by Part 6.3 (commencing with Section 12695), Part 6.5 (commencing with Section 12700), Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code, or Chapter 2 (commencing with Section 15810) or Chapter 4 (commencing with Section 15870) of Part 3.3 of Division 9 of the Welfare and Institutions Code, and that reveal any of the following:

(A) The deliberative processes, discussions, communications, or any other portion of the negotiations with entities contracting or seeking to contract with the board or the department, entities with which the board or the department is considering a contract, or entities with which the board or department is considering or enters into any other arrangement under which the board or the department provides, receives, or arranges services or reimbursement.

(B) The impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff or the department or its staff, or records that provide instructions, advice, or training to their employees.

(2)(A) Except for the portion of a contract that contains the rates of payment, contracts entered into pursuant to Part 6.3 (commencing with Section 12695), Part 6.5 (commencing with Section 12700), Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code, or Chapter 2 (commencing with Section 15810) or Chapter 4 (commencing with Section 15870) of Part 3.3 of Division 9 of the Welfare and Institutions Code, on or after July 1, 1991, shall be open to inspection one year after their effective dates.

...

(y)(1) Records of the Managed Risk Medical Insurance Board and the State Department of Health Care Services related to activities governed by Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code or Sections 14005.26 and 14005.27 of, or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of, the Welfare and Institutions Code, if the records reveal any of the following:

(A) The deliberative processes, discussions, communications, or any other portion of the negotiations with entities contracting or seeking to contract with the board or the department, entities with which the board or department is considering a contract, or entities

with which the board or department is considering or enters into any other arrangement under which the board or department provides, receives, or arranges services or reimbursement.

(B) The impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or the department or its staff, or records that provide instructions, advice, or training to employees.

(2)(A) Except for the portion of a contract that contains the rates of payment, contracts entered into pursuant to Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code, on or after January 1, 1998, or Sections 14005.26 and 14005.27 of, or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of, the Welfare and Institutions Code shall be open to inspection one year after their effective dates.

(B) If a contract entered into pursuant to Part 6.2 (commencing with Section 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code or Sections 14005.26 and 14005.27 of, or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of, the Welfare and Institutions Code, is amended, the amendment shall be open to inspection one year after the effective date of the amendment.

(3) Three years after a contract or amendment is open to inspection pursuant to this subdivision, the portion of the contract or amendment containing the rates of payment shall be open to inspection.

(4) Notwithstanding any other law, the entire contract or amendments to a contract shall be open to inspection by the Joint Legislative Audit Committee. The committee shall maintain the confidentiality of the contracts and amendments thereto until the contract or amendments to a contract are open to inspection pursuant to paragraph (2) or (3).

(5) The exemption from disclosure provided pursuant to this subdivision for the contracts, deliberative processes, discussions, communications, negotiations, impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or the department or its staff, shall also apply to the contracts, deliberative processes, discussions, communications, negotiations, impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of applicants pursuant to Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of the Welfare and Institutions Code.

...

In recodifying Section 6254, **it does not appear appropriate to delete the shaded cross-references.** In each case, Section 6254 refers to either “[r]ecords ...

related to activities governed by,” or “contracts ... pursuant to,” one or more of the repealed parts of the Insurance Code. Many such records and contracts, as so described, likely still exist, and could be the subject of a future public records request.

It seems misleading and potentially confusing, however, to leave the shaded cross-references in their present form, which fails to indicate that the cross-referenced parts of the Insurance Code no longer exist. To remedy that problem in the proposed recodification, the Commission could simply insert the word “former” before each shaded cross-reference (e.g., “*former* Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code”).

### **Is that approach acceptable to the Commission?**

#### **Section 6254.2: Cross-References to a Provision in a Federal Act, With No Parallel Citation to the United States Code**

Section 6254.2 is a long provision in the CPRA that concerns disclosure of records relating to pesticide safety and efficacy. Subdivision (a) cross-refers to a provision in the federal Insecticide, Fungicide, and Rodenticide Act, and provides a parallel citation to the United States Code:

6254.2. (a) Nothing in this chapter exempts from public disclosure the same categories of pesticide safety and efficacy information that are disclosable under *paragraph (1) of subsection (d) of Section 10 of the federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136h(d)(1))*, if the individual requesting the information is not an officer, employee, or agent specified in subdivision (h) and signs the affirmation specified in subdivision (h).<sup>10</sup>

Subdivisions (f) and (g) cross-refer to the same provision in the federal Insecticide, Fungicide, and Rodenticide Act, but do not provide a parallel citation to the United States Code:

...  
(f) “Trade secret” means data that is nondisclosable under paragraph (1) of subsection (d) of Section 10 of the federal Insecticide, Fungicide, and Rodenticide Act.

(g) This section shall be operative only so long as, and to the extent that, enforcement of paragraph (1) of subsection (d) of Section 10 of the federal Insecticide, Fungicide, and Rodenticide Act has not been enjoined by federal court order, and shall become inoperative if an unappealable federal judgment or decision becomes final that holds that paragraph invalid, to the extent of the invalidity.

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10. Emphasis added.

...

While not technically required, the parallel citation would likely assist readers of subdivisions (f) and (g) in finding the cross-referenced federal provision. The staff sees no harm in adding such a citation.

Assuming that the Office of Legislative Counsel has no objection, **does the Commission want to include such a parallel citation in the provisions of its proposed recodification that would continue subdivisions (f) and (g) of Section 6254.2?**

#### **Section 6254.4: Outdated Citation to an Act in the United States Code**

Section 6254.4 is a provision in the CPRA relating to voter registration information. Subdivision (c) refers to the federal help America Vote Act of 2002, and provides a parallel citation to the United States Code:

(c) The California driver’s license number, the California identification card number, the social security number, and any other unique identifier used by the State of California for purposes of voter identification shown on an affidavit of registration, or added to the voter registration records to comply with the requirements of the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.), are confidential and shall not be disclosed to any person.

The provisions of the federal act cross-referenced above were transferred to a new title of the federal code in 2012, and now appear at 52 U.S.C. Sec. 20901 et seq.<sup>11</sup> **The Commission should update the parallel citation in its proposed recodification.**

#### **Section 6254.24(g): Cross-Reference to an Apparently Nonexistent Definition**

Section 6254.24 defines “public safety official” for purposes of the CPRA. Subdivision (g) of that section<sup>12</sup> refers to a definition of “probation officer” that supposedly exists in the Penal Code:

##### **§ 6254.24. “Public safety official”**

6254.24. As used in this chapter, “public safety official” means the following parties, whether active or retired:

...

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11. See < <http://uscode.house.gov/editorialreclassification/t52/index.html>>.

12. Subdivision (b) of Section 6254.24 also seems to contain a problematic cross-reference. For discussion of that point, see Memorandum 2017-49, pp. 8-9.

(g) A sworn or nonsworn employee who supervises inmates in a city police department, a county sheriff's office, the Department of the California Highway Patrol, federal, state, or a local detention facility, and a local juvenile hall, camp, ranch, or home, and a probation officer as defined in Section 830.5 of the Penal Code.

...

As best the staff can tell, however, Penal Code Section 830.5 does not define the term "probation officer," nor in any way clarify the meaning of that term.<sup>13</sup> Rather, Penal Code Section 830.5 lists various persons who are deemed to be peace officers, and specifies their authority. The text of the section is shown below, with the term "probation officer" in bold typeface:

830.5. The following persons are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required under Sections 8597, 8598, and 8617 of the Government Code. Except as specified in this section, these peace officers may carry firearms only if authorized and under those terms and conditions specified by their employing agency:

(a) A parole officer of the Department of Corrections and Rehabilitation, or the Department of Corrections and Rehabilitation, Division of Juvenile Parole Operations, **probation officer**, deputy **probation officer**, or a board coordinating parole agent employed by the Juvenile Parole Board. Except as otherwise provided in this subdivision, the authority of these parole or **probation officers** shall extend only as follows:

(1) To conditions of parole, probation, mandatory supervision, or postrelease community supervision by any person in this state on parole, probation, mandatory supervision, or postrelease community supervision.

(2) To the escape of any inmate or ward from a state or local institution.

(3) To the transportation of persons on parole, probation, mandatory supervision, or postrelease community supervision.

(4) To violations of any penal provisions of law which are discovered while performing the usual or authorized duties of his or her employment.

(5)(A) To the rendering of mutual aid to any other law enforcement agency.

(B) For the purposes of this subdivision, "parole agent" shall have the same meaning as parole officer of the Department of

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13. The staff also found no definition of the term "probation officer" anywhere else in the Penal Code that would apply to the term as used in Penal Code Section 830.5. Penal Code Section 1203.2(f)(2) provides a definition of the term, but only for purposes of that section.

Corrections and Rehabilitation or of the Department of Corrections  
and Rehabilitation, Division of Juvenile Justice.

...

The term “probation officer” appears to be used without definition, and without a reference to Penal Code Section 830.5, in approximately 350 other code sections outside the Penal Code. The staff found only two code sections that refer to a “probation officer” in a manner similar to Section 6254.24(g).<sup>14</sup>

It appears to the staff that the cross-reference to Penal Code Section 830.5 in Section 6254.24 may be superfluous. Of course, “superfluity does not vitiate.”<sup>15</sup> Nevertheless, the affirmative inclusion of the cross-reference in a newly enacted and otherwise revised<sup>16</sup> version of Section 6254.24 might produce confusion or speculative argument as to why the Legislature did not also discontinue the seemingly superfluous cross-reference.

The Commission needs to resolve how to handle this point in preparing its tentative recommendation. One possibility would be to omit the phrase “as defined in Section 830.5 of the Penal Code” in the new provision that continues the substance of Section 6254.24(g).<sup>17</sup> The accompanying Comment could make clear that this is not a substantive change.

Another possibility would be to retain the phrase “as defined in Section 830.5 of the Penal Code,” but include a Staff Note seeking public comment on whether that phrase should be retained. The staff leans towards this approach, in case there is some relevant consideration that has not yet come to our attention.

**For purposes of a tentative recommendation, how would the Commission like to handle Section 6254.24(g)’s reference to a “probation officer as defined in Section 830.5 of the Penal Code”?**

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14. Family Code Section 6240(a)(10) refers to “[a] parole officer, probation officer, or deputy probation officer, as defined in Section 830.5 of the Penal Code. Welfare and Institutions Code Section 5008(i) refers to “any parole officer or probation officer specified in Section 830.5 of the Penal Code.”

15. Civ. Code § 3537.

16. In Memorandum 2017-49, pp. 8-10, the staff has proposed two other revisions of Section 6254.24.

17. At present, proposed Section 7920.530 is the new provision that would continue the substance of Section 6254.24(g). See Memorandum 2017-49, Attachment pp. 9-10.

### **Section 6254.25: Outdated Cross-Reference and Apparent Technical Error in the Cross-Referenced Section**

Section 6254.25 is a provision of the CPRA pertaining to disclosure of litigation memoranda. It cross-refers to “subdivision (q) of Section 11126,” as shown in gray shading below:

6254.25. Nothing in this chapter or any other provision of law shall require the disclosure of a memorandum submitted to a state body or to the legislative body of a local agency by its legal counsel pursuant to subdivision (q) of Section 11126 or Section 54956.9 until the pending litigation has been finally adjudicated or otherwise settled. The memorandum shall be protected by the attorney work-product privilege until the pending litigation has been finally adjudicated or otherwise settled.

In 1996, subdivision (q) was deleted from Section 11126, and its text relocated to subdivision (e) of that same section.<sup>18</sup>

At first glance, it appeared to the staff that former subdivision (q) had simply been relocated to subdivision (e) verbatim, except for nonsubstantive changes to paragraph and subparagraph designations. Based on that tentative conclusion, the staff was inclined to recommend that in the proposed recodification, the cross-reference to subdivision (q) of Section 11126 simply be revised to refer to subdivision (e).

We continue to believe that is the correct approach, but we spotted what appears to be a drafting error in Section 11126, which we wish to bring to the Commission’s attention. This apparent technical error relates to the material that was relocated to subdivision (e). More specifically, it concerns how some of that material was relabeled.

The situation is best explained by setting out subdivision (q) as it read before the amendment, and then indicating with strikeout and underscore how the subdivision was revised when redesignated as subdivision (e). The seemingly problematic relabeling is shaded in gray below:

~~(q)~~ (e)(1) Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

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18. See 1996 Cal. Stat. ch. 1041, § 2.5.

(2) For purposes of this article, all expressions of the lawyer-client privilege other than those provided in this subdivision are hereby abrogated. This subdivision is the exclusive expression of the lawyer-client privilege for purposes of conducting closed-session meetings pursuant to this article. For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist:

(1) (A) An adjudicatory proceeding before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the state body is a party, has been initiated formally.

(2)(A) (B)(i) A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body; or

(B) (ii) Based on existing facts and circumstances, the state body is meeting only to decide whether a closed session is authorized pursuant to ~~subparagraph (A) clause i.~~

(3) (C)(i) Based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

(ii) The legal counsel of the state body shall prepare and submit to it a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is pursuant to paragraph (1), the memorandum shall include the title of the litigation. If the closed session is pursuant to ~~paragraph (2) or (3) subparagraph (A) or (B),~~ the memorandum shall include the existing facts and circumstances on which it is based. The legal counsel shall submit the memorandum to the state body prior to the closed session, if feasible, and in any case no later than one week after the closed session. The memorandum shall be exempt from disclosure pursuant to Section ~~6254.1~~ 6254.25.<sup>19</sup>

(iii) For purposes of this subdivision, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(iv) Disclosure of a memorandum required under this subdivision shall not be deemed as a waiver of the lawyer-client privilege, as provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

As can be seen above, before the 1996 amendment, the first two paragraphs of this subdivision generally authorized a state body to meet in closed session to confer with or receive advice from its legal counsel regarding pending litigation,

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19. This revision does *not* appear to be a substantive change, as prior to this amendment, the version of Section 6254.1 relevant to the subject matter of Section 11126 had been renumbered as Section 6254.25. See 1986 Cal. Stat. ch. 248.

and discussed the application of attorney-client privilege. The subdivision then set forth, in three numbered paragraphs, descriptions of four specific circumstances that would constitute the “pending litigation” that would allow the closed session.

Then, in an undesignated paragraph, the subdivision set forth a requirement that counsel submit to the state body a memorandum stating the specific reasons and legal authority for the closed session. That memorandum, as confirmed by the last sentence of the undesignated paragraph, was protected from public disclosure as specified in Section 6254.25.

Because the memorandum requirement was in an undesignated paragraph, the requirement seemed to apply when a closed session was contemplated for *any* of the four circumstances described in the subdivision as constituting “pending litigation.” The content of the undesignated paragraph, particularly the express references to paragraphs (1), (2), and (3), strongly reinforced that view.

In the 1996 amendment however, that previously undesignated paragraph was designated as the second clause of a subparagraph (Section 11126(e)(2)(C)(ii)), which addresses only *one* of the four circumstances constituting “pending litigation” (and authorizing a closed session). The same fate befell the next two previously undesignated paragraphs; they became clauses (iii) and (iv) of Section 11126(e)(2)(C):

(e)(1) Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

(2) .... For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist:

(A) An adjudicatory proceeding before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the state body is a party, has been initiated formally.

(B) (i) A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.

(ii) Based on existing facts and circumstances, the state body is meeting only to decide whether a closed session is authorized pursuant to clause (i).

(C)(i) Based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

(ii) The legal counsel of the state body shall prepare and submit to it a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is pursuant to paragraph (1), the memorandum shall include the title of the litigation. If the closed session is pursuant to subparagraph (A) or (B), the memorandum shall include the existing facts and circumstances on which it is based. The legal counsel shall submit the memorandum to the state body prior to the closed session, if feasible, and in any case no later than one week after the closed session. The memorandum shall be exempt from disclosure pursuant to Section 6254.25.

(iii) For purposes of this subdivision, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(iv) Disclosure of a memorandum required under this subdivision shall not be deemed as a waiver of the lawyer-client privilege, as provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

Like the material in clause (ii), however, the material in clauses (iii) and (iv) appears pertinent to *all* of Section 11126(e), not just the circumstances specified in clause (i) of the subparagraph now containing that material. In fact, both clauses (iii) and (iv) expressly refer to the *entirety* of subdivision (e).

The staff thus believes that **Section 11126 was inadvertently mislabeled and should be corrected as shown in ~~strikeout~~ and underscore below:**

(e)(1) Nothing in this article shall be construed to prevent a state body, based on the advice of its legal counsel, from holding a closed session to confer with, or receive advice from, its legal counsel regarding pending litigation when discussion in open session concerning those matters would prejudice the position of the state body in the litigation.

(2) .... For purposes of this subdivision, litigation shall be considered pending when any of the following circumstances exist:

(A) An adjudicatory proceeding before a court, an administrative body exercising its adjudicatory authority, a hearing officer, or an arbitrator, to which the state body is a party, has been initiated formally.

(B) (i) A point has been reached where, in the opinion of the state body on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the state body.

(ii) Based on existing facts and circumstances, the state body is meeting only to decide whether a closed session is authorized pursuant to clause (i).

(C)(i) Based on existing facts and circumstances, the state body has decided to initiate or is deciding whether to initiate litigation.

(ii) (3) The legal counsel of the state body shall prepare and submit to it a memorandum stating the specific reasons and legal authority for the closed session. If the closed session is pursuant to ~~paragraph (1)~~ subparagraph (A) of paragraph (2),<sup>20</sup> the memorandum shall include the title of the litigation. If the closed session is pursuant to ~~subparagraph (A) or (B)~~ (B) or (C) of paragraph (2),<sup>21</sup> the memorandum shall include the existing facts and circumstances on which it is based. The legal counsel shall submit the memorandum to the state body prior to the closed session, if feasible, and in any case no later than one week after the closed session. The memorandum shall be exempt from disclosure pursuant to Section 6254.25.

(iii) (4) For purposes of this subdivision, "litigation" includes any adjudicatory proceeding, including eminent domain, before a court, administrative body exercising its adjudicatory authority, hearing officer, or arbitrator.

(iv) (5) Disclosure of a memorandum required under this subdivision shall not be deemed as a waiver of the lawyer-client privilege, as provided for under Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

We are inclined to include this technical correction in the Commission's tentative recommendation, because it might help in showing that Section 11126(e) is the correct replacement for Section 6254.25's outdated cross-reference to Section 11126(q).

**Does the Commission want to include the technical correction of Section 11126 shown above (and any necessary conforming revisions) in its tentative recommendation?** If so, the staff would, of course, prepare an accompanying Comment indicating that the change is nonsubstantive.

---

20. This technical revision is needed to (1) conform to the amendment's proposed new designation of the cross-referenced paragraph and (2) correct what appears to have been an inadvertent failure to update the cross-reference to "paragraph (1)" in the 1996 amendment. Although subdivision (e) contains a "paragraph (1)," a cross-reference to that paragraph is difficult to reconcile with the text of that provision. In contrast, the text of subparagraph (A) (referring to a pending adjudicatory proceeding) fits with the requirement to "include the title of the litigation."

21. This technical revision is needed to (1) conform to the amendment's proposed new designation of the cross-referenced paragraph and (2) correct what appears to have been an inadvertent error in updating these cross-references in the 1996 amendment. The legislative history of that amendment shows no evidence of any intent to substantively change the meaning of these cross-references. To properly track the pre-1996 content, however, they should have been revised to refer to the material that was designated as paragraphs (2) and (3) before the amendment. Instead, they mistakenly refer to the material that was designated as paragraphs (1) and (2).

In the as-yet-undrafted provision that would continue the substance of Section 6254.25, does the Commission want to **replace the outdated cross-reference to Section 11126(q) with a cross-reference to Section 11126(e)**? As with any other cross-reference correction in this study, the staff would prepare an accompanying Comment indicating that the change is nonsubstantive.

### **Section 6254.28: Terminology Discrepancy**

Section 6254.28 is one of several provisions in the CPRA that help to limit disclosure of social security numbers. It provides:

6254.28. Nothing in this chapter shall be construed to require the disclosure by a filing office of any “official record” if a “public record” version of that record is available pursuant to **Section 9526.5 of the Commercial Code**.

The cross-referenced section of the Commercial Code highlighted above does not mention either an “official record” or a “public record.” Instead, it refers to and defines an “official filing,” and a “public filing”:

9526.5. (a) For purposes of this section, the following terms have the following meanings:

(1) “Official filing” means the permanent archival filing of all instruments, papers, records, and attachments as accepted for filing by a filing office.

(2) “Public filing” means a filing that is an exact copy of an official filing except that any social security number contained in the copied filing is truncated. The public filing shall have the same legal force and effect as the official filing.

...

It is likely the slight disconnect in terminology stems from the section immediately preceding Section 6254.28 in the CPRA, a provision relating to records in the possession of a county recorder:

6254.27. Nothing in this chapter shall be construed to require the disclosure by a county recorder of any “official record” if a “public record” version of that record is available pursuant to Article 3.5 (commencing with Section 27300) of Chapter 6 of Part 3 of Division 2 of Title 3.

However, unlike Commercial Code Section 9526.5, the article cross-referenced in Section 6254.27 *does* define, for purposes of that article, the terms “official record” and “public record.”

In the provision of the proposed recodification that continues Section 6254.28, does the Commission want to **(1) replace the term “official record” with “official filing” and (2) replace the term “public record” with “public filing”?** In other words, does the Commission want to **make nonsubstantive revisions to match the terminology used in the cross-referenced code section?**

Respectfully submitted,

Steve Cohen  
Staff Counsel

**LEGEND:**

Shaded text indicates an *external* cross-reference (i.e., a reference to a statutory provision that is *not* contained within the California Public Records Act).

**Bold text** indicates an *internal* cross-reference (i.e., a reference to a statutory provision that *is* contained within the California Public Records Act).

**CALIFORNIA PUBLIC RECORDS ACT  
(GOV'T CODE §§ 6250-6276.48)**

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CALIFORNIA PUBLIC RECORDS ACT  
(GOV'T CODE §§ 6250-6276.48)

TITLE 1. GENERAL

...

DIVISION 7. MISCELLANEOUS

...

CHAPTER 3.5. INSPECTION OF PUBLIC RECORDS

Article 1. General Provisions

**§ 6250. Legislative finding and declaration**

6250. In enacting **this chapter**, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.

**§ 6251. Name of act**

6251. **This chapter** shall be known and may be cited as the California Public Records Act.

**§ 6252. Definitions**

6252. As used in **this chapter**:

(a) "Local agency" includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Section 54952.

(b) "Member of the public" means any person, except a member, agent, officer, or employee of a federal, state, or local agency acting within the scope of his or her membership, agency, office, or employment.

(c) "Person" includes any natural person, corporation, partnership, limited liability company, firm, or association.

(d) "Public agency" means any state or local agency.

(e) "Public records" includes any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. "Public records" in the custody of, or maintained by, the Governor's office means any writing prepared on or after January 6, 1975.

1 (f)(1) “State agency” means every state office, officer, department, division,  
2 bureau, board, and commission or other state body or agency, except those  
3 agencies provided for in Article IV (except Section 20 thereof) or Article VI of the  
4 California Constitution.

5 (2) Notwithstanding **paragraph (1)** or any other law, “state agency” shall also  
6 mean the State Bar of California, as described in Section 6001 of the Business and  
7 Professions Code.

8 (g) “Writing” means any handwriting, typewriting, printing, photostating,  
9 photographing, photocopying, transmitting by electronic mail or facsimile, and  
10 every other means of recording upon any tangible thing any form of  
11 communication or representation, including letters, words, pictures, sounds, or  
12 symbols, or combinations thereof, and any record thereby created, regardless of  
13 the manner in which the record has been stored.

14 **§ 6252.5. Access by elected member or officer of agency**

15 6252.5. Notwithstanding the definition of “member of the public” in **Section**  
16 **6252**, an elected member or officer of any state or local agency is entitled to  
17 access to public records of that agency on the same basis as any other person.  
18 Nothing in **this section** shall limit the ability of elected members or officers to  
19 access public records permitted by law in the administration of their duties.

20 **This section** does not constitute a change in, but is declaratory of, existing law.

21 **§ 6252.6. Information relating to deceased minor foster child**

22 6252.6. Notwithstanding paragraph (2) of subdivision (a) of Section 827 of the  
23 Welfare and Institutions Code, after the death of a foster child who is a minor, the  
24 name, date of birth, and date of death of the child shall be subject to disclosure by  
25 the county child welfare agency pursuant to **this chapter**.

26 **§ 6252.7. Nondiscrimination by local agency in disclosure to members of local legislative**  
27 **body**

28 6252.7. Notwithstanding **Section 6252.5** or any other provision of law, when the  
29 members of a legislative body of a local agency are authorized to access a writing  
30 of the body or of the agency as permitted by law in the administration of their  
31 duties, the local agency, as defined in Section 54951, shall not discriminate  
32 between or among any of those members as to which writing or portion thereof is  
33 made available or when it is made available.

34 **§ 6253. Procedures governing access to public records subject to disclosure**

35 6253. (a) Public records are open to inspection at all times during the office  
36 hours of the state or local agency and every person has a right to inspect any  
37 public record, except as hereafter provided. Any reasonably segregable portion of  
38 a record shall be available for inspection by any person requesting the record after  
39 deletion of the portions that are exempted by law.

1 (b) Except with respect to public records exempt from disclosure by **express**  
2 **provisions of law**, each state or local agency, upon a request for a copy of records  
3 that reasonably describes an identifiable record or records, shall make the records  
4 promptly available to any person upon payment of fees covering direct costs of  
5 duplication, or a statutory fee if applicable. Upon request, an exact copy shall be  
6 provided unless impracticable to do so.

7 (c) Each agency, upon a request for a copy of records, shall, within 10 days from  
8 receipt of the request, determine whether the request, in whole or in part, seeks  
9 copies of disclosable public records in the possession of the agency and shall  
10 promptly notify the person making the request of the determination and the  
11 reasons therefor. In unusual circumstances, the time limit prescribed in **this**  
12 **section** may be extended by written notice by the head of the agency or his or her  
13 designee to the person making the request, setting forth the reasons for the  
14 extension and the date on which a determination is expected to be dispatched. No  
15 notice shall specify a date that would result in an extension for more than 14 days.  
16 When the agency dispatches the determination, and if the agency determines that  
17 the request seeks disclosable public records, the agency shall state the estimated  
18 date and time when the records will be made available. As used in **this section**,  
19 “unusual circumstances” means the following, but only to the extent reasonably  
20 necessary to the proper processing of the particular request:

21 (1) The need to search for and collect the requested records from field facilities  
22 or other establishments that are separate from the office processing the request.

23 (2) The need to search for, collect, and appropriately examine a voluminous  
24 amount of separate and distinct records that are demanded in a single request.

25 (3) The need for consultation, which shall be conducted with all practicable  
26 speed, with another agency having substantial interest in the determination of the  
27 request or among two or more components of the agency having substantial  
28 subject matter interest therein.

29 (4) The need to compile data, to write programming language or a computer  
30 program, or to construct a computer report to extract data.

31 (d) Nothing in **this chapter** shall be construed to permit an agency to delay or  
32 obstruct the inspection or copying of public records. The notification of denial of  
33 any request for records required by **Section 6255** shall set forth the names and  
34 titles or positions of each person responsible for the denial.

35 (e) Except as otherwise prohibited by law, a state or local agency may adopt  
36 requirements for itself that allow for faster, more efficient, or greater access to  
37 records than prescribed by the minimum standards set forth in **this chapter**.

38 (f) In addition to maintaining public records for public inspection during the  
39 office hours of the public agency, a public agency may comply with **subdivision**  
40 **(a)** by posting any public record on its Internet Web site and, in response to a  
41 request for a public record posted on the Internet Web site, directing a member of  
42 the public to the location on the Internet Web site where the public record is  
43 posted. However, if after the public agency directs a member of the public to the

1 Internet Web site, the member of the public requesting the public record requests a  
2 copy of the public record due to an inability to access or reproduce the public  
3 record from the Internet Web site, the public agency shall promptly provide a copy  
4 of the public record pursuant to **subdivision (b)**.

5 **§ 6253.1. Duties of agency upon request for access to public record**

6 6253.1. (a) When a member of the public requests to inspect a public record or  
7 obtain a copy of a public record, the public agency, in order to assist the member  
8 of the public make a focused and effective request that reasonably describes an  
9 identifiable record or records, shall do all of the following, to the extent reasonable  
10 under the circumstances:

11 (1) Assist the member of the public to identify records and information that are  
12 responsive to the request or to the purpose of the request, if stated.

13 (2) Describe the information technology and physical location in which the  
14 records exist.

15 (3) Provide suggestions for overcoming any practical basis for denying access to  
16 the records or information sought.

17 (b) The requirements of **paragraph (1) of subdivision (a)** shall be deemed to  
18 have been satisfied if the public agency is unable to identify the requested  
19 information after making a reasonable effort to elicit additional clarifying  
20 information from the requester that will help identify the record or records.

21 (c) The requirements of **subdivision (a)** are in addition to any action required of  
22 a public agency by **Section 6253**.

23 (d) **This section** shall not apply to a request for public records if any of the  
24 following applies:

25 (1) The public agency makes available the requested records pursuant to **Section**  
26 **6253**.

27 (2) The public agency determines that the request should be denied and bases  
28 that determination solely on an exemption listed in **Section 6254**.

29 (3) The public agency makes available an index of its records.

30 **§ 6253.2. Information relating to providers of in-home supportive services or personal care**  
31 **services**

32 6253.2. (a) Notwithstanding **any other provision of this chapter to the**  
33 **contrary**, information regarding persons paid by the state to provide in-home  
34 supportive services pursuant to Article 7 (commencing with Section 12300) of  
35 Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code or personal  
36 care services pursuant to Section 14132.95 of the Welfare and Institutions Code, is  
37 not subject to public disclosure pursuant to **this chapter**, except as provided in  
38 **subdivision (b)**.

39 (b) Copies of names, addresses, home telephone numbers, personal cellular  
40 telephone numbers, and personal email addresses of persons described in  
41 **subdivision (a)** shall be made available, upon request, to an exclusive bargaining

1 agent and to any labor organization seeking representation rights pursuant to  
2 subdivision (c) of Section 12301.6 or Section 12302.25 of the Welfare and  
3 Institutions Code or Chapter 10 (commencing with Section 3500) of Division 4 of  
4 Title 1. This information shall not be used by the receiving entity for any purpose  
5 other than the employee organizing, representation, and assistance activities of the  
6 labor organization.

7 (c) **This section** applies solely to individuals who provide services under the In-  
8 Home Supportive Services Program (Article 7 (commencing with Section 12300)  
9 of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code) or the  
10 Personal Care Services Program pursuant to Section 14132.95 of the Welfare and  
11 Institutions Code.

12 (d) Nothing in **this section** is intended to alter or shall be interpreted to alter the  
13 rights of parties under the Meyers-Milias-Brown Act (Chapter 10 (commencing  
14 with Section 3500) of Division 4) or any other labor relations law.<sup>1</sup>

15 **§ 6253.3. Prohibition against control of disclosure by third party**

16 6253.3. A state or local agency may not allow another party to control the  
17 disclosure of information that is otherwise subject to disclosure pursuant to **this**  
18 **chapter**.

19 **§ 6253.31. Access to agency contract requiring private entity to review, audit, or report on**  
20 **that agency**

21 6253.31. Notwithstanding any contract term to the contrary, a contract entered  
22 into by a state or local agency subject to **this chapter**, including the University of  
23 California, that requires a private entity to review, audit, or report on any aspect of  
24 that agency shall be public to the extent the contract is otherwise subject to  
25 disclosure under **this chapter**.

26 **§ 6253.4. Agency regulations governing access to records**

27 6253.4. (a) Every agency may adopt regulations stating the procedures to be  
28 followed when making its records available in accordance with **this section**.

29 The following state and local bodies shall establish written guidelines for  
30 accessibility of records. A copy of these guidelines shall be posted in a  
31 conspicuous public place at the offices of these bodies, and a copy of the  
32 guidelines shall be available upon request free of charge to any person requesting  
33 that body's records:

- 34 Department of Motor Vehicles
- 35 Department of Consumer Affairs
- 36 Transportation Agency

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1. This Exhibit incorporates the repeal and amendment of Section 6253.2 enacted by 2017 Cal. Stat. ch. 51, §§ 2, 3 (SB 88 (Committee on Budget & Fiscal Review)), urgency legislation that took effect on July 10, 2017. The Exhibit does not incorporate any other legislation enacted in 2017.

1 Bureau of Real Estate  
2 Department of Corrections and Rehabilitation  
3 Division of Juvenile Justice  
4 Department of Justice  
5 Department of Insurance  
6 Department of Business Oversight  
7 Department of Managed Health Care  
8 Secretary of State  
9 State Air Resources Board  
10 Department of Water Resources  
11 Department of Parks and Recreation  
12 San Francisco Bay Conservation and Development Commission  
13 State Board of Equalization  
14 State Department of Health Care Services  
15 Employment Development Department  
16 State Department of Public Health  
17 State Department of Social Services  
18 State Department of State Hospitals  
19 State Department of Developmental Services  
20 Public Employees' Retirement System  
21 Teachers' Retirement Board  
22 Department of Industrial Relations  
23 Department of General Services  
24 Department of Veterans Affairs  
25 Public Utilities Commission  
26 California Coastal Commission  
27 State Water Resources Control Board  
28 San Francisco Bay Area Rapid Transit District  
29 All regional water quality control boards  
30 Los Angeles County Air Pollution Control District  
31 Bay Area Air Pollution Control District  
32 Golden Gate Bridge, Highway and Transportation District  
33 Department of Toxic Substances Control  
34 Office of Environmental Health Hazard Assessment

35 (b) Guidelines and regulations adopted pursuant to **this section** shall be  
36 consistent with **all other sections of this chapter** and shall reflect the intention of  
37 the Legislature to make the records accessible to the public. The guidelines and  
38 regulations adopted pursuant to **this section** shall not operate to limit the hours  
39 public records are open for inspection as prescribed in **Section 6253**.

1 § 6253.5. Access to initiative, referendum, recall, and other specified petitions and  
2 supporting memoranda

3 6253.5. Notwithstanding Sections 6252 and 6253, statewide, county, city, and  
4 district initiative, referendum, and recall petitions, petitions circulated pursuant to  
5 Section 5091 of the Education Code, petitions for the reorganization of school  
6 districts submitted pursuant to Article 1 (commencing with Section 35700) of  
7 Chapter 4 of Part 21 of the Education Code, petitions for the reorganization of  
8 community college districts submitted pursuant to Part 46 (commencing with  
9 Section 74000) of the Education Code and all memoranda prepared by the county  
10 elections officials in the examination of the petitions indicating which registered  
11 voters have signed particular petitions shall not be deemed to be public records  
12 and shall not be open to inspection except by the public officer or public  
13 employees who have the duty of receiving, examining or preserving the petitions  
14 or who are responsible for the preparation of that memoranda and, if the petition is  
15 found to be insufficient, by the proponents of the petition and the representatives  
16 of the proponents as may be designated by the proponents in writing in order to  
17 determine which signatures were disqualified and the reasons therefor. However,  
18 the Attorney General, the Secretary of State, the Fair Political Practices  
19 Commission, a district attorney, a school district or a community college district  
20 attorney, and a city attorney shall be permitted to examine the material upon  
21 approval of the appropriate superior court.

22 If the proponents of a petition are permitted to examine the petition and  
23 memoranda, the examination shall commence not later than 21 days after  
24 certification of insufficiency.

25 (a) As used in **this section**, “petition” shall mean any petition to which a  
26 registered voter has affixed his or her signature.

27 (b) As used in **this section** “proponents of the petition” means the following:

28 (1) For statewide initiative and referendum measures, the person or persons who  
29 submit a draft of a petition proposing the measure to the Attorney General with a  
30 request that he or she prepare a title and summary of the chief purpose and points  
31 of the proposed measure.

32 (2) For other initiative and referenda on measures, the person or persons who  
33 publish a notice of intention to circulate petitions, or, where publication is not  
34 required, who file petitions with the elections official.

35 (3) For recall measures, the person or persons defined in Section 343 of the  
36 Elections Code.

37 (4) For petitions circulated pursuant to Section 5091 of the Education Code, the  
38 person or persons having charge of the petition who submit the petition to the  
39 county superintendent of schools.

40 (5) For petitions circulated pursuant to Article 1 (commencing with Section  
41 35700) of Chapter 4 of Part 21 of the Education Code, the person or persons  
42 designated as chief petitioners under Section 35701 of the Education Code.

1 (6) For petitions circulated pursuant to Part 46 (commencing with Section  
2 74000) of the Education Code, the person or persons designated as chief  
3 petitioners under Sections 74102, 74133, and 74152 of the Education Code.

4 **§ 6253.6. Information identifying requestors of bilingual ballot or ballot pamphlet**

5 6253.6. (a) Notwithstanding **the provisions of Sections 6252 and 6253**,  
6 information compiled by public officers or public employees revealing the identity  
7 of persons who have requested bilingual ballots or ballot pamphlets, made in  
8 accordance with any federal or state law, or other data that would reveal the  
9 identity of the requester, shall not be deemed to be public records and shall not be  
10 provided to any person other than public officers or public employees who are  
11 responsible for receiving those requests and processing the same.

12 (b) Nothing contained in **subdivision (a)** shall be construed as prohibiting any  
13 person who is otherwise authorized by law from examining election materials,  
14 including, but not limited to, affidavits of registration, provided that requests for  
15 bilingual ballots or ballot pamphlets shall be subject to the restrictions contained in  
16 **subdivision (a)**.

17 **§ 6253.8. Display of agency's final enforcement orders on website**

18 6253.8. (a) Every final enforcement order issued by an agency listed in  
19 **subdivision (b)** under **any provision of law that is administered by an entity**  
20 **listed in subdivision (b)**, shall be displayed on the entity's Internet website, if the  
21 final enforcement order is a public record that is not exempt from disclosure  
22 pursuant to **this chapter**.

23 (b) **This section** applies to the California Environmental Protection Agency and  
24 to all of the following entities within the agency:

25 (1) The State Air Resources Board.

26 (2) The California Integrated Waste Management Board.

27 (3) The State Water Resources Control Board, and each California regional  
28 water quality control board.

29 (4) The Department of Pesticide Regulation.

30 (5) The Department of Toxic Substances Control.

31 (c)(1) Except as provided in **paragraph (2)**, for purposes of **this section**, an  
32 enforcement order is final when the time for judicial review has expired on or after  
33 January 1, 2001, or when all means of judicial review have been exhausted on or  
34 after January 1, 2001.

35 (2) In addition to the requirements of **paragraph (1)**, with regard to a final  
36 enforcement order issued by the State Water Resources Control Board or a  
37 California regional water quality control board, **this section** shall apply only to a  
38 final enforcement order adopted by that board or a regional board at a public  
39 meeting.

40 (d) An order posted pursuant to **this section** shall be posted for not less than one  
41 year.

1 (e) The California Environmental Protection Agency shall oversee the  
2 implementation of **this section**.

3 (f) **This section** shall become operative April 1, 2001.

4 **§ 6253.9. Information in electronic format**

5 6235.9. (a) Unless otherwise prohibited by law, any agency that has information  
6 that constitutes an identifiable public record not exempt from disclosure pursuant  
7 to **this chapter** that is in an electronic format shall make that information  
8 available in an electronic format when requested by any person and, when  
9 applicable, shall comply with the following:

10 (1) The agency shall make the information available in any electronic format in  
11 which it holds the information.

12 (2) Each agency shall provide a copy of an electronic record in the format  
13 requested if the requested format is one that has been used by the agency to create  
14 copies for its own use or for provision to other agencies. The cost of duplication  
15 shall be limited to the direct cost of producing a copy of a record in an electronic  
16 format.

17 (b) Notwithstanding **paragraph (2) of subdivision (a)**, the requester shall bear  
18 the cost of producing a copy of the record, including the cost to construct a record,  
19 and the cost of programming and computer services necessary to produce a copy  
20 of the record when either of the following applies:

21 (1) In order to comply with **the provisions of subdivision (a)**, the public agency  
22 would be required to produce a copy of an electronic record and the record is one  
23 that is produced only at otherwise regularly scheduled intervals.

24 (2) The request would require data compilation, extraction, or programming to  
25 produce the record.

26 (c) Nothing in **this section** shall be construed to require the public agency to  
27 reconstruct a record in an electronic format if the agency no longer has the record  
28 available in an electronic format.

29 (d) If the request is for information in other than electronic format, and the  
30 information also is in electronic format, the agency may inform the requester that  
31 the information is available in electronic format.

32 (e) Nothing in **this section** shall be construed to permit an agency to make  
33 information available only in an electronic format.

34 (f) Nothing in **this section** shall be construed to require the public agency to  
35 release an electronic record in the electronic form in which it is held by the agency  
36 if its release would jeopardize or compromise the security or integrity of the  
37 original record or of any proprietary software in which it is maintained.

38 (g) Nothing in **this section** shall be construed to permit public access to records  
39 held by any agency to which access is otherwise restricted by statute.

1    **§ 6253.10. Formatting of public record on Internet Resource maintained by local agency**

2    6253.10. If a local agency, except a school district, maintains an Internet  
3    Resource, including, but not limited to, an Internet Web site, Internet Web page, or  
4    Internet Web portal, which the local agency describes or titles as “open data,” and  
5    the local agency voluntarily posts a public record on that Internet Resource, the  
6    local agency shall post the public record in an open format that meets all of the  
7    following requirements:

8    (a) Retrievable, downloadable, indexable, and electronically searchable by  
9    commonly used Internet search applications.

10   (b) Platform independent and machine readable.

11   (c) Available to the public free of charge and without any restriction that would  
12   impede the reuse or redistribution of the public record.

13   (d) Retains the data definitions and structure present when the data was  
14   compiled, if applicable.

15   **§ 6254. Exemptions from disclosure**

16   6254. Except as provided in **Sections 6254.7 and 6254.13, this chapter** does  
17   not require the disclosure of any of the following records:

18   (a) Preliminary drafts, notes, or interagency or intra-agency memoranda that are  
19   not retained by the public agency in the ordinary course of business, if the public  
20   interest in withholding those records clearly outweighs the public interest in  
21   disclosure.

22   (b) Records pertaining to pending litigation to which the public agency is a  
23   party, or to claims made pursuant to Division 3.6 (commencing with Section 810),  
24   until the pending litigation or claim has been finally adjudicated or otherwise  
25   settled.

26   (c) Personnel, medical, or similar files, the disclosure of which would constitute  
27   an unwarranted invasion of personal privacy.

28   (d) Records contained in or related to any of the following:

29    (1) Applications filed with any state agency responsible for the regulation or  
30    supervision of the issuance of securities or of financial institutions, including, but  
31    not limited to, banks, savings and loan associations, industrial loan companies,  
32    credit unions, and insurance companies.

33    (2) Examination, operating, or condition reports prepared by, on behalf of, or for  
34    the use of, any state agency referred to in **paragraph (1)**.

35    (3) Preliminary drafts, notes, or interagency or intra-agency communications  
36    prepared by, on behalf of, or for the use of, any state agency referred to in  
37    **paragraph (1)**.

38    (4) Information received in confidence by any state agency referred to in  
39    **paragraph (1)**.

40    (e) Geological and geophysical data, plant production data, and similar  
41    information relating to utility systems development, or market or crop reports, that  
42    are obtained in confidence from any person.

1 (f) Records of complaints to, or investigations conducted by, or records of  
2 intelligence information or security procedures of, the office of the Attorney  
3 General and the Department of Justice, the Office of Emergency Services and any  
4 state or local police agency, or any investigatory or security files compiled by any  
5 other state or local police agency, or any investigatory or security files compiled  
6 by any other state or local agency for correctional, law enforcement, or licensing  
7 purposes. However, state and local law enforcement agencies shall disclose the  
8 names and addresses of persons involved in, or witnesses other than confidential  
9 informants to, the incident, the description of any property involved, the date,  
10 time, and location of the incident, all diagrams, statements of the parties involved  
11 in the incident, the statements of all witnesses, other than confidential informants,  
12 to the victims of an incident, or an authorized representative thereof, an insurance  
13 carrier against which a claim has been or might be made, and any person suffering  
14 bodily injury or property damage or loss, as the result of the incident caused by  
15 arson, burglary, fire, explosion, larceny, robbery, carjacking, vandalism, vehicle  
16 theft, or a crime as defined by subdivision (b) of Section 13951, unless the  
17 disclosure would endanger the safety of a witness or other person involved in the  
18 investigation, or unless disclosure would endanger the successful completion of  
19 the investigation or a related investigation. However, **this subdivision** does not  
20 require the disclosure of that portion of those investigative files that reflects the  
21 analysis or conclusions of the investigating officer.

22 Customer lists provided to a state or local police agency by an alarm or security  
23 company at the request of the agency shall be construed to be records subject to  
24 **this subdivision**.

25 Notwithstanding **any other provision of this subdivision**, state and local law  
26 enforcement agencies shall make public the following information, except to the  
27 extent that disclosure of a particular item of information would endanger the safety  
28 of a person involved in an investigation or would endanger the successful  
29 completion of the investigation or a related investigation:

30 (1) The full name and occupation of every individual arrested by the agency, the  
31 individual's physical description including date of birth, color of eyes and hair,  
32 sex, height and weight, the time and date of arrest, the time and date of booking,  
33 the location of the arrest, the factual circumstances surrounding the arrest, the  
34 amount of bail set, the time and manner of release or the location where the  
35 individual is currently being held, and all charges the individual is being held  
36 upon, including any outstanding warrants from other jurisdictions and parole or  
37 probation holds.

38 (2)(A) Subject to the restrictions imposed by Section 841.5 of the Penal Code,  
39 the time, substance, and location of all complaints or requests for assistance  
40 received by the agency and the time and nature of the response thereto, including,  
41 to the extent the information regarding crimes alleged or committed or any other  
42 incident investigated is recorded, the time, date, and location of occurrence, the  
43 time and date of the report, the name and age of the victim, the factual

1 circumstances surrounding the crime or incident, and a general description of any  
2 injuries, property, or weapons involved. The name of a victim of any crime  
3 defined by Section 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c,  
4 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3,  
5 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code  
6 may be withheld at the victim’s request, or at the request of the victim’s parent or  
7 guardian if the victim is a minor. When a person is the victim of more than one  
8 crime, information disclosing that the person is a victim of a crime defined in any  
9 of the sections of the Penal Code set forth in **this subdivision** may be deleted at  
10 the request of the victim, or the victim’s parent or guardian if the victim is a  
11 minor, in making the report of the crime, or of any crime or incident  
12 accompanying the crime, available to the public in compliance with the  
13 requirements of **this paragraph**.

14 (B) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the  
15 names and images of a victim of human trafficking, as defined in Section 236.1 of  
16 the Penal Code, and of that victim’s immediate family, other than a family  
17 member who is charged with a criminal offense arising from the same incident,  
18 may be withheld at the victim’s request until the investigation or any subsequent  
19 prosecution is complete. For purposes of **this subdivision**, “immediate family”  
20 shall have the same meaning as that provided in paragraph (3) of subdivision (b)  
21 of Section 422.4 of the Penal Code.

22 (3) Subject to the restrictions of Section 841.5 of the Penal Code and **this**  
23 **subdivision**, the current address of every individual arrested by the agency and the  
24 current address of the victim of a crime, if the requester declares under penalty of  
25 perjury that the request is made for a scholarly, journalistic, political, or  
26 governmental purpose, or that the request is made for investigation purposes by a  
27 licensed private investigator as described in Chapter 11.3 (commencing with  
28 Section 7512) of Division 3 of the Business and Professions Code. However, the  
29 address of the victim of any crime defined by Section 220, 236.1, 261, 261.5, 262,  
30 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d,  
31 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7,  
32 422.75, 646.9, or 647.6 of the Penal Code shall remain confidential. Address  
33 information obtained pursuant to **this paragraph** shall not be used directly or  
34 indirectly, or furnished to another, to sell a product or service to any individual or  
35 group of individuals, and the requester shall execute a declaration to that effect  
36 under penalty of perjury. **This paragraph** shall not be construed to prohibit or  
37 limit a scholarly, journalistic, political, or government use of address information  
38 obtained pursuant to **this paragraph**.

39 (g) Test questions, scoring keys, and other examination data used to administer a  
40 licensing examination, examination for employment, or academic examination,  
41 except as provided for in Chapter 3 (commencing with Section 99150) of Part 65  
42 of Division 14 of Title 3 of the Education Code.

1 (h) The contents of real estate appraisals or engineering or feasibility estimates  
2 and evaluations made for or by the state or local agency relative to the acquisition  
3 of property, or to prospective public supply and construction contracts, until all of  
4 the property has been acquired or all of the contract agreement obtained. However,  
5 the law of eminent domain shall not be affected by **this provision**.

6 (i) Information required from any taxpayer in connection with the collection of  
7 local taxes that is received in confidence and the disclosure of the information to  
8 other persons would result in unfair competitive disadvantage to the person  
9 supplying the information.

10 (j) Library circulation records kept for the purpose of identifying the borrower of  
11 items available in libraries, and library and museum materials made or acquired  
12 and presented solely for reference or exhibition purposes. The exemption in **this**  
13 **subdivision** shall not apply to records of fines imposed on the borrowers.

14 (k) Records, the disclosure of which is exempted or prohibited pursuant to  
15 federal or state law, including, but not limited to, provisions of the Evidence Code  
16 relating to privilege.

17 (l) Correspondence of and to the Governor or employees of the Governor's  
18 office or in the custody of or maintained by the Governor's Legal Affairs  
19 Secretary. However, public records shall not be transferred to the custody of the  
20 Governor's Legal Affairs Secretary to evade **the disclosure provisions of this**  
21 **chapter**.

22 (m) In the custody of or maintained by the Legislative Counsel, except those  
23 records in the public database maintained by the Legislative Counsel that are  
24 described in Section 10248.

25 (n) Statements of personal worth or personal financial data required by a  
26 licensing agency and filed by an applicant with the licensing agency to establish  
27 his or her personal qualification for the license, certificate, or permit applied for.

28 (o) Financial data contained in applications for financing under Division 27  
29 (commencing with Section 44500) of the Health and Safety Code, if an authorized  
30 officer of the California Pollution Control Financing Authority determines that  
31 disclosure of the financial data would be competitively injurious to the applicant  
32 and the data is required in order to obtain guarantees from the United States Small  
33 Business Administration. The California Pollution Control Financing Authority  
34 shall adopt rules for review of individual requests for confidentiality under **this**  
35 **section** and for making available to the public those portions of an application that  
36 are subject to disclosure under **this chapter**.

37 (p) Records of state agencies related to activities governed by Chapter 10.3  
38 (commencing with Section 3512), Chapter 10.5 (commencing with Section 3525),  
39 and Chapter 12 (commencing with Section 3560) of Division 4, that reveal a state  
40 agency's deliberative processes, impressions, evaluations, opinions,  
41 recommendations, meeting minutes, research, work products, theories, or strategy,  
42 or that provide instruction, advice, or training to employees who do not have full  
43 collective bargaining and representation rights under these chapters. **This**

1 **subdivision** shall not be construed to limit the disclosure duties of a state agency  
2 with respect to any other records relating to the activities governed by the  
3 employee relations acts referred to in **this subdivision**.

4 (q)(1) Records of state agencies related to activities governed by Article 2.6  
5 (commencing with Section 14081), Article 2.8 (commencing with Section  
6 14087.5), and Article 2.91 (commencing with Section 14089) of Chapter 7 of Part  
7 3 of Division 9 of the Welfare and Institutions Code, that reveal the special  
8 negotiator's deliberative processes, discussions, communications, or any other  
9 portion of the negotiations with providers of health care services, impressions,  
10 opinions, recommendations, meeting minutes, research, work product, theories, or  
11 strategy, or that provide instruction, advice, or training to employees.

12 (2) Except for the portion of a contract containing the rates of payment,  
13 contracts for inpatient services entered into pursuant to these articles, on or after  
14 April 1, 1984, shall be open to inspection one year after they are fully executed. If  
15 a contract for inpatient services that is entered into prior to April 1, 1984, is  
16 amended on or after April 1, 1984, the amendment, except for any portion  
17 containing the rates of payment, shall be open to inspection one year after it is  
18 fully executed. If the California Medical Assistance Commission enters into  
19 contracts with health care providers for other than inpatient hospital services, those  
20 contracts shall be open to inspection one year after they are fully executed.

21 (3) Three years after a contract or amendment is open to inspection under **this**  
22 **subdivision**, the portion of the contract or amendment containing the rates of  
23 payment shall be open to inspection.

24 (4) Notwithstanding any other law, the entire contract or amendment shall be  
25 open to inspection by the Joint Legislative Audit Committee and the Legislative  
26 Analyst's Office. The committee and that office shall maintain the confidentiality  
27 of the contracts and amendments until the time a contract or amendment is fully  
28 open to inspection by the public.

29 (r) Records of Native American graves, cemeteries, and sacred places and  
30 records of Native American places, features, and objects described in Sections  
31 5097.9 and 5097.993 of the Public Resources Code maintained by, or in the  
32 possession of, the Native American Heritage Commission, another state agency, or  
33 a local agency.

34 (s) A final accreditation report of the Joint Commission on Accreditation of  
35 Hospitals that has been transmitted to the State Department of Health Care  
36 Services pursuant to subdivision (b) of Section 1282 of the Health and Safety  
37 Code.

38 (t) Records of a local hospital district, formed pursuant to Division 23  
39 (commencing with Section 32000) of the Health and Safety Code, or the records  
40 of a municipal hospital, formed pursuant to Article 7 (commencing with Section  
41 37600) or Article 8 (commencing with Section 37650) of Chapter 5 of Part 2 of  
42 Division 3 of Title 4 of this code, that relate to any contract with an insurer or  
43 nonprofit hospital service plan for inpatient or outpatient services for alternative

1 rates pursuant to Section 10133 of the Insurance Code. However, the record shall  
2 be open to inspection within one year after the contract is fully executed.

3 (u)(1) Information contained in applications for licenses to carry firearms issued  
4 pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code by the  
5 sheriff of a county or the chief or other head of a municipal police department that  
6 indicates when or where the applicant is vulnerable to attack or that concerns the  
7 applicant's medical or psychological history or that of members of his or her  
8 family.

9 (2) The home address and telephone number of prosecutors, public defenders,  
10 peace officers, judges, court commissioners, and magistrates that are set forth in  
11 applications for licenses to carry firearms issued pursuant to Section 26150,  
12 26155, 26170, or 26215 of the Penal Code by the sheriff of a county or the chief or  
13 other head of a municipal police department.

14 (3) The home address and telephone number of prosecutors, public defenders,  
15 peace officers, judges, court commissioners, and magistrates that are set forth in  
16 licenses to carry firearms issued pursuant to Section 26150, 26155, 26170, or  
17 26215 of the Penal Code by the sheriff of a county or the chief or other head of a  
18 municipal police department.

19 (v)(1) Records of the Managed Risk Medical Insurance Board and the State  
20 Department of Health Care Services related to activities governed by Part 6.3  
21 (commencing with Section 12695), Part 6.5 (commencing with Section 12700),  
22 Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with  
23 Section 12739.70) of Division 2 of the Insurance Code, or Chapter 2 (commencing  
24 with Section 15810) or Chapter 4 (commencing with Section 15870) of Part 3.3 of  
25 Division 9 of the Welfare and Institutions Code, and that reveal any of the  
26 following:

27 (A) The deliberative processes, discussions, communications, or any other  
28 portion of the negotiations with entities contracting or seeking to contract with the  
29 board or the department, entities with which the board or the department is  
30 considering a contract, or entities with which the board or department is  
31 considering or enters into any other arrangement under which the board or the  
32 department provides, receives, or arranges services or reimbursement.

33 (B) The impressions, opinions, recommendations, meeting minutes, research,  
34 work product, theories, or strategy of the board or its staff or the department or its  
35 staff, or records that provide instructions, advice, or training to their employees.

36 (2)(A) Except for the portion of a contract that contains the rates of payment,  
37 contracts entered into pursuant to Part 6.3 (commencing with Section 12695), Part  
38 6.5 (commencing with Section 12700), Part 6.6 (commencing with Section  
39 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the  
40 Insurance Code, or Chapter 2 (commencing with Section 15810) or Chapter 4  
41 (commencing with Section 15870) of Part 3.3 of Division 9 of the Welfare and  
42 Institutions Code, on or after July 1, 1991, shall be open to inspection one year  
43 after their effective dates.

1 (B) If a contract that is entered into prior to July 1, 1991, is amended on or after  
2 July 1, 1991, the amendment, except for any portion containing the rates of  
3 payment, shall be open to inspection one year after the effective date of the  
4 amendment.

5 (3) Three years after a contract or amendment is open to inspection pursuant to  
6 **this subdivision**, the portion of the contract or amendment containing the rates of  
7 payment shall be open to inspection.

8 (4) Notwithstanding any other law, the entire contract or amendments to a  
9 contract shall be open to inspection by the Joint Legislative Audit Committee. The  
10 committee shall maintain the confidentiality of the contracts and amendments  
11 thereto, until the contracts or amendments to the contracts are open to inspection  
12 pursuant to **paragraph (3)**.

13 (w)(1) Records of the Managed Risk Medical Insurance Board related to  
14 activities governed by Chapter 8 (commencing with Section 10700) of Part 2 of  
15 Division 2 of the Insurance Code, and that reveal the deliberative processes,  
16 discussions, communications, or any other portion of the negotiations with health  
17 plans, or the impressions, opinions, recommendations, meeting minutes, research,  
18 work product, theories, or strategy of the board or its staff, or records that provide  
19 instructions, advice, or training to employees.

20 (2) Except for the portion of a contract that contains the rates of payment,  
21 contracts for health coverage entered into pursuant to Chapter 8 (commencing  
22 with Section 10700) of Part 2 of Division 2 of the Insurance Code, on or after  
23 January 1, 1993, shall be open to inspection one year after they have been fully  
24 executed.

25 (3) Notwithstanding any other law, the entire contract or amendments to a  
26 contract shall be open to inspection by the Joint Legislative Audit Committee. The  
27 committee shall maintain the confidentiality of the contracts and amendments  
28 thereto, until the contracts or amendments to the contracts are open to inspection  
29 pursuant to **paragraph (2)**.

30 (x) Financial data contained in applications for registration, or registration  
31 renewal, as a service contractor filed with the Director of Consumer Affairs  
32 pursuant to Chapter 20 (commencing with Section 9800) of Division 3 of the  
33 Business and Professions Code, for the purpose of establishing the service  
34 contractor's net worth, or financial data regarding the funded accounts held in  
35 escrow for service contracts held in force in this state by a service contractor.

36 (y)(1) Records of the Managed Risk Medical Insurance Board and the State  
37 Department of Health Care Services related to activities governed by Part 6.2  
38 (commencing with Section 12693) or Part 6.4 (commencing with Section  
39 12699.50) of Division 2 of the Insurance Code or Sections 14005.26 and 14005.27  
40 of, or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of, the  
41 Welfare and Institutions Code, if the records reveal any of the following:

42 (A) The deliberative processes, discussions, communications, or any other  
43 portion of the negotiations with entities contracting or seeking to contract with the

1 board or the department, entities with which the board or department is  
2 considering a contract, or entities with which the board or department is  
3 considering or enters into any other arrangement under which the board or  
4 department provides, receives, or arranges services or reimbursement.

5 (B) The impressions, opinions, recommendations, meeting minutes, research,  
6 work product, theories, or strategy of the board or its staff, or the department or its  
7 staff, or records that provide instructions, advice, or training to employees.

8 (2)(A) Except for the portion of a contract that contains the rates of payment,  
9 contracts entered into pursuant to Part 6.2 (commencing with Section 12693) or  
10 Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance  
11 Code, on or after January 1, 1998, or Sections 14005.26 and 14005.27 of, or  
12 Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of, the  
13 Welfare and Institutions Code shall be open to inspection one year after their  
14 effective dates.

15 (B) If a contract entered into pursuant to Part 6.2 (commencing with Section  
16 12693) or Part 6.4 (commencing with Section 12699.50) of Division 2 of the  
17 Insurance Code or Sections 14005.26 and 14005.27 of, or Chapter 3 (commencing  
18 with Section 15850) of Part 3.3 of Division 9 of, the Welfare and Institutions  
19 Code, is amended, the amendment shall be open to inspection one year after the  
20 effective date of the amendment.

21 (3) Three years after a contract or amendment is open to inspection pursuant to  
22 **this subdivision**, the portion of the contract or amendment containing the rates of  
23 payment shall be open to inspection.

24 (4) Notwithstanding any other law, the entire contract or amendments to a  
25 contract shall be open to inspection by the Joint Legislative Audit Committee. The  
26 committee shall maintain the confidentiality of the contracts and amendments  
27 thereto until the contract or amendments to a contract are open to inspection  
28 pursuant to **paragraph (2) or (3)**.

29 (5) The exemption from disclosure provided pursuant to **this subdivision** for the  
30 contracts, deliberative processes, discussions, communications, negotiations,  
31 impressions, opinions, recommendations, meeting minutes, research, work  
32 product, theories, or strategy of the board or its staff, or the department or its staff,  
33 shall also apply to the contracts, deliberative processes, discussions,  
34 communications, negotiations, impressions, opinions, recommendations, meeting  
35 minutes, research, work product, theories, or strategy of applicants pursuant to  
36 Part 6.4 (commencing with Section 12699.50) of Division 2 of the Insurance Code  
37 or Chapter 3 (commencing with Section 15850) of Part 3.3 of Division 9 of the  
38 Welfare and Institutions Code.

39 (z) Records obtained pursuant to **paragraph (2) of subdivision (f) of Section**  
40 **2891.1 of the Public Utilities Code**.

41 (aa) A document prepared by or for a state or local agency that assesses its  
42 vulnerability to terrorist attack or other criminal acts intended to disrupt the public

1 agency's operations and that is for distribution or consideration in a closed  
2 session.

3 (ab) Critical infrastructure information, as defined in Section 131(3) of Title 6 of  
4 the United States Code, that is voluntarily submitted to the Office of Emergency  
5 Services for use by that office, including the identity of the person who or entity  
6 that voluntarily submitted the information. As used in **this subdivision**,  
7 "voluntarily submitted" means submitted in the absence of the office exercising  
8 any legal authority to compel access to or submission of critical infrastructure  
9 information. **This subdivision** shall not affect the status of information in the  
10 possession of any other state or local governmental agency.

11 (ac) All information provided to the Secretary of State by a person for the  
12 purpose of registration in the Advance Health Care Directive Registry, except that  
13 those records shall be released at the request of a health care provider, a public  
14 guardian, or the registrant's legal representative.

15 (ad) The following records of the State Compensation Insurance Fund:

16 (1) Records related to claims pursuant to Chapter 1 (commencing with Section  
17 3200) of Division 4 of the Labor Code, to the extent that confidential medical  
18 information or other individually identifiable information would be disclosed.

19 (2) Records related to the discussions, communications, or any other portion of  
20 the negotiations with entities contracting or seeking to contract with the fund, and  
21 any related deliberations.

22 (3) Records related to the impressions, opinions, recommendations, meeting  
23 minutes of meetings or sessions that are lawfully closed to the public, research,  
24 work product, theories, or strategy of the fund or its staff, on the development of  
25 rates, contracting strategy, underwriting, or competitive strategy pursuant to the  
26 powers granted to the fund in Chapter 4 (commencing with Section 11770) of Part  
27 3 of Division 2 of the Insurance Code.

28 (4) Records obtained to provide workers' compensation insurance under Chapter  
29 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code,  
30 including, but not limited to, any medical claims information, policyholder  
31 information provided that nothing in **this paragraph** shall be interpreted to  
32 prevent an insurance agent or broker from obtaining proprietary information or  
33 other information authorized by law to be obtained by the agent or broker, and  
34 information on rates, pricing, and claims handling received from brokers.

35 (5)(A) Records that are trade secrets pursuant to Section 6276.44, or Article 11  
36 (commencing with Section 1060) of Chapter 4 of Division 8 of the Evidence  
37 Code, including without limitation, instructions, advice, or training provided by  
38 the State Compensation Insurance Fund to its board members, officers, and  
39 employees regarding the fund's special investigation unit, internal audit unit, and  
40 informational security, marketing, rating, pricing, underwriting, claims handling,  
41 audits, and collections.

42 (B) Notwithstanding **subparagraph (A)**, the portions of records containing  
43 trade secrets shall be available for review by the Joint Legislative Audit

1 Committee, California State Auditor’s Office, Division of Workers’  
2 Compensation, and the Department of Insurance to ensure compliance with  
3 applicable law.

4 (6)(A) Internal audits containing proprietary information and the following  
5 records that are related to an internal audit:

6 (i) Personal papers and correspondence of any person providing assistance to the  
7 fund when that person has requested in writing that his or her papers and  
8 correspondence be kept private and confidential. Those papers and correspondence  
9 shall become public records if the written request is withdrawn, or upon order of  
10 the fund.

11 (ii) Papers, correspondence, memoranda, or any substantive information  
12 pertaining to any audit not completed or an internal audit that contains proprietary  
13 information.

14 (B) Notwithstanding **subparagraph (A)**, the portions of records containing  
15 proprietary information, or any information specified in **subparagraph (A)** shall  
16 be available for review by the Joint Legislative Audit Committee, California State  
17 Auditor’s Office, Division of Workers’ Compensation, and the Department of  
18 Insurance to ensure compliance with applicable law.

19 (7)(A) Except as provided in **subparagraph (C)**, contracts entered into pursuant  
20 to Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the  
21 Insurance Code shall be open to inspection one year after the contract has been  
22 fully executed.

23 (B) If a contract entered into pursuant to Chapter 4 (commencing with Section  
24 11770) of Part 3 of Division 2 of the Insurance Code is amended, the amendment  
25 shall be open to inspection one year after the amendment has been fully executed.

26 (C) Three years after a contract or amendment is open to inspection pursuant to  
27 **this subdivision**, the portion of the contract or amendment containing the rates of  
28 payment shall be open to inspection.

29 (D) Notwithstanding any other law, the entire contract or amendments to a  
30 contract shall be open to inspection by the Joint Legislative Audit Committee. The  
31 committee shall maintain the confidentiality of the contracts and amendments  
32 thereto until the contract or amendments to a contract are open to inspection  
33 pursuant to **this paragraph**.

34 (E) **This paragraph** is not intended to apply to documents related to contracts  
35 with public entities that are not otherwise expressly confidential as to that public  
36 entity.

37 (F) For purposes of **this paragraph**, “fully executed” means the point in time  
38 when all of the necessary parties to the contract have signed the contract.

39 **This section** does not prevent any agency from opening its records concerning  
40 the administration of the agency to public inspection, unless disclosure is  
41 otherwise prohibited by law.

1       **This section** does not prevent any health facility from disclosing to a certified  
2 bargaining agent relevant financing information pursuant to **Section 8** of the  
3 **National Labor Relations Act (29 U.S.C. Sec. 158)**.

4       **§ 6254.1. Personal information governed by other statutes**

5       6254.1. (a) Except as provided in **Section 6254.7**, nothing in **this chapter**  
6 requires disclosure of records that are the residence address of any person  
7 contained in the records of the Department of Housing and Community  
8 Development, if the person has requested confidentiality of that information, in  
9 accordance with **Section 18081** of the Health and Safety Code.

10       (b) Nothing in **this chapter** requires the disclosure of the residence or mailing  
11 address of any person in any record of the Department of Motor Vehicles except in  
12 accordance with **Section 1808.21** of the Vehicle Code.

13       (c) Nothing in **this chapter** requires the disclosure of the results of a test  
14 undertaken pursuant to **Section 12804.8** of the Vehicle Code.

15       **§ 6254.2. Pesticide information**

16       6254.2. (a) Nothing in **this chapter** exempts from public disclosure the same  
17 categories of pesticide safety and efficacy information that are disclosable under  
18 paragraph (1) of subsection (d) of Section 10 of the federal Insecticide, Fungicide,  
19 and Rodenticide Act (7 U.S.C. Sec. 136h(d)(1)), if the individual requesting the  
20 information is not an officer, employee, or agent specified in **subdivision (h)** and  
21 signs the affirmation specified in **subdivision (h)**.

22       (b) The Director of Pesticide Regulation, upon his or her initiative, or upon  
23 receipt of a request pursuant to **this chapter** for the release of data submitted and  
24 designated as a trade secret by a registrant or applicant, shall determine whether  
25 any or all of the data so submitted is a properly designated trade secret. In order to  
26 assure that the interested public has an opportunity to obtain and review pesticide  
27 safety and efficacy data and to comment prior to the expiration of the public  
28 comment period on a proposed pesticide registration, the director shall provide  
29 notice to interested persons when an application for registration enters the  
30 registration evaluation process.

31       (c) If the director determines that the data is not a trade secret, the director shall  
32 notify the registrant or applicant by certified mail.

33       (d) The registrant or applicant shall have 30 days after receipt of this notification  
34 to provide the director with a complete justification and statement of the grounds  
35 on which the trade secret privilege is claimed. This justification and statement  
36 shall be submitted by certified mail.

37       (e) The director shall determine whether the data is protected as a trade secret  
38 within 15 days after receipt of the justification and statement or, if no justification  
39 and statement is filed, within 45 days of the original notice. The director shall  
40 notify the registrant or applicant and any party who has requested the data  
41 pursuant to **this chapter** of that determination by certified mail. If the director

1 determines that the data is not protected as a trade secret, the final notice shall also  
2 specify a date, not sooner than 15 days after the date of mailing of the final notice,  
3 when the data shall be available to any person requesting information pursuant to  
4 **subdivision (a).**

5 (f) “Trade secret” means data that is nondisclosable under paragraph (1) of  
6 subsection (d) of Section 10 of the federal Insecticide, Fungicide, and Rodenticide  
7 Act.

8 (g) **This section** shall be operative only so long as, and to the extent that,  
9 enforcement of paragraph (1) of subsection (d) of Section 10 of the federal  
10 Insecticide, Fungicide, and Rodenticide Act has not been enjoined by federal court  
11 order, and shall become inoperative if an unappealable federal court judgment or  
12 decision becomes final that holds **that paragraph** invalid, to the extent of the  
13 invalidity.

14 (h) The director shall not knowingly disclose information submitted to the state  
15 by an applicant or registrant pursuant to Article 4 (commencing with Section  
16 12811) of Chapter 2 of Division 7 of the Food and Agricultural Code to any  
17 officer, employee, or agent of any business or other entity engaged in the  
18 production, sale, or distribution of pesticides in countries other than the United  
19 States or in countries in addition to the United States, or to any other person who  
20 intends to deliver this information to any foreign or multi-national business or  
21 entity, unless the applicant or registrant consents to the disclosure. To implement  
22 **this subdivision**, the director shall require the following affirmation to be signed  
23 by the person who requests such information:

#### 24 AFFIRMATION OF STATUS

25 This affirmation is required by **Section 6254.2 of the Government Code.**

26 I have requested access to information submitted to the Department of Pesticide  
27 Regulation (or previously submitted to the Department of Food and Agriculture)  
28 by a pesticide applicant or registrant pursuant to the California Food and  
29 Agricultural Code. I hereby affirm all of the following statements:

30 (1) I do not seek access to the information for purposes of delivering it or  
31 offering it for sale to any business or other entity, including the business or entity  
32 of which I am an officer, employee, or agent engaged in the production, sale, or  
33 distribution of pesticides in countries other than the United States or in countries  
34 in addition to the United States, or to the officers, employees, or agents of such a  
35 business or entity.

36 (2) I will not purposefully deliver or negligently cause the data to be delivered to  
37 a business or entity specified in **paragraph (1)** or its officers, employees, or  
38 agents.

39 I am aware that I may be subject to criminal penalties under Section 118 of the  
40 Penal Code if I make any statement of material facts knowing that the statement is  
41 false or if I willfully conceal any material fact.



1 (m) **This section** does not prohibit any person from maintaining a civil action  
2 for wrongful disclosure of trade secrets.

3 (n) The director may limit an individual to one request per month pursuant to  
4 **this section** if the director determines that a person has made a frivolous request  
5 within the past 12-month period.

6 **§ 6254.3. Personal information of agency employee**

7 6254.3. (a) The home addresses, home telephone numbers, personal cellular  
8 telephone numbers, and birth dates of all employees of a public agency shall not  
9 be deemed to be public records and shall not be open to public inspection, except  
10 that disclosure of that information may be made as follows:

11 (1) To an agent, or a family member of the individual to whom the information  
12 pertains.

13 (2) To an officer or employee of another public agency when necessary for the  
14 performance of its official duties.

15 (3) To an employee organization pursuant to regulations and decisions of the  
16 Public Employment Relations Board, except that the home addresses and any  
17 phone numbers on file with the employer of employees performing law  
18 enforcement-related functions, and the birth date of any employee, shall not be  
19 disclosed.

20 (4) To an agent or employee of a health benefit plan providing health services or  
21 administering claims for health services to public agencies and their enrolled  
22 dependents, for the purpose of providing the health services or administering  
23 claims for employees and their enrolled dependents.

24 (b) Upon written request of any employee, a public agency shall not disclose the  
25 employee's home address, home telephone number, personal cellular telephone  
26 number, or birth date pursuant to **paragraph (3) of subdivision (a)** and an agency  
27 shall remove the employee's home address, home telephone number, and personal  
28 cellular telephone number from any mailing list maintained by the agency, except  
29 if the list is used exclusively by the agency to contact the employee.

30 **§ 6254.4. Voter registration information**

31 6254.4. (a) The home address, telephone number, email address, precinct  
32 number, or other number specified by the Secretary of State for voter registration  
33 purposes, and prior registration information shown on the affidavit of registration,  
34 is confidential and shall not be disclosed to any person, except pursuant to **Section**  
35 **2194** of the Elections Code.

36 (b) For purposes of **this section**, "home address" means street address only, and  
37 does not include an individual's city or post office address.

38 (c) The California driver's license number, the California identification card  
39 number, the social security number, and any other unique identifier used by the  
40 State of California for purposes of voter identification shown on an affidavit of  
41 registration, or added to the voter registration records to comply with the

1 requirements of the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301  
2 et seq.), are confidential and shall not be disclosed to any person.

3 (d) The signature of the voter that is shown on the affidavit of registration is  
4 confidential and shall not be disclosed to any person.

5 **§ 6254.5. Waiver of exemption based on disclosure**

6 6254.5. Notwithstanding any other law, if a state or local agency discloses a  
7 public record that is otherwise exempt from **this chapter**, to a member of the  
8 public, this disclosure shall constitute a waiver of the exemptions specified in  
9 **Section 6254 or 6254.7**, or **other similar provisions of law**. For purposes of **this**  
10 **section**, “agency” includes a member, agent, officer, or employee of the agency  
11 acting within the scope of his or her membership, agency, office, or employment.

12 **This section**, however, shall not apply to disclosures:

13 (a) Made pursuant to the Information Practices Act (Chapter 1 (commencing  
14 with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) or  
15 discovery proceedings.

16 (b) Made through other legal proceedings or as otherwise required by law.

17 (c) Within the scope of disclosure of a statute that limits disclosure of specified  
18 writings to certain purposes.

19 (d) Not required by law, and prohibited by formal action of an elected legislative  
20 body of the local agency that retains the writings.

21 (e) Made to a governmental agency that agrees to treat the disclosed material as  
22 confidential. Only persons authorized in writing by the person in charge of the  
23 agency shall be permitted to obtain the information. Any information obtained by  
24 the agency shall only be used for purposes that are consistent with existing law.

25 (f) Of records relating to a financial institution or an affiliate thereof, if the  
26 disclosures are made to the financial institution or affiliate by a state agency  
27 responsible for the regulation or supervision of the financial institution or affiliate.

28 (g) Of records relating to a person who is subject to the jurisdiction of the  
29 Department of Business Oversight, if the disclosures are made to the person who  
30 is the subject of the records for the purpose of corrective action by that person, or,  
31 if a corporation, to an officer, director, or other key personnel of the corporation  
32 for the purpose of corrective action, or to any other person to the extent necessary  
33 to obtain information from that person for the purpose of an investigation by the  
34 Department of Business Oversight.

35 (h) Made by the Commissioner of Business Oversight under **Section 450, 452,**  
36 **8009, or 18396** of the Financial Code.

37 (i) Of records relating to a person who is subject to the jurisdiction of the  
38 Department of Managed Health Care, if the disclosures are made to the person  
39 who is the subject of the records for the purpose of corrective action by that  
40 person, or, if a corporation, to an officer, director, or other key personnel of the  
41 corporation for the purpose of corrective action, or to any other person to the

1 extent necessary to obtain information from that person for the purpose of an  
2 investigation by the Department of Managed Health Care.

3 **§ 6254.6. Identity of private industry employer obtained in conjunction with collection of**  
4 **private industry wage data**

5 6254.6. Whenever a city and county or a joint powers agency, pursuant to a  
6 mandatory statute or charter provision to collect private industry wage data for  
7 salary setting purposes, or a contract entered to implement that mandate, is  
8 provided this data by the federal Bureau of Labor Statistics on the basis that the  
9 identity of private industry employers shall remain confidential, the identity of the  
10 employers shall not be open to the public or be admitted as evidence in any action  
11 or special proceeding.

12 **§ 6254.7. Pollution information**

13 6254.7. (a) All information, analyses, plans, or specifications that disclose the  
14 nature, extent, quantity, or degree of air contaminants or other pollution which any  
15 article, machine, equipment, or other contrivance will produce, which any air  
16 pollution control district or air quality management district, or any other state or  
17 local agency or district, requires any applicant to provide before the applicant  
18 builds, erects, alters, replaces, operates, sells, rents, or uses the article, machine,  
19 equipment, or other contrivance, are public records.

20 (b) All air or other pollution monitoring data, including data compiled from  
21 stationary sources, are public records.

22 (c) All records of notices and orders directed to the owner of any building of  
23 violations of housing or building codes, ordinances, statutes, or regulations which  
24 constitute violations of standards provided in **Section 1941.1 of the Civil Code**,  
25 and records of subsequent action with respect to those notices and orders, are  
26 public records.

27 (d) Except as otherwise provided in **subdivision (e)** and **Chapter 3 (commencing**  
28 **with Section 99150) of Part 65 of the Education Code**, trade secrets are not public  
29 records under **this section**. "Trade secrets," as used in **this section**, may include,  
30 but are not limited to, any formula, plan, pattern, process, tool, mechanism,  
31 compound, procedure, production data, or compilation of information which is not  
32 patented, which is known only to certain individuals within a commercial concern  
33 who are using it to fabricate, produce, or compound an article of trade or a service  
34 having commercial value and which gives its user an opportunity to obtain a  
35 business advantage over competitors who do not know or use it.

36 (e) Notwithstanding any other provision of law, all air pollution emission data,  
37 including those emission data which constitute trade secrets as defined in  
38 **subdivision (d)**, are public records. Data used to calculate emission data are not  
39 emission data for the purposes of **this subdivision** and data which constitute trade  
40 secrets and which are used to calculate emission data are not public records.

1 (f) Data used to calculate the costs of obtaining emissions offsets are not public  
2 records. At the time that an air pollution control district or air quality management  
3 district issues a permit to construct to an applicant who is required to obtain offsets  
4 pursuant to district rules and regulations, data obtained from the applicant  
5 consisting of the year the offset transaction occurred, the amount of offsets  
6 purchased, by pollutant, and the total cost, by pollutant, of the offsets purchased is  
7 a public record. If an application is denied, the data shall not be a public record.

8 **§ 6254.8. Agency employment contracts**

9 6254.8. Every employment contract between a state or local agency and any  
10 public official or public employee is a public record which is not subject to **the**  
11 **provisions of Sections 6254 and 6255.**

12 **§ 6254.9. Software developed by agency**

13 6254.9. (a) Computer software developed by a state or local agency is not itself  
14 a public record under **this chapter**. The agency may sell, lease, or license the  
15 software for commercial or noncommercial use.

16 (b) As used in **this section**, “computer software” includes computer mapping  
17 systems, computer programs, and computer graphics systems.

18 (c) **This section** shall not be construed to create an implied warranty on the part  
19 of the State of California or any local agency for errors, omissions, or other defects  
20 in any computer software as provided pursuant to **this section**.

21 (d) Nothing in **this section** is intended to affect the public record status of  
22 information merely because it is stored in a computer. Public records stored in a  
23 computer shall be disclosed as required by **this chapter**.

24 (e) Nothing in **this section** is intended to limit any copyright protections.

25 **§ 6254.10. Archaeological site information**

26 6254.10. Nothing in **this chapter** requires disclosure of records that relate to  
27 archaeological site information and reports maintained by, or in the possession of,  
28 the Department of Parks and Recreation, the State Historical Resources  
29 Commission, the State Lands Commission, the Native American Heritage  
30 Commission, another state agency, or a local agency, including the records that the  
31 agency obtains through a consultation process between a California Native  
32 American tribe and a state or local agency.

33 **§ 6254.11. Specified information acquired by air pollution control officer**

34 6254.11. Nothing in **this chapter** requires the disclosure of records that relate to  
35 volatile organic compounds or chemical substances information received or  
36 compiled by an air pollution control officer pursuant to **Section 42303.2 of the**  
37 **Health and Safety Code**.

1 § 6254.12. Disciplinary records made available to Department of Business Oversight  
2 through computer system

3 6254.12. Any information reported to the North American Securities  
4 Administrators Association/Financial Industry Regulatory Authority and compiled  
5 as disciplinary records which are made available to the Department of Business  
6 Oversight through a computer system, shall constitute a public record.  
7 Notwithstanding any other provision of law, the Department of Business  
8 Oversight may disclose that information and the current license status and the year  
9 of issuance of the license of a broker-dealer upon written or oral request pursuant  
10 to Section 25247 of the Corporations Code.

11 § 6254.13. Disclosure of Department of Education examination questions to legislative or  
12 executive branch

13 6254.13. Notwithstanding Section 6254, upon the request of any Member of the  
14 Legislature or upon request of the Governor or his or her designee, test questions  
15 or materials that would be used to administer an examination and are provided by  
16 the State Department of Education and administered as part of a statewide testing  
17 program of pupils enrolled in the public schools shall be disclosed to the requester.  
18 These questions or materials may not include an individual examination that has  
19 been administered to a pupil and scored. The requester may not take physical  
20 possession of the questions or materials, but may view the questions or materials  
21 at a location selected by the department. Upon viewing this information, the  
22 requester shall keep the materials that he or she has seen confidential.

23 § 6254.14. Information relating to contracts for health care services

24 6254.14. (a)(1) Except as provided in Sections 6254 and 6254.7, nothing in this  
25 chapter shall be construed to require disclosure of records of the Department of  
26 Corrections and Rehabilitation that relate to health care services contract  
27 negotiations, and that reveal the deliberative processes, discussions,  
28 communications, or any other portion of the negotiations, including, but not  
29 limited to, records related to those negotiations such as meeting minutes, research,  
30 work product, theories, or strategy of the department, or its staff, or members of  
31 the California Medical Assistance Commission, or its staff, who act in  
32 consultation with, or on behalf of, the department.

33 (2) Except for the portion of a contract that contains the rates of payment,  
34 contracts for health services entered into by the Department of Corrections and  
35 Rehabilitation or the California Medical Assistance Commission on or after July 1,  
36 1993, shall be open to inspection one year after they are fully executed. In the  
37 event that a contract for health services that is entered into prior to July 1, 1993, is  
38 amended on or after July 1, 1993, the amendment, except for any portion  
39 containing rates of payment, shall be open to inspection one year after it is fully  
40 executed.

1 (3) Three years after a contract or amendment is open to inspection under **this**  
2 **subdivision**, the portion of the contract or amendment containing the rates of  
3 payment shall be open to inspection.

4 (4) Notwithstanding any other provision of law, including, but not limited to,  
5 **Section 1060 of the Evidence Code**, the entire contract or amendment shall be  
6 open to inspection by the Joint Legislative Audit Committee, the California State  
7 Auditor's Office, and the Legislative Analyst's Office. The Joint Legislative Audit  
8 Committee, the California State Auditor's Office, and the Legislative Analyst's  
9 Office shall maintain the confidentiality of the contracts and amendments until the  
10 contract or amendment is fully open to inspection by the public.

11 (5) It is the intent of the Legislature that confidentiality of health care provider  
12 contracts, and of the contracting process as provided in **this subdivision**, is  
13 intended to protect the competitive nature of the negotiation process, and shall not  
14 affect public access to other information relating to the delivery of health care  
15 services.

16 (b) The inspection authority and confidentiality requirements established in  
17 **subdivisions (q), (v), and (y) of Section 6254** for the Legislative Audit  
18 Committee shall also apply to the California State Auditor's Office and the  
19 Legislative Analyst's Office.

20 **§ 6254.15. Records relating to siting of private company**

21 6254.15. Nothing in **this chapter** shall be construed to require the disclosure of  
22 records that are any of the following: corporate financial records, corporate  
23 proprietary information including trade secrets, and information relating to siting  
24 within the state furnished to a government agency by a private company for the  
25 purpose of permitting the agency to work with the company in retaining, locating,  
26 or expanding a facility within California. Except as provided below, incentives  
27 offered by state or local government agencies, if any, shall be disclosed upon  
28 communication to the agency or the public of a decision to stay, locate, relocate,  
29 or expand, by a company, or upon application by that company to a governmental  
30 agency for a general plan amendment, rezone, use permit, building permit, or any  
31 other permit, whichever occurs first.

32 The agency shall delete, prior to disclosure to the public, information that is  
33 exempt pursuant to **this section** from any record describing state or local  
34 incentives offered by an agency to a private business to retain, locate, relocate, or  
35 expand the business within California.

36 **§ 6254.16. Personal information of local agency utility customers**

37 6254.16. Nothing in **this chapter** shall be construed to require the disclosure of  
38 the name, credit history, utility usage data, home address, or telephone number of  
39 utility customers of local agencies, except that disclosure of name, utility usage  
40 data, and the home address of utility customers of local agencies shall be made  
41 available upon request as follows:

1 (a) To an agent or authorized family member of the person to whom the  
2 information pertains.

3 (b) To an officer or employee of another governmental agency when necessary  
4 for the performance of its official duties.

5 (c) Upon court order or the request of a law enforcement agency relative to an  
6 ongoing investigation.

7 (d) Upon determination by the local agency that the utility customer who is the  
8 subject of the request has used utility services in a manner inconsistent with  
9 applicable local utility usage policies.

10 (e) Upon determination by the local agency that the utility customer who is the  
11 subject of the request is an elected or appointed official with authority to  
12 determine the utility usage policies of the local agency, provided that the home  
13 address of an appointed official shall not be disclosed without his or her consent.

14 (f) Upon determination by the local agency that the public interest in disclosure  
15 of the information clearly outweighs the public interest in nondisclosure.

16 **§ 6254.17. Records of California Victim Compensation Board relating to requests for**  
17 **assistance**

18 6254.17. (a) Nothing in **this chapter** shall be construed to require disclosure of  
19 records of the California Victim Compensation Board that relate to a request for  
20 assistance under Article 1 (commencing with Section 13950) of Chapter 5 of Part  
21 4 of Division 3 of Title 2.

22 (b) **This section** shall not apply to a disclosure of the following information, if  
23 no information is disclosed that connects the information to a specific victim,  
24 derivative victim, or applicant under Article 1 (commencing with Section 13950)  
25 of Chapter 5 of Part 4 of Division 3 of Title 2:

26 (1) The amount of money paid to a specific provider of services.

27 (2) Summary data concerning the types of crimes for which assistance is  
28 provided.

29 **§ 6254.18. Personal information in record relating to reproductive health services facility**

30 6254.18. (a) Nothing in **this chapter** shall be construed to require disclosure of  
31 any personal information received, collected, or compiled by a public agency  
32 regarding the employees, volunteers, board members, owners, partners, officers, or  
33 contractors of a reproductive health services facility who have notified the public  
34 agency pursuant to **subdivision (d)** if the personal information is contained in a  
35 document that relates to the facility.

36 (b) For purposes of **this section**, the following terms have the following  
37 meanings:

38 (1) “Contractor” means an individual or entity that contracts with a reproductive  
39 health services facility for services related to patient care.

40 (2) “Personal information” means the following information related to an  
41 individual that is maintained by a public agency: social security number, physical

1 description, home address, home telephone number, statements of personal worth  
2 or personal financial data filed pursuant to **subdivision (n) of Section 6254**,  
3 personal medical history, employment history, electronic mail address, and  
4 information that reveals any electronic network location or identity.

5 (3) “Public agency” means all of the following:

6 (A) The State Department of Health Care Services.

7 (B) The Department of Consumer Affairs.

8 (C) The Department of Managed Health Care.

9 (D) The State Department of Public Health.

10 (4) “Reproductive health services facility” means the office of a licensed  
11 physician and surgeon whose specialty is family practice, obstetrics, or  
12 gynecology, or a licensed clinic, where at least 50 percent of the patients of the  
13 physician or the clinic are provided with family planning or abortion services.

14 (c) Any person may institute proceedings for injunctive or declarative relief or  
15 writ of mandate in any court of competent jurisdiction to obtain access to  
16 employment history information pursuant to **Sections 6258 and 6259**. If the court  
17 finds, based on the facts of a particular case, that the public interest served by  
18 disclosure of employment history information clearly outweighs the public interest  
19 served by not disclosing the information, the court shall order the officer or person  
20 charged with withholding the information to disclose employment history  
21 information or show cause why he or she should not do so pursuant to **Section**  
22 **6259**.

23 (d) In order for **this section** to apply to an individual who is an employee,  
24 volunteer, board member, officer, or contractor of a reproductive health services  
25 facility, the individual shall notify the public agency to which his or her personal  
26 information is being submitted or has been submitted that he or she falls within the  
27 application of **this section**. The reproductive health services facility shall retain a  
28 copy of all notifications submitted pursuant to **this section**. This notification shall  
29 be valid if it complies with all of the following:

30 (1) Is on the official letterhead of the facility.

31 (2) Is clearly separate from any other language present on the same page and is  
32 executed by a signature that serves no other purpose than to execute the  
33 notification.

34 (3) Is signed and dated by both of the following:

35 (A) The individual whose information is being submitted.

36 (B) The executive officer or his or her designee of the reproductive health  
37 services facility.

38 (e) The privacy protections for personal information authorized pursuant to **this**  
39 **section** shall be effective from the time of notification pursuant to **subdivision (d)**  
40 until either one of the following occurs:

41 (1) Six months after the date of separation from a reproductive health services  
42 facility for an individual who has served for not more than one year as an

1 employee, contractor, volunteer, board member, or officer of the reproductive  
2 health services facility.

3 (2) One year after the date of separation from a reproductive health services  
4 facility for an individual who has served for more than one year as an employee,  
5 contractor, volunteer, board member, or officer of the reproductive health services  
6 facility.

7 (f) Within 90 days of separation of an employee, contractor, volunteer, board  
8 member, or officer of the reproductive health services facility who has provided  
9 notice to a public agency pursuant to **subdivision (c)**, the facility shall provide  
10 notice of the separation to the relevant agency or agencies.

11 (g) Nothing in **this section** shall prevent the disclosure by a government agency  
12 of data regarding age, race, ethnicity, national origin, or gender of individuals  
13 whose personal information is protected pursuant to **this section**, so long as the  
14 data contains no individually identifiable information.

15 **§ 6254.19. Information security record**

16 6254.19. Nothing in **this chapter** shall be construed to require the disclosure of  
17 an information security record of a public agency, if, on the facts of the particular  
18 case, disclosure of that record would reveal vulnerabilities to, or otherwise  
19 increase the potential for an attack on, an information technology system of a  
20 public agency. Nothing in **this section** shall be construed to limit public disclosure  
21 of records stored within an information technology system of a public agency that  
22 are not otherwise exempt from disclosure pursuant to **this chapter** or any other  
23 provision of law.

24 **§ 6254.20. Personal information electronically collected by state agency**

25 6254.20. Nothing in **this chapter** shall be construed to require the disclosure of  
26 records that relate to electronically collected personal information, as defined by  
27 Section 11015.5, received, collected, or compiled by a state agency.

28 **§ 6254.21. Online posting or sale of personal information of elected or appointed official**

29 6254.21. (a) No state or local agency shall post the home address or telephone  
30 number of any elected or appointed official on the Internet without first obtaining  
31 the written permission of that individual.

32 (b) No person shall knowingly post the home address or telephone number of  
33 any elected or appointed official, or of the official's residing spouse or child, on  
34 the Internet knowing that person is an elected or appointed official and intending  
35 to cause imminent great bodily harm that is likely to occur or threatening to cause  
36 imminent great bodily harm to that individual. A violation of **this subdivision** is a  
37 misdemeanor. A violation of **this subdivision** that leads to the bodily injury of the  
38 official, or his or her residing spouse or child, is a misdemeanor or a felony.

39 (c)(1)(A) No person, business, or association shall publicly post or publicly  
40 display on the Internet the home address or telephone number of any elected or

1 appointed official if that official has, either directly or through an agent designated  
2 under **paragraph (3)**, made a written demand of that person, business, or  
3 association to not disclose his or her home address or telephone number.

4 (B) A written demand made under **this paragraph** by a state constitutional  
5 officer, a mayor, or a Member of the Legislature, a city council, or a board of  
6 supervisors shall include a statement describing a threat or fear for the safety of  
7 that official or of any person residing at the official's home address.

8 (C) A written demand made under **this paragraph** by an elected official shall be  
9 effective for four years, regardless of whether or not the official's term has expired  
10 prior to the end of the four-year period.

11 (D)(i) A person, business, or association that receives the written demand of an  
12 elected or appointed official pursuant to **this paragraph** shall remove the  
13 official's home address or telephone number from public display on the Internet,  
14 including information provided to cellular telephone applications, within 48 hours  
15 of delivery of the written demand, and shall continue to ensure that this  
16 information is not reposted on the same Internet Web site, subsidiary site, or any  
17 other Internet Web site maintained by the recipient of the written demand.

18 (ii) After receiving the elected or appointed official's written demand, the  
19 person, business, or association shall not transfer the appointed or elected  
20 official's home address or telephone number to any other person, business, or  
21 association through any other medium.

22 (iii) **Clause (ii)** shall not be deemed to prohibit a telephone corporation, as  
23 defined in **Section 234 of the Public Utilities Code**, or its affiliate, from  
24 transferring the elected or appointed official's home address or telephone number  
25 to any person, business, or association, if the transfer is authorized by federal or  
26 state law, regulation, order, or tariff, or necessary in the event of an emergency, or  
27 to collect a debt owed by the elected or appointed official to the telephone  
28 corporation or its affiliate.

29 (E) For purposes of **this paragraph**, "publicly post" or "publicly display"  
30 means to intentionally communicate or otherwise make available to the general  
31 public.

32 (2) An official whose home address or telephone number is made public as a  
33 result of a violation of **paragraph (1)** may bring an action seeking injunctive or  
34 declarative relief in any court of competent jurisdiction. If a court finds that a  
35 violation has occurred, it may grant injunctive or declarative relief and shall award  
36 the official court costs and reasonable attorney's fees. A fine not exceeding one  
37 thousand dollars (\$1,000) may be imposed for a violation of the court's order for  
38 an injunction or declarative relief obtained pursuant to **this paragraph**.

39 (3) An elected or appointed official may designate in writing the official's  
40 employer, a related governmental entity, or any voluntary professional association  
41 of similar officials to act, on behalf of that official, as that official's agent with  
42 regard to making a written demand pursuant to **this section**. In the case of an  
43 appointed official who is a peace officer, as defined in **Sections 830 to 830.65**,

1 inclusive, of the Penal Code, a District Attorney, or a Deputy District Attorney,  
2 that official may also designate his or her recognized collective bargaining  
3 representative to make a written demand on his or her behalf pursuant to **this**  
4 **section**. A written demand made by an agent pursuant to **this paragraph** shall  
5 include a statement describing a threat or fear for the safety of that official or of  
6 any person residing at the official's home address.

7 (d)(1) No person, business, or association shall solicit, sell, or trade on the  
8 Internet the home address or telephone number of an elected or appointed official  
9 with the intent to cause imminent great bodily harm to the official or to any person  
10 residing at the official's home address.

11 (2) Notwithstanding any other law, an official whose home address or telephone  
12 number is solicited, sold, or traded in violation of **paragraph (1)** may bring an  
13 action in any court of competent jurisdiction. If a jury or court finds that a  
14 violation has occurred, it shall award damages to that official in an amount up to a  
15 maximum of three times the actual damages but in no case less than four thousand  
16 dollars (\$4,000).

17 (e) An interactive computer service or access software provider, as defined in  
18 **Section 230(f) of Title 47 of the United States Code**, shall not be liable under **this**  
19 **section** unless the service or provider intends to abet or cause imminent great  
20 bodily harm that is likely to occur or threatens to cause imminent great bodily  
21 harm to an elected or appointed official.

22 (f) For purposes of **this section**, "elected or appointed official" includes, but is  
23 not limited to, all of the following:

24 (1) State constitutional officers.

25 (2) Members of the Legislature.

26 (3) Judges and court commissioners.

27 (4) District attorneys.

28 (5) Public defenders.

29 (6) Members of a city council.

30 (7) Members of a board of supervisors.

31 (8) Appointees of the Governor.

32 (9) Appointees of the Legislature.

33 (10) Mayors.

34 (11) City attorneys.

35 (12) Police chiefs and sheriffs.

36 (13) A public safety official, as defined in **Section 6254.24**.

37 (14) State administrative law judges.

38 (15) Federal judges and federal defenders.

39 (16) Members of the United States Congress and appointees of the President.

40 (g) Nothing in **this section** is intended to preclude punishment instead under  
41 **Sections 69, 76, or 422 of the Penal Code**, or any other provision of law.

1 § 6254.22. Specified health plan records

2 6254.22. Nothing in **this chapter** or any other provision of law shall require the  
3 disclosure of records of a health plan that is licensed pursuant to the Knox-Keene  
4 Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section  
5 1340) of Division 2 of the Health and Safety Code) and that is governed by a  
6 county board of supervisors, whether paper records, records maintained in the  
7 management information system, or records in any other form, that relate to  
8 provider rate or payment determinations, allocation or distribution methodologies  
9 for provider payments, formulae or calculations for these payments, and contract  
10 negotiations with providers of health care for alternative rates for a period of three  
11 years after the contract is fully executed. The transmission of the records, or the  
12 information contained therein in an alternative form, to the board of supervisors  
13 shall not constitute a waiver of exemption from disclosure, and the records and  
14 information once transmitted to the board of supervisors shall be subject to this  
15 same exemption. The **provisions of this section** shall not prevent access to any  
16 records by the Joint Legislative Audit Committee in the exercise of its powers  
17 pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of  
18 Division 2 of Title 2. The **provisions of this section** also shall not prevent access  
19 to any records by the Department of Managed Health Care in the exercise of its  
20 powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of  
21 Division 2 of the Health and Safety Code.

22 § 6254.23. Risk assessment or infrastructure protection program

23 6254.23. Nothing in **this chapter** or any other provision of law shall require the  
24 disclosure of a risk assessment or railroad infrastructure protection program filed  
25 with the Public Utilities Commission, the Director of Homeland Security, and the  
26 Office of Emergency Services pursuant to Article 7.3 (commencing with Section  
27 7665) of Chapter 1 of Division 4 of the Public Utilities Code.

28 § 6254.24. “Public safety official”

29 6254.24. As used in **this chapter**, “public safety official” means the following  
30 parties, whether active or retired:

31 (a) A peace officer as defined in Sections 830 to 830.65, inclusive, of the Penal  
32 Code, or a person who is not a peace officer, but may exercise the powers of arrest  
33 during the course and within the scope of their employment pursuant to Section  
34 830.7 of the Penal Code.

35 (b) A public officer or other person listed in Sections 1808.2 and 1808.6 of the  
36 Vehicle Code.

37 (c) An “elected or appointed official” as defined in **subdivision (f) of Section**  
38 **6254.21**.

39 (d) An attorney employed by the Department of Justice, the State Public  
40 Defender, or a county office of the district attorney or public defender, the United  
41 States Attorney, or the Federal Public Defender.

- 1 (e) A city attorney and an attorney who represent cities in criminal matters.
- 2 (f) An employee of the Department of Corrections and Rehabilitation who  
3 supervises inmates or is required to have a prisoner in his or her care or custody.
- 4 (g) A sworn or nonsworn employee who supervises inmates in a city police  
5 department, a county sheriff's office, the Department of the California Highway  
6 Patrol, federal, state, or a local detention facility, and a local juvenile hall, camp,  
7 ranch, or home, and a probation officer as defined in **Section 830.5 of the Penal**  
8 **Code**.
- 9 (h) A federal prosecutor, a federal criminal investigator, and a National Park  
10 Service Ranger working in California.
- 11 (i) The surviving spouse or child of a peace officer defined in **Section 830 of the**  
12 **Penal Code**, if the peace officer died in the line of duty.
- 13 (j) State and federal judges and court commissioners.
- 14 (k) An employee of the Attorney General, a district attorney, or a public  
15 defender who submits verification from the Attorney General, district attorney, or  
16 public defender that the employee represents the Attorney General, district  
17 attorney, or public defender in matters that routinely place that employee in  
18 personal contact with persons under investigation for, charged with, or convicted  
19 of, committing criminal acts.
- 20 (l) A nonsworn employee of the Department of Justice or a police department or  
21 sheriff's office that, in the course of his or her employment, is responsible for  
22 collecting, documenting, and preserving physical evidence at crime scenes,  
23 testifying in court as an expert witness, and other technical duties, and a nonsworn  
24 employee that, in the course of his or her employment, performs a variety of  
25 standardized and advanced laboratory procedures in the examination of physical  
26 crime evidence, determines their results, and provides expert testimony in court.

27 **§ 6254.25. Litigation memoranda**

28 6254.25. Nothing in **this chapter** or any other provision of law shall require the  
29 disclosure of a memorandum submitted to a state body or to the legislative body of  
30 a local agency by its legal counsel pursuant to **subdivision (q) of Section 11126 or**  
31 **Section 54956.9** until the pending litigation has been finally adjudicated or  
32 otherwise settled. The memorandum shall be protected by the attorney work-  
33 product privilege until the pending litigation has been finally adjudicated or  
34 otherwise settled.

35 **§ 6254.26. Records relating to alternative investments of public investment funds**

36 6254.26. (a) Notwithstanding **any provision of this chapter** or other law, the  
37 following records regarding alternative investments in which public investment  
38 funds invest shall not be subject to disclosure pursuant to **this chapter**, unless the  
39 information has already been publicly released by the keeper of the information:

- 40 (1) Due diligence materials that are proprietary to the public investment fund or  
41 the alternative investment vehicle.

- 1 (2) Quarterly and annual financial statements of alternative investment vehicles.
- 2 (3) Meeting materials of alternative investment vehicles.
- 3 (4) Records containing information regarding the portfolio positions in which
- 4 alternative investment funds invest.
- 5 (5) Capital call and distribution notices.
- 6 (6) Alternative investment agreements and all related documents.
- 7 (b) Notwithstanding **subdivision (a)**, the following information contained in
- 8 records described in **subdivision (a)** regarding alternative investments in which
- 9 public investment funds invest shall be subject to disclosure pursuant to **this**
- 10 **chapter** and shall not be considered a trade secret exempt from disclosure:
- 11 (1) The name, address, and vintage year of each alternative investment vehicle.
- 12 (2) The dollar amount of the commitment made to each alternative investment
- 13 vehicle by the public investment fund since inception.
- 14 (3) The dollar amount of cash contributions made by the public investment fund
- 15 to each alternative investment vehicle since inception.
- 16 (4) The dollar amount, on a fiscal yearend basis, of cash distributions received
- 17 by the public investment fund from each alternative investment vehicle.
- 18 (5) The dollar amount, on a fiscal yearend basis, of cash distributions received
- 19 by the public investment fund plus remaining value of partnership assets
- 20 attributable to the public investment fund's investment in each alternative
- 21 investment vehicle.
- 22 (6) The net internal rate of return of each alternative investment vehicle since
- 23 inception.
- 24 (7) The investment multiple of each alternative investment vehicle since
- 25 inception.
- 26 (8) The dollar amount of the total management fees and costs paid on an annual
- 27 fiscal yearend basis, by the public investment fund to each alternative investment
- 28 vehicle.
- 29 (9) The dollar amount of cash profit received by public investment funds from
- 30 each alternative investment vehicle on a fiscal year-end basis.
- 31 (c) For purposes of **this section**, the following definitions shall apply:
- 32 (1) "Alternative investment" means an investment in a private equity fund,
- 33 venture fund, hedge fund, or absolute return fund.
- 34 (2) "Alternative investment vehicle" means the limited partnership, limited
- 35 liability company, or similar legal structure through which the public investment
- 36 fund invests in portfolio companies.
- 37 (3) "Portfolio positions" means individual portfolio investments made by the
- 38 alternative investment vehicles.
- 39 (4) "Public investment fund" means any public pension or retirement system,
- 40 and any public endowment or foundation.

1 § 6254.27. SSN truncation program

2 6254.27. Nothing in **this chapter** shall be construed to require the disclosure by  
3 a county recorder of any “official record” if a “public record” version of that  
4 record is available pursuant to Article 3.5 (commencing with Section 27300) of  
5 Chapter 6 of Part 3 of Division 2 of Title 3.

6 § 6254.28. Truncation of SSN with regard to secured transaction

7 6254.28. Nothing in **this chapter** shall be construed to require the disclosure by  
8 a filing office of any “official record” if a “public record” version of that record is  
9 available pursuant to Section 9526.5 of the Commercial Code.

10 § 6254.29. Redaction of SSN by local agency

11 6254.29. (a) It is the intent of the Legislature that, in order to protect against the  
12 risk of identity theft, local agencies shall redact social security numbers from  
13 records before disclosing them to the public pursuant to **this chapter**.

14 (b) Nothing in **this chapter** shall be construed to require a local agency to  
15 disclose a social security number.

16 (c) **This section** shall not apply to records maintained by a county recorder.

17 § 6254.30. Demand by law enforcement agency for information from victim as prerequisite  
18 to record access

19 6254.30. A state or local law enforcement agency shall not require a victim of an  
20 incident, or an authorized representative thereof, to show proof of the victim’s  
21 legal presence in the United States in order to obtain the information required to be  
22 disclosed by that law enforcement agency pursuant to **subdivision (f) of Section**  
23 **6254**. However, if, for identification purposes, a state or local law enforcement  
24 agency requires identification in order for a victim of an incident, or an authorized  
25 representative thereof, to obtain that information, the agency shall, at a minimum,  
26 accept a current driver’s license or identification card issued by any state in the  
27 United States, a current passport issued by the United States or a foreign  
28 government with which the United States has a diplomatic relationship, or a  
29 current Matricula Consular card.

30 § 6254.33. Unique vendor, contractor, or affiliate identifying information

31 6254.33. Nothing in **this chapter** shall require the disclosure of an identification  
32 number, alphanumeric character, or other unique identifying code that a public  
33 agency uses to identify a vendor or contractor, or an affiliate of a vendor or  
34 contractor, unless the identification number, alphanumeric character, or other  
35 unique identifying code is used in a public bidding or an audit involving the public  
36 agency.

1    **§ 6255. Required justification and procedure for withholding of record**

2       6255. (a) The agency shall justify withholding any record by demonstrating that  
3       the record in question is exempt under **express provisions of this chapter** or that  
4       on the facts of the particular case the public interest served by not disclosing the  
5       record clearly outweighs the public interest served by disclosure of the record.

6       (b) A response to a written request for inspection or copies of public records that  
7       includes a determination that the request is denied, in whole or in part, shall be in  
8       writing.

9    **§ 6257.5. Prohibition on limitation of access based on purpose of request**

10       6257.5. **This chapter** does not allow limitations on access to a public record  
11       based upon the purpose for which the record is being requested, if the record is  
12       otherwise subject to disclosure.

13   **§ 6258. Judicial proceeding for enforcement of right to inspect or receive record**

14       6258. Any person may institute proceedings for injunctive or declarative relief  
15       or writ of mandate in any court of competent jurisdiction to enforce his or her right  
16       to inspect or to receive a copy of any public record or class of public records under  
17       **this chapter**. The times for responsive pleadings and for hearings in these  
18       proceedings shall be set by the judge of the court with the object of securing a  
19       decision as to these matters at the earliest possible time.

20   **§ 6259. Procedure for petition alleging improper withholding of public record**

21       6259. (a) Whenever it is made to appear by verified petition to the superior court  
22       of the county where the records or some part thereof are situated that certain  
23       public records are being improperly withheld from a member of the public, the  
24       court shall order the officer or person charged with withholding the records to  
25       disclose the public record or show cause why he or she should not do so. The court  
26       shall decide the case after examining the record in camera, if permitted by  
27       subdivision (b) of Section 915 of the Evidence Code, papers filed by the parties  
28       and any oral argument and additional evidence as the court may allow.

29       (b) If the court finds that the public official's decision to refuse disclosure is not  
30       justified under **Section 6254 or 6255**, he or she shall order the public official to  
31       make the record public. If the judge determines that the public official was  
32       justified in refusing to make the record public, he or she shall return the item to the  
33       public official without disclosing its content with an order supporting the decision  
34       refusing disclosure.

35       (c) In an action filed on or after January 1, 1991, an order of the court, either  
36       directing disclosure by a public official or supporting the decision of the public  
37       official refusing disclosure, is not a final judgment or order within the meaning of  
38       Section 904.1 of the Code of Civil Procedure from which an appeal may be taken,  
39       but shall be immediately reviewable by petition to the appellate court for the  
40       issuance of an extraordinary writ. Upon entry of any order pursuant to **this**

1 **section**, a party shall, in order to obtain review of the order, file a petition within  
2 20 days after service upon him or her of a written notice of entry of the order, or  
3 within such further time not exceeding an additional 20 days as the trial court may  
4 for good cause allow. If the notice is served by mail, the period within which to  
5 file the petition shall be increased by five days. A stay of an order or judgment  
6 shall not be granted unless the petitioning party demonstrates it will otherwise  
7 sustain irreparable damage and probable success on the merits. Any person who  
8 fails to obey the order of the court shall be cited to show cause why he or she is  
9 not in contempt of court.

10 (d) The court shall award court costs and reasonable attorney fees to the plaintiff  
11 should the plaintiff prevail in litigation filed pursuant to **this section**. The costs  
12 and fees shall be paid by the public agency of which the public official is a  
13 member or employee and shall not become a personal liability of the public  
14 official. If the court finds that the plaintiff's case is clearly frivolous, it shall award  
15 court costs and reasonable attorney fees to the public agency.

16 **§ 6260. Effect of chapter**

17 6260. The **provisions of this chapter** shall not be deemed in any manner to  
18 affect the status of judicial records as it existed immediately prior to the effective  
19 date of **this section**, nor to affect the rights of litigants, including parties to  
20 administrative proceedings, under the laws of discovery of this state, nor to limit  
21 or impair any rights of discovery in a criminal case.

22 **§ 6261. Itemized statement of total expenditures and disbursement**

23 6261. Notwithstanding **Section 6252**, an itemized statement of the total  
24 expenditures and disbursement of any agency provided for in **Article VI of the**  
25 **California Constitution** shall be open for inspection.

26 **§ 6262. Disclosure of licensing records to district attorney**

27 6262. The exemption of records of complaints to, or investigations conducted  
28 by, any state or local agency for licensing purposes under **subdivision (f) of**  
29 **Section 6254** shall not apply when a request for inspection of such records is made  
30 by a district attorney.

31 **§ 6263. Inspection or copying of record by district attorney**

32 6263. A state or local agency shall allow an inspection or copying of any public  
33 record or class of public records not exempted by **this chapter** when requested by  
34 a district attorney.

35 **§ 6264. Judicial action by district attorney**

36 6264. The district attorney may petition a court of competent jurisdiction to  
37 require a state or local agency to allow him to inspect or receive a copy of any  
38 public record or class of public records not exempted by **this chapter** when the

1 agency fails or refuses to allow inspection or copying within 10 working days of a  
2 request. The court may require a public agency to permit inspection or copying by  
3 the district attorney unless the public interest or good cause in withholding such  
4 records clearly outweighs the public interest in disclosure.

5 **§ 6265. Effect of disclosure to district attorney**

6 6265. Disclosure of records to a district attorney under **the provisions of this**  
7 **chapter** shall effect no change in the status of the records under any other  
8 provision of law.

9 **§ 6267. Patron use records of publicly-supported library**

10 6267. All patron use records of any library which is in whole or in part  
11 supported by public funds shall remain confidential and shall not be disclosed by a  
12 public agency, or private actor that maintains or stores patron use records on  
13 behalf of a public agency, to any person, local agency, or state agency except as  
14 follows:

15 (a) By a person acting within the scope of his or her duties within the  
16 administration of the library.

17 (b) By a person authorized, in writing, by the individual to whom the records  
18 pertain, to inspect the records.

19 (c) By order of the appropriate superior court.

20 As used in **this section**, the term “patron use records” includes the following:

21 (1) Any written or electronic record, that is used to identify the patron,  
22 including, but not limited to, a patron’s name, address, telephone number, or e-  
23 mail address, that a library patron provides in order to become eligible to borrow  
24 or use books and other materials.

25 (2) Any written record or electronic transaction that identifies a patron’s  
26 borrowing information or use of library information resources, including, but not  
27 limited to, database search records, borrowing records, class records, and any  
28 other personally identifiable uses of library resources information requests, or  
29 inquiries.

30 **This section** shall not apply to statistical reports of patron use nor to records of  
31 fines collected by the library.

32 **§ 6268. Archiving and disclosure of Governor’s public records**

33 6268. Public records, as defined in **Section 6252**, in the custody or control of the  
34 Governor when he or she leaves office, either voluntarily or involuntarily, shall, as  
35 soon as is practical, be transferred to the State Archives. Notwithstanding any  
36 other provision of law, the Governor, by written instrument, the terms of which  
37 shall be made public, may restrict public access to any of the transferred public  
38 records, or any other writings he or she may transfer, which have not already been  
39 made accessible to the public. With respect to public records, public access, as  
40 otherwise provided for by **this chapter**, shall not be restricted for a period greater

1 than 50 years or the death of the Governor, whichever is later, nor shall there be  
2 any restriction whatsoever with respect to enrolled bill files, press releases, speech  
3 files, or writings relating to applications for clemency or extradition in cases  
4 which have been closed for a period of at least 25 years. Subject to any restrictions  
5 permitted by **this section**, the Secretary of State, as custodian of the State  
6 Archives, shall make all such public records and other writings available to the  
7 public as otherwise provided for in **this chapter**.

8 Except as to enrolled bill files, press releases, speech files, or writings relating to  
9 applications for clemency or extradition, **this section** shall not apply to public  
10 records or other writings in the direct custody or control of any Governor who held  
11 office between 1974 and 1988 at the time of leaving office, except to the extent  
12 that that Governor may voluntarily transfer those records or other writings to the  
13 State Archives.

14 Notwithstanding any other provision of law, the public records and other  
15 writings of any Governor who held office between 1974 and 1988 may be  
16 transferred to any educational or research institution in California provided that  
17 with respect to public records, public access, as otherwise provided for by **this**  
18 **chapter**, shall not be restricted for a period greater than 50 years or the death of  
19 the Governor, whichever is later. No records or writings may be transferred  
20 pursuant to **this paragraph** unless the institution receiving them agrees to  
21 maintain, and does maintain, the materials according to commonly accepted  
22 archival standards. No public records transferred shall be destroyed by that  
23 institution without first receiving the written approval of the Secretary of State, as  
24 custodian of the State Archives, who may require that the records be placed in the  
25 State Archives rather than being destroyed. An institution receiving those records  
26 or writings shall allow the Secretary of State, as custodian of the State Archives, to  
27 copy, at state expense, and to make available to the public, any and all public  
28 records, and inventories, indices, or finding aids relating to those records, which  
29 the institution makes available to the public generally. Copies of those records in  
30 the custody of the State Archives shall be given the same legal effect as is given to  
31 the originals.

32 **§ 6268.5. Appraisal and management of records by Secretary of State**

33 6268.5. The Secretary of State may appraise and manage new or existing records  
34 that are subject to **Section 6268** to determine whether the records are appropriate  
35 for preservation in the State Archives. For purposes of **this section**, the Secretary  
36 of State shall use professional archival practices, including, but not limited to,  
37 appraising the historic value of the records, arranging and describing the records,  
38 rehousing the records in appropriate storage containers, or providing any  
39 conservation treatment that the records require.

1 § 6270. Prohibition on providing record to private entity in manner that prevents agency  
2 from directly disclosing that record

3 6270. (a) Notwithstanding any other provision of law, no state or local agency  
4 shall sell, exchange, furnish, or otherwise provide a public record subject to  
5 disclosure pursuant to **this chapter** to a private entity in a manner that prevents a  
6 state or local agency from providing the record directly pursuant to **this chapter**.  
7 Nothing in **this section** requires a state or local agency to use the State Printer to  
8 print public records. Nothing in **this section** prevents the destruction of records  
9 pursuant to law.

10 (b) **This section** shall not apply to contracts entered into prior to January 1,  
11 1996, between the County of Santa Clara and a private entity for the provision of  
12 public records subject to disclosure under **this chapter**.

13 § 6270.5. Catalog of enterprise systems

14 6270.5. (a) In implementing **this chapter**, each local agency, except a local  
15 educational agency, shall create a catalog of enterprise systems. The catalog shall  
16 be made publicly available upon request in the office of the person or officer  
17 designated by the agency's legislative body. The catalog shall be posted in a  
18 prominent location on the local agency's Internet Web site, if the agency has an  
19 Internet Web site. The catalog shall disclose a list of the enterprise systems  
20 utilized by the agency and, for each system, shall also disclose all of the following:

- 21 (1) Current system vendor.
- 22 (2) Current system product.
- 23 (3) A brief statement of the system's purpose.
- 24 (4) A general description of categories or types of data.
- 25 (5) The department that serves as the system's primary custodian.
- 26 (6) How frequently system data is collected.
- 27 (7) How frequently system data is updated.

28 (b) **This section** shall not be interpreted to limit a person's right to inspect  
29 public records pursuant to **this chapter**.

30 (c) For purposes of **this section**:

31 (1) "Enterprise system" means a software application or computer system that  
32 collects, stores, exchanges, and analyzes information that the agency uses that is  
33 both of the following:

34 (A) A multidepartmental system or a system that contains information collected  
35 about the public.

36 (B) A system of record.

37 (2) "System of record" means a system that serves as an original source of data  
38 within an agency.

39 (3) An enterprise system shall not include any of the following:

40 (A) Information technology security systems, including firewalls and other  
41 cybersecurity systems.

1 (B) Physical access control systems, employee identification management  
2 systems, video monitoring, and other physical control systems.

3 (C) Infrastructure and mechanical control systems, including those that control  
4 or manage street lights, electrical, natural gas, or water or sewer functions.

5 (D) Systems related to 911 dispatch and operation or emergency services.

6 (E) Systems that would be restricted from disclosure pursuant to **Section**  
7 **6254.19**.

8 (F) The specific records that the information technology system collects, stores,  
9 exchanges, or analyzes.

10 (d) Nothing in **this section** shall be construed to permit public access to records  
11 held by an agency to which access is otherwise restricted by statute or to alter the  
12 process for requesting public records, as set forth in **this chapter**.

13 (e) If, on the facts of the particular case, the public interest served by not  
14 disclosing the information described in **paragraph (1) or (2) of subdivision (a)**  
15 clearly outweighs the public interest served by disclosure of the record, the local  
16 agency may instead provide a system name, brief title, or identifier of the system.

17 (f) The local agency shall complete and post the catalog required by **this section**  
18 by July 1, 2016, and thereafter shall update the catalog annually.

1 Article 2. Other Exemptions From Disclosure

2 **§ 6275. Declaration of legislative intent relating to exemptions from disclosure**

3 6275. It is the intent of the Legislature to assist members of the public and state  
4 and local agencies in identifying exemptions to the California Public Records Act.  
5 It is the intent of the Legislature that, after January 1, 1999, each addition or  
6 amendment to a statute that exempts any information contained in a public record  
7 from disclosure pursuant to **subdivision (k) of Section 6254** shall be listed and  
8 described in **this article** pursuant to a bill authorized by a standing committee of  
9 the Legislature to be introduced during the first year of each session of the  
10 Legislature. The **statutes and constitutional provisions listed in this article** may  
11 operate to exempt certain records, or portions thereof, from disclosure. The  
12 **statutes and constitutional provisions listed and described** may not be inclusive  
13 of all exemptions. The listing of a statute or constitutional provision in **this article**  
14 does not itself create an exemption. Requesters of public records and public  
15 agencies are cautioned to review the applicable statute or constitutional provision  
16 to determine the extent to which it, in light of the circumstances surrounding the  
17 request, exempts public records from disclosure.

18 **§ 6276. List of exemptions not necessarily all-inclusive**

19 6276. Records or information not required to be disclosed pursuant to  
20 **subdivision (k) of Section 6254** may include, but shall not be limited to, records  
21 or information identified in statutes listed in **this article**.

22 **§ 6276.01. Confidential crime victim information**

23 6276.01. Crime victims, confidential information or records, The Victims' Bill  
24 of Rights Act of 2008: Marsy's Law, Section 28 of Article I of the California  
25 Constitution.

26 **§ 6276.02. Acquired Immune Deficiency Syndrome blood test results to Advance Health  
27 Care Directive Registry**

28 6276.02. Acquired Immune Deficiency Syndrome, blood test results, written  
29 authorization not necessary for disclosure, Section 121010, Health and Safety  
30 Code.

31 Acquired Immune Deficiency Syndrome, blood test subject, compelling identity  
32 of, Section 120975, Health and Safety Code.

33 Acquired Immune Deficiency Syndrome, confidentiality of personal data of  
34 patients in State Department of Public Health programs, Section 120820, Health  
35 and Safety Code.

36 Acquired Immune Deficiency Syndrome, confidentiality of research records,  
37 Sections 121090, 121095, 121115, and 121120, Health and Safety Code.

38 Acquired Immune Deficiency Syndrome, confidentiality of vaccine volunteers,  
39 Section 121280, Health and Safety Code.

1 Acquired Immune Deficiency Syndrome, confidentiality of information obtained  
2 in prevention programs at correctional facilities and law enforcement agencies,  
3 Sections 7552 and 7554, Penal Code.

4 Acquired Immune Deficiency Syndrome, confidentiality of test results of person  
5 convicted of prostitution, Section 1202.6, Penal Code.

6 Acquired Immune Deficiency Syndrome, disclosure of results of HIV test,  
7 penalties, Section 120980, Health and Safety Code.

8 Acquired Immune Deficiency Syndrome, personal information, insurers tests,  
9 confidentiality of, Section 799, Insurance Code.

10 Acquired Immune Deficiency Syndrome, public safety and testing disclosure,  
11 Sections 121065 and 121070, Health and Safety Code.

12 Acquired Immune Deficiency Syndrome Research and Confidentiality Act,  
13 production or discovery of records for use in criminal or civil proceedings against  
14 subject prohibited, Section 121100, Health and Safety Code.

15 Acquired Immune Deficiency Syndrome Public Health Records Confidentiality  
16 Act, personally identifying information confidentiality, Section 121025, Health  
17 and Safety Code.

18 Acquired Immune Deficiency Syndrome, test of criminal defendant pursuant to  
19 search warrant requested by victim, confidentiality of, Section 1524.1, Penal  
20 Code.

21 Acquired Immune Deficiency Syndrome, test results, disclosure to patient's  
22 spouse and others, Section 121015, Health and Safety Code.

23 Acquired Immune Deficiency Syndrome, test of person under Youth Authority,  
24 disclosure of results, Section 1768.9, Welfare and Institutions Code.

25 Acquired Immune Deficiency Syndrome Research and Confidentiality Act,  
26 financial audits or program evaluations, Section 121085, Health and Safety Code.

27 Acquired Immune Deficiency Syndrome Research and Confidentiality Act,  
28 violations, Section 121100, Health and Safety Code.

29 Acquired Immune Deficiency Syndrome Research and Confidentiality Act,  
30 personally identifying research records not to be disclosed, Section 121075, Health  
31 and Safety Code.

32 Acquired Immune Deficiency Syndrome Research and Confidentiality Act,  
33 permittee disclosure, Section 121080, Health and Safety Code.

34 Administrative procedure, adjudicatory hearings, interpreters, Section 11513.

35 Adoption records, confidentiality of, Section 102730, Health and Safety Code.

36 Advance Health Care Directive Registry, exemption from disclosure for  
37 registration information provided to the Secretary of State, **subdivision (ac),**  
38 **Section 6254.**

39 **§ 6276.04. Aeronautics Act reports to avocado handler transaction records**

40 6276.04. Aeronautics Act, reports of investigations and hearings, Section 21693,  
41 Public Utilities Code.

1 Agricultural producers marketing, access to records, Section 59616, Food and  
2 Agricultural Code.

3 Aiding disabled voters, Section 14282, Elections Code.

4 Air pollution data, confidentiality of trade secrets, Section 6254.7, and Sections  
5 42303.2 and 43206, Health and Safety Code.

6 Air toxics emissions inventory plans, protection of trade secrets, Section 44346,  
7 Health and Safety Code.

8 Alcohol and drug abuse records and records of communicable diseases,  
9 confidentiality of, Section 123125, Health and Safety Code.

10 Alcoholic beverage licensees, confidentiality of corporate proprietary  
11 information, Section 25205, Business and Professions Code.

12 Ambulatory Surgery Data Record, confidentiality of identifying information,  
13 Section 128737, Health and Safety Code.

14 Apiary registration information, confidentiality of, Section 29041, Food and  
15 Agricultural Code.

16 Archaeological site information and reports maintained by state and local  
17 agencies, disclosure not required, Section 6254.10.

18 Arrest not resulting in conviction, disclosure or use of records, Sections 432.7  
19 and 432.8, Labor Code.

20 Arsonists, registered, confidentiality of certain information, Section 457.1, Penal  
21 Code.

22 Artificial insemination, donor not natural father, confidentiality of records,  
23 Section 7613, Family Code.

24 Assessor's records, confidentiality of information in, Section 408, Revenue and  
25 Taxation Code.

26 Assessor's records, confidentiality of information in, Section 451, Revenue and  
27 Taxation Code.

28 Assessor's records, display of documents relating to business affairs or property  
29 of another, Section 408.2, Revenue and Taxation Code.

30 Assigned risk plans, rejected applicants, confidentiality of information, Section  
31 11624, Insurance Code.

32 Attorney applicant, investigation by State Bar, confidentiality of, Section  
33 6060.2, Business and Professions Code.

34 Attorney applicant, information submitted by applicant and State Bar admission  
35 records, confidentiality of, Section 6060.25, Business and Professions Code.

36 Attorney-client confidential communication, Section 6068, Business and  
37 Professions Code, and Sections 952 and 954, Evidence Code.

38 Attorney, disciplinary proceedings, confidentiality prior to formal proceedings,  
39 Section 6086.1, Business and Professions Code.

40 Attorney, disciplinary proceeding, State Bar access to nonpublic court records,  
41 Section 6090.6, Business and Professions Code.

42 Attorney, law corporation, investigation by State Bar, confidentiality of, Section  
43 6168, Business and Professions Code.

1 Attorney work product confidentiality in administrative adjudication, Section  
2 11507.6.

3 Attorney, work product, confidentiality of, Section 6202, Business and  
4 Professions Code.

5 Attorney work product, discovery, Chapter 4 (commencing with Section  
6 2018.010) of Title 4 of Part 4 of the Code of Civil Procedure.

7 Auditor General, access to records for audit purposes, Sections 10527 and  
8 10527.1.

9 Auditor General, disclosure of audit records, Section 10525.

10 Automated forward facing parking control devices, confidentiality of video  
11 imaging records from the devices, Section 40240, Vehicle Code.

12 Automated traffic enforcement system, confidentiality of photographic records  
13 made by the system, Section 21455.5, Vehicle Code.

14 Automobile Insurance Claims Depository, confidentiality of information,  
15 Section 1876.3, Insurance Code.

16 Automobile insurance, investigation of fraudulent claims, confidential  
17 information, Section 1872.8, Insurance Code.

18 Avocado handler transaction records, confidentiality of information, Section  
19 44984, Food and Agricultural Code.

20 **§ 6276.06. Bank and Corporation Tax information to business and professions licensee**  
21 **exemption for SSN**

22 6276.06. Bank and Corporation Tax, disclosure of information, Article 2  
23 (commencing with Section 19542), Chapter 7, Part 10.2, Division 2, Revenue and  
24 Taxation Code.

25 Bank employees, confidentiality of criminal history information, Sections 777.5  
26 and 4990, Financial Code.

27 Bank reports, confidentiality of, Section 289, Financial Code.

28 Basic Property Insurance Inspection and Placement Plan, confidential reports,  
29 Section 10097, Insurance Code.

30 Beef Council of California, confidentiality of fee transactions information,  
31 Section 64691.1, Food and Agricultural Code.

32 Bids, confidentiality of, Section 10304, Public Contract Code.

33 Birth, death, and marriage licenses, confidential information contained in,  
34 Sections 102100, 102110, and 102230, Health and Safety Code.

35 Birth defects, monitoring, confidentiality of information collected, Section  
36 103850, Health and Safety Code.

37 Birth, live, confidential portion of certificate, Sections 102430, 102475, 103525,  
38 and 103590, Health and Safety Code.

39 Blood tests, confidentiality of hepatitis and AIDS carriers, Section 1603.1,  
40 Health and Safety Code.

41 Blood-alcohol percentage test results, vehicular offenses, confidentiality of,  
42 Section 1804, Vehicle Code.

1 Business and professions licensee exemption for social security number, Section  
2 30, Business and Professions Code.

3 **§ 6276.08. Cable television subscriber information to California Wine Grape Commission**  
4 **proprietary information from producers and vintners**

5 6276.08. Cable television subscriber information, confidentiality of, Section  
6 637.5, Penal Code.

7 CalFresh, disclosure of information, Section 18909, Welfare and Institutions  
8 Code.

9 California AIDS Program, personal data, confidentiality, Section 120820, Health  
10 and Safety Code.

11 California Apple Commission, confidentiality of lists of persons, Section 75598,  
12 Food and Agricultural Code.

13 California Apple Commission, confidentiality of proprietary information from  
14 producers or handlers, Section 75633, Food and Agricultural Code.

15 California Asparagus Commission, confidentiality of lists of producers, Section  
16 78262, Food and Agricultural Code.

17 California Asparagus Commission, confidentiality of proprietary information  
18 from producers, Section 78288, Food and Agricultural Code.

19 California Avocado Commission, confidentiality of information from handlers,  
20 Section 67094, Food and Agricultural Code.

21 California Avocado Commission, confidentiality of proprietary information  
22 from handlers, Section 67104, Food and Agricultural Code.

23 California Cherry Commission, confidentiality of proprietary information from  
24 producers, processors, shippers, or grower-handlers, Section 76144, Food and  
25 Agricultural Code.

26 California Children's Services Program, confidentiality of factor replacement  
27 therapy contracts, Section 123853, Health and Safety Code.

28 California Cut Flower Commission, confidentiality of lists of producers, Section  
29 77963, Food and Agricultural Code.

30 California Cut Flower Commission, confidentiality of proprietary information  
31 from producers, Section 77988, Food and Agricultural Code.

32 California Date Commission, confidentiality of proprietary information from  
33 producers and grower-handlers, Section 77843, Food and Agricultural Code.

34 California Egg Commission, confidentiality of proprietary information from  
35 handlers or distributors, Section 75134, Food and Agricultural Code.

36 California Forest Products Commission, confidentiality of lists of persons,  
37 Section 77589, Food and Agricultural Code.

38 California Forest Products Commission, confidentiality of proprietary  
39 information from producers, Section 77624, Food and Agricultural Code.

40 California Iceberg Lettuce Commission, confidentiality of information from  
41 handlers, Section 66624, Food and Agricultural Code.

1 California Kiwifruit Commission, confidentiality of proprietary information  
2 from producers or handlers, Section 68104, Food and Agricultural Code.

3 California Navel Orange Commission, confidentiality of proprietary information  
4 from producers or handlers and lists of producers and handlers, Section 73257,  
5 Food and Agricultural Code.

6 California Pepper Commission, confidentiality of lists of producers and  
7 handlers, Section 77298, Food and Agricultural Code.

8 California Pepper Commission, confidentiality of proprietary information from  
9 producers or handlers, Section 77334, Food and Agricultural Code.

10 California Pistachio Commission, confidentiality of proprietary information  
11 from producers or processors, Section 69045, Food and Agricultural Code.

12 California Salmon Commission, confidentiality of fee transactions records,  
13 Section 76901.5, Food and Agricultural Code.

14 California Salmon Commission, confidentiality of request for list of commercial  
15 salmon vessel operators, Section 76950, Food and Agricultural Code.

16 California Seafood Council, confidentiality of fee transaction records, Section  
17 78553, Food and Agricultural Code.

18 California Seafood Council, confidentiality of information on volume of fish  
19 landed, Section 78575, Food and Agricultural Code.

20 California Sheep Commission, confidentiality of proprietary information from  
21 producers or handlers and lists of producers, Section 76343, Food and Agricultural  
22 Code.

23 California State University contract law, bids, questionnaires and financial  
24 statements, Section 10763, Public Contract Code.

25 California State University Investigation of Reported Improper Governmental  
26 Activities Act, confidentiality of investigative audits completed pursuant to the  
27 act, Section 89574, Education Code.

28 California Table Grape Commission, confidentiality of information from  
29 shippers, Section 65603, Food and Agricultural Code.

30 California Tomato Commission, confidentiality of lists of producers, handlers,  
31 and others, Section 78679, Food and Agricultural Code.

32 California Tomato Commission, confidentiality of proprietary information,  
33 Section 78704, Food and Agricultural Code.

34 California Tourism Marketing Act, confidentiality of information pertaining to  
35 businesses paying the assessment under the act, Section 13995.54.

36 California Victim Compensation Board, disclosure not required of records  
37 relating to assistance requests under Article 1 (commencing with Section 13950)  
38 of Chapter 5 of Part 4 of Division 3 of Title 2, Section 6254.17.

39 California Walnut Commission, confidentiality of lists of producers, Section  
40 77101, Food and Agricultural Code.

41 California Walnut Commission, confidentiality of proprietary information from  
42 producers or handlers, Section 77154, Food and Agricultural Code.

1 California Wheat Commission, confidentiality of proprietary information from  
2 handlers and lists of producers, Section 72104, Food and Agricultural Code.

3 California Wheat Commission, confidentiality of requests for assessment refund,  
4 Section 72109, Food and Agricultural Code.

5 California Wine Commission, confidentiality of proprietary information from  
6 producers or vintners, Section 74655, Food and Agricultural Code.

7 California Wine Grape Commission, confidentiality of proprietary information  
8 from producers and vintners, Section 74955, Food and Agricultural Code.

9 **§ 6276.10. Cancer registry information to community college employee notice and reasons**  
10 **for nonreemployment**

11 6276.10. Cancer registries, confidentiality of information, Section 103885,  
12 Health and Safety Code.

13 Candidate for local nonpartisan elective office, confidentiality of ballot  
14 statement, Section 13311, Elections Code.

15 Child abuse information, exchange by multidisciplinary personnel teams,  
16 Section 830, Welfare and Institutions Code.

17 Child abuse report and those making report, confidentiality of, Sections 11167  
18 and 11167.5, Penal Code.

19 Child care liability insurance, confidentiality of information, Section 1864,  
20 Insurance Code.

21 Child concealer, confidentiality of address, Section 278.7, Penal Code.

22 Child custody investigation report, confidentiality of, Section 3111, Family  
23 Code.

24 Child day care facility, nondisclosure of complaint, Section 1596.853, Health  
25 and Safety Code.

26 Child health and disability prevention, confidentiality of health screening and  
27 evaluation results, Section 124110, Health and Safety Code.

28 Child sexual abuse reports, confidentiality of reports filed in a contested  
29 proceeding involving child custody or visitation rights, Section 3118, Family  
30 Code.

31 Child support, confidentiality of income tax return, Section 3552, Family Code.

32 Child support, promise to pay, confidentiality of, Section 7614, Family Code.

33 Childhood lead poisoning prevention, confidentiality of blood lead findings,  
34 Section 124130, Health and Safety Code.

35 Children and families commission, local, confidentiality of individually  
36 identifiable information, Section 130140.1, Health and Safety Code.

37 Cigarette tax, confidential information, Section 30455, Revenue and Taxation  
38 Code.

39 Civil actions, delayed disclosure for 30 days after complaint filed, Section  
40 482.050, Code of Civil Procedure.

41 Closed sessions, document assessing vulnerability of state or local agency to  
42 disruption by terrorist or other criminal acts, **subdivision (aa), Section 6254.**

1 Closed sessions, meetings of local governments, pending litigation, Section  
2 54956.9.

3 Colorado River Board, confidential information and records, Section 12519,  
4 Water Code.

5 Commercial fishing licensee, confidentiality of records, Section 7923, Fish and  
6 Game Code.

7 Commercial fishing reports, Section 8022, Fish and Game Code.

8 Community care facilities, confidentiality of client information, Section 1557.5,  
9 Health and Safety Code.

10 Community college employee, candidate examination records, confidentiality  
11 of, Section 88093, Education Code.

12 Community college employee, notice and reasons for nonreemployment,  
13 confidentiality, Section 87740, Education Code.

14 **§ 6276.12. Conservatee's report to customer list of telephone answering service**

15 6276.12. Conservatee, confidentiality of the conservatee's report, Section 1826,  
16 Probate Code.

17 Conservatee, estate plan of, confidentiality of, Section 2586, Probate Code.

18 Conservatee with disability, confidentiality of report, Section 1827.5, Probate  
19 Code.

20 Conservator, confidentiality of conservator's birthdate and driver's license  
21 number, Section 1834, Probate Code.

22 Conservator, supplemental information, confidentiality of, Section 1821,  
23 Probate Code.

24 Conservatorship, court review of, confidentiality of report, Section 1851,  
25 Probate Code.

26 Consumer fraud investigations, access to complaints and investigations, Section  
27 26509.

28 Consumption or utilization of mineral materials, disclosure of, Section 2207.1,  
29 Public Resources Code.

30 Contractor, evaluations and contractor responses, confidentiality of, Section  
31 10370, Public Contract Code.

32 Contractor, license applicants, evidence of financial solvency, confidentiality of,  
33 Section 7067.5, Business and Professions Code.

34 Controlled Substance Law violations, confidential information, Section 818.7.

35 Controlled substance offenders, confidentiality of registration information,  
36 Section 11594, Health and Safety Code.

37 Cooperative Marketing Association, confidential information disclosed to  
38 conciliator, Section 54453, Food and Agricultural Code.

39 Coroner, inquests, subpoena duces tecum, Section 27491.8.

40 County aid and relief to indigents, confidentiality of investigation, supervision,  
41 relief, and rehabilitation records, Section 17006, Welfare and Institutions Code.

1 County alcohol programs, confidential information and records, Section 11812,  
2 Health and Safety Code.

3 County Employees' Retirement, confidential statements and records, Section  
4 31532.

5 County mental health system, confidentiality of client information, Section  
6 5610, Welfare and Institutions Code.

7 County social services, investigation of applicant, confidentiality, Section  
8 18491, Welfare and Institutions Code.

9 County social services rendered by volunteers, confidentiality of records of  
10 recipients, Section 10810, Welfare and Institutions Code.

11 County special commissions, disclosure of health care peer review and quality  
12 assessment records not required, Section 14087.58, Welfare and Institutions Code.

13 County special commissions, disclosure of records relating to the commission's  
14 rates of payment for publicly assisted medical care not required, Section 14087.58,  
15 Welfare and Institutions Code.

16 Court files, access to, restricted for 60 days, Section 1161.2, Code of Civil  
17 Procedure.

18 Court reporters, confidentiality of records and reporters, Section 68525.

19 Court-appointed special advocates, confidentiality of information acquired or  
20 reviewed, Section 105, Welfare and Institutions Code.

21 Crane employers, previous business identities, confidentiality of, Section 7383,  
22 Labor Code.

23 Credit unions, confidentiality of investigation and examination reports, Section  
24 14257, Financial Code.

25 Credit unions, confidentiality of employee criminal history information, Section  
26 14409.2, Financial Code.

27 Criminal defendant, indigent, confidentiality of request for funds for  
28 investigators and experts, Section 987.9, Penal Code.

29 Criminal offender record information, access to, Sections 11076 and 13202,  
30 Penal Code.

31 Crop reports, confidential, subdivision (e), Section 6254.

32 Customer list of chemical manufacturers, formulators, suppliers, distributors,  
33 importers, and their agents, the quantities and dates of shipments, and the  
34 proportion of a specified chemical within a mixture, confidential, Section 147.2,  
35 Labor Code.

36 Customer list of employment agency, trade secret, Section 16607, Business and  
37 Professions Code.

38 Customer list of telephone answering service, trade secret, Section 16606,  
39 Business and Professions Code.

1 § 6276.14. Dairy Council of California ballots to driving school and driving instructor  
2 licensee records

3 6276.14. Dairy Council of California, confidentiality of ballots, Section 64155,  
4 Food and Agricultural Code.

5 Death, report that physician's or podiatrist's negligence or incompetence may be  
6 cause, confidentiality of, Section 802.5, Business and Professions Code.

7 Dental hygienist drug and alcohol diversion program, confidentiality of records  
8 pertaining to treatment, Section 1966.5, Business and Professions Code.

9 Dentist advertising and referral contract exemption, Section 650.2, Business and  
10 Professions Code.

11 Dentist, alcohol or dangerous drug rehabilitation and diversion, confidentiality  
12 of records, Section 1698, Business and Professions Code.

13 Department of Consumer Affairs licensee exemption for alcohol or dangerous  
14 drug treatment and rehabilitation records, Section 156.1, Business and Professions  
15 Code.

16 Department of Motor Vehicles, confidentiality of information provided by an  
17 insurer, Section 4750.4, Vehicle Code.

18 Department of Motor Vehicles, confidentiality of the home address of specified  
19 persons in the records of the Department of Motor Vehicles, Section 1808.6,  
20 Vehicle Code.

21 Developmentally disabled conservatee confidentiality of reports and records,  
22 Sections 416.8 and 416.18, Health and Safety Code.

23 Developmentally disabled person, access to information provided by family  
24 member, Section 4727, Welfare and Institutions Code.

25 Developmentally disabled person and person with mental illness, access to and  
26 release of information about, by protection and advocacy agency, Section 4903,  
27 Welfare and Institutions Code.

28 Developmentally disabled person, confidentiality of patient records, state  
29 agencies, Section 4553, Welfare and Institutions Code.

30 Developmentally disabled person, confidentiality of records and information,  
31 Sections 4514 and 4518, Welfare and Institutions Code.

32 Diesel Fuel Tax information, disclosure prohibited, Section 60609, Revenue and  
33 Taxation Code.

34 Disability compensation, confidential medical records, Section 2714,  
35 Unemployment Insurance Code.

36 Disability insurance, access to registered information, Section 789.7, Insurance  
37 Code.

38 Discrimination complaint to Division of Labor Standards Enforcement,  
39 confidentiality of witnesses, Section 98.7, Labor Code.

40 Dispute resolution participants confidentiality, Section 471.5, Business and  
41 Professions Code.

1 Division of Workers' Compensation, confidentiality of data obtained by the  
2 administrative director and derivative works created by the division, Sections  
3 3201.5, 3201.7, and 3201.9, Labor Code.

4 Division of Workers' Compensation, individually identifiable information and  
5 residence addresses obtained or maintained by the division on workers'  
6 compensation claims, confidentiality of, Section 138.7, Labor Code.

7 Division of Workers' Compensation, individually identifiable information of  
8 health care organization patients, confidentiality of, Section 4600.5, Labor Code.

9 Division of Workers' Compensation, individual workers' compensation claim  
10 files and auditor's working papers, confidentiality of, Section 129, Labor Code.

11 Division of Workers' Compensation, peer review proceedings and employee  
12 medical records, confidentiality of, Section 4600.6, Labor Code.

13 Domestic violence counselor and victim, confidentiality of communication,  
14 Sections 1037.2 and 1037.5, Evidence Code.

15 Driver arrested for traffic violation, notice of reexamination for evidence of  
16 incapacity, confidentiality of, Section 40313, Vehicle Code.

17 Driving school and driving instructor licensee records, confidentiality of,  
18 Section 11108, Vehicle Code.

19 **§ 6276.16. Educational psychologist-patient privileged communication to Executive**  
20 **Department records of investigations and hearings**

21 6276.16. Educational psychologist-patient, privileged communication, Section  
22 1010.5, Evidence Code.

23 Electronic and appliance repair dealer, service contractor, financial data in  
24 applications, **subdivision (x)**, Section 6254.

25 Electronic Recording Delivery Act of 2004, exemption from disclosure for  
26 computer security reports, Section 27394.

27 Emergency Care Data Record, exemption from disclosure for identifying  
28 information, Section 128736, Health and Safety Code.

29 Emergency Medical Services Fund, patient named, Section 1797.98c, Health  
30 and Safety Code.

31 Emergency medical technicians, confidentiality of disciplinary investigation  
32 information, Section 1798.200, Health and Safety Code.

33 Emergency Medical Technician-Paramedic (EMT-P), exemption from  
34 disclosure for records relating to personnel actions against, or resignation of, an  
35 EMT-P for disciplinary cause or reason, Section 1799.112, Health and Safety  
36 Code.

37 Eminent domain proceedings, use of state tax returns, Section 1263.520, Code  
38 of Civil Procedure.

39 Employment agency, confidentiality of customer list, Section 16607, Business  
40 and Professions Code.

41 Employment application, nondisclosure of arrest record or certain convictions,  
42 Sections 432.7 and 432.8, Labor Code.

1 Employment Development Department, furnishing materials, Section 307,  
2 Unemployment Insurance Code.

3 Enteral nutrition products, confidentiality of contracts by the State Department  
4 of Health Care Services with manufacturers of enteral nutrition products, Section  
5 14105.8, Welfare and Institutions Code.

6 Equal wage rate violation, confidentiality of complaint, Section 1197.5, Labor  
7 Code.

8 Equalization, State Board of, prohibition against divulging information, Section  
9 15619.

10 Escrow Agents' Fidelity Corporation, confidentiality of examination and  
11 investigation reports, Section 17336, Financial Code.

12 Escrow agents' confidentiality of reports on violations, Section 17414, Financial  
13 Code.

14 Escrow agents' confidentiality of state summary criminal history information,  
15 Section 17414.1, Financial Code.

16 Estate tax, confidential records and information, Section 14251, Revenue and  
17 Taxation Code.

18 Excessive rates or complaints, reports, Section 1857.9, Insurance Code.

19 Executive Department, closed sessions and the record of topics discussed,  
20 Sections 11126 and 11126.1.

21 Executive Department, investigations and hearings, confidential nature of  
22 information acquired, Section 11183.

23 **§ 6276.18. Family Court records to fur dealer licensee records**

24 6276.18. Family Court, records, Section 1818, Family Code.

25 Farm product processor license, confidentiality of financial statements, Section  
26 55523.6, Food and Agricultural Code.

27 Farm product processor licensee, confidentiality of grape purchases, Section  
28 55601.5, Food and Agricultural Code.

29 Fee payer information, prohibition against disclosure by Board of Equalization  
30 and others, Section 55381, Revenue and Taxation Code.

31 Financial institutions, issuance of securities, reports and records of state  
32 agencies, **subdivision (d), Section 6254.**

33 Financial statements of insurers, confidentiality of information received, Section  
34 925.3, Insurance Code.

35 Financial statements and questionnaires, of prospective bidders for the state,  
36 confidentiality of, Section 10165, Public Contract Code.

37 Financial statements and questionnaires, of prospective bidders for California  
38 State University contracts, confidentiality of, Section 10763, Public Contract  
39 Code.

40 Firearms, centralized list of exempted federal firearms licensees, disclosure of  
41 information compiled from, Sections 24850 to 24890, inclusive, Penal Code.

1 Firearms, centralized list of dealers and licensees, disclosure of information  
2 compiled from, Sections 26700 to 26915, inclusive, Penal Code.

3 Firearm license applications, **subdivision (u), Section 6254.**

4 Firearm sale or transfer, confidentiality of records, Chapter 5 (commencing with  
5 Section 28050) of Division 6 of Title 4 of Part 6, Penal Code.

6 Fishing and hunting licenses, confidentiality of names and addresses contained  
7 in records submitted to the Department of Fish and Game to obtain recreational  
8 fishing and hunting licenses, Section 1050.6, Fish and Game Code.

9 Foreign marketing of agricultural products, confidentiality of financial  
10 information, Section 58577, Food and Agricultural Code.

11 Forest fires, anonymity of informants, Section 4417, Public Resources Code.

12 Foster homes, identifying information, Section 1536, Health and Safety Code.

13 Franchise Tax Board, access to Franchise Tax Board information by the State  
14 Department of Social Services, Section 11025, Welfare and Institutions Code.

15 Franchise Tax Board, auditing, confidentiality of, Section 90005.

16 Franchises, applications, and reports filed with Commissioner of Corporations,  
17 disclosure and withholding from public inspection, Section 31504, Corporations  
18 Code.

19 Fur dealer licensee, confidentiality of records, Section 4041, Fish and Game  
20 Code.

21 **§ 6276.22. Gambling Control Act exemption to guardianship report and recommendation**

22 6276.22. Gambling Control Act, exemption from disclosure for records of the  
23 California Gambling Control Commission and the Department of Justice, Sections  
24 19819 and 19821, Business and Professions Code.

25 Genetically Handicapped Persons Program, confidentiality of factor replacement  
26 therapy contracts, Section 125191, Health and Safety Code.

27 Governor, correspondence of and to Governor and Governor's office,  
28 **subdivision (l), Section 6254.**

29 Governor, transfer of public records in control of, restrictions on public access,  
30 **Section 6268.**

31 Grand jury, confidentiality of request for special counsel, Section 936.7, Penal  
32 Code.

33 Grand jury, confidentiality of transcription of indictment or accusation, Section  
34 938.1, Penal Code.

35 Group Insurance, public employees, Section 53202.25.

36 Guardianship, confidentiality of report regarding the suitability of the proposed  
37 guardian, Section 1543, Probate Code.

38 Guardianship, disclosure of report and recommendation concerning proposed  
39 guardianship of person or estate, Section 1513, Probate Code.

1 § 6276.24. Hazardous substance tax information to housing authority tenant application

2 6276.24. Hazardous substance tax information, prohibition against disclosure,  
3 Section 43651, Revenue and Taxation Code.

4 Hazardous waste control, business plans, public inspection, Section 25506,  
5 Health and Safety Code.

6 Hazardous waste control, notice of unlawful hazardous waste disposal, Section  
7 25180.5, Health and Safety Code.

8 Hazardous waste control, trade secrets, disclosure of information, Sections  
9 25511 and 25538, Health and Safety Code.

10 Hazardous waste control, trade secrets, procedures for release of information,  
11 Section 25358.2, Health and Safety Code.

12 Hazardous waste generator report, protection of trade secrets, Sections 25244.21  
13 and 25244.23, Health and Safety Code.

14 Hazardous waste licenseholder disclosure statement, confidentiality of, Section  
15 25186.5, Health and Safety Code.

16 Hazardous waste recycling, information clearing house, confidentiality of trade  
17 secrets, Section 25170, Health and Safety Code.

18 Hazardous waste recycling, list of specified hazardous wastes, trade secrets,  
19 Section 25175, Health and Safety Code.

20 Hazardous waste recycling, trade secrets, confidential nature, Sections 25173  
21 and 25180.5, Health and Safety Code.

22 Healing arts licensees, central files, confidentiality, Section 800, Business and  
23 Professions Code.

24 Health authorities, special county, confidentiality of records, Sections 14087.35,  
25 14087.36, and 14087.38, Welfare and Institutions Code.

26 Health care provider disciplinary proceeding, confidentiality of documents,  
27 Section 805.1, Business and Professions Code.

28 Health care service plans, review of quality of care, privileged communications,  
29 Sections 1370 and 1380, Health and Safety Code.

30 Health commissions, special county, confidentiality of peer review proceedings,  
31 rates of payment, and trade secrets, Section 14087.31, Welfare and Institutions  
32 Code.

33 Health facilities, patient's rights of confidentiality, subdivision (c) of Section  
34 128745 and Sections 128735, 128736, 128737, 128755, and 128765, Health and  
35 Safety Code.

36 Health personnel, data collection by the Office of Statewide Health Planning and  
37 Development, confidentiality of information on individual licentiates, Section  
38 127780, Health and Safety Code.

39 Health plan governed by a county board of supervisors, exemption from  
40 disclosure for records relating to provider rates or payments for a three-year period  
41 after execution of the provider contract, Sections 6254.22 and 54956.87.

42 Hereditary Disorders Act, legislative finding and declaration, confidential  
43 information, Sections 124975 and 124980, Health and Safety Code.

1 Hereditary Disorders Act, rules, regulations, and standards, breach of  
2 confidentiality, Section 124980, Health and Safety Code.

3 HIV, disclosures to blood banks by department or county health officers,  
4 Section 1603.1, Health and Safety Code.

5 Home address of public employees and officers in Department of Motor  
6 Vehicles, records, confidentiality of, Sections 1808.2 and 1808.4, Vehicle Code.

7 Horse racing, horses, blood or urine test sample, confidentiality, Section 19577,  
8 Business and Professions Code.

9 Hospital district and municipal hospital records relating to contracts with  
10 insurers and service plans, **subdivision (t), Section 6254.**

11 Hospital final accreditation report, **subdivision (s), Section 6254.**

12 Housing authorities, confidentiality of rosters of tenants, Section 34283, Health  
13 and Safety Code.

14 Housing authorities, confidentiality of applications by prospective or current  
15 tenants, Section 34332, Health and Safety Code.

16 **§ 6276.26. Improper governmental activities reporter to investigative consumer report**

17 6276.26. Improper governmental activities reporting, confidentiality of identity  
18 of person providing information, Section 8547.5.

19 Improper governmental activities reporting, disclosure of information, Section  
20 8547.6.

21 Industrial loan companies, confidentiality of financial information, Section  
22 18496, Financial Code.

23 Industrial loan companies, confidentiality of investigation and examination  
24 reports, Section 18394, Financial Code.

25 Influenza vaccine, trade secret information and information relating to recipient  
26 of vaccine, Section 120155, Health and Safety Code.

27 In forma pauperis litigant, rules governing confidentiality of financial  
28 information, Section 68511.3.

29 Infrastructure information, exemption from disclosure for information  
30 voluntarily submitted to the Office of Emergency Services, **subdivision (ab),**  
31 **Section 6254.**

32 In-Home Supportive Services Program, exemption from disclosure for  
33 information regarding persons paid by the state to provide in-home supportive  
34 services, **Section 6253.2.**

35 Initiative, referendum, recall, and other petitions, confidentiality of names of  
36 signers, **Section 6253.5.**

37 Insurance claims analysis, confidentiality of information, Section 1875.16,  
38 Insurance Code.

39 Insurance Commissioner, confidential information, Sections 735.5, 1067.11,  
40 1077.3, and 12919, Insurance Code.

41 Insurance Commissioner, informal conciliation of complaints, confidential  
42 communications, Section 1858.02, Insurance Code.

1 Insurance Commissioner, information from examination or investigation,  
2 confidentiality of, Sections 1215.7, 1433, and 1759.3, Insurance Code.

3 Insurance Commissioner, writings filed with nondisclosure, Section 855,  
4 Insurance Code.

5 Insurance fraud reporting, information acquired not part of public record,  
6 Section 1873.1, Insurance Code.

7 Insurance licensee, confidential information, Section 1666.5, Insurance Code.

8 Insurer application information, confidentiality of, Section 925.3, Insurance  
9 Code.

10 Insurer financial analysis ratios and examination synopses, confidentiality of,  
11 Section 933, Insurance Code.

12 Department of Resources Recycling and Recovery information, prohibition  
13 against disclosure, Section 45982, Revenue and Taxation Code.

14 International wills, confidentiality of registration information filed with the  
15 Secretary of State, Section 6389, Probate Code.

16 Intervention in regulatory and ratemaking proceedings, audit of customer  
17 seeking and award, Section 1804, Public Utilities Code.

18 Investigation and security records, exemption from disclosure for records of the  
19 Attorney General, the Department of Justice, the Office of Emergency Services,  
20 and state and local police agencies, **subdivision (f), Section 6254.**

21 Investigative consumer reporting agency, limitations on furnishing an  
22 investigative consumer report, Section 1786.12, Civil Code.

23 **§ 6276.28. Joint Legislative Ethics Committee records to Los Angeles County Tourism**  
24 **Marketing Commission information from businesses**

25 6276.28. Joint Legislative Ethics Committee, confidentiality of reports and  
26 records, Section 8953.

27 Judicial candidates, confidentiality of communications concerning, Section  
28 12011.5.

29 Judicial proceedings, confidentiality of employer records of employee absences,  
30 Section 230.2, Labor Code.

31 Jurors' lists, lists of registered voters and licensed drivers as source for, Section  
32 197, Code of Civil Procedure.

33 Juvenile court proceedings to adjudge a person a dependent child of court,  
34 sealing records of, Section 389, Welfare and Institutions Code.

35 Juvenile criminal records, dissemination to schools, Section 828.1, Welfare and  
36 Institutions Code.

37 Juvenile delinquents, notification of chief of police or sheriff of escape of minor  
38 from secure detention facility, Section 1155, Welfare and Institutions Code.

39 Labor dispute, investigation and mediation records, confidentiality of, Section  
40 65, Labor Code.

1 Lanterman-Petris-Short Act, mental health services recipients, confidentiality of  
2 information and records, mental health advocate, Sections 5540, 5541, 5542, and  
3 5550, Welfare and Institutions Code.

4 Law enforcement vehicles, registration disclosure, Section 5003, Vehicle Code.

5 Legislative Counsel records, **subdivision (m), Section 6254.**

6 Library circulation records and other materials, **subdivision (i), Section 6254**  
7 and Section 6267.

8 Life and disability insurers, actuarial information, confidentiality of, Section  
9 10489.15, Insurance Code.

10 Litigation, confidentiality of settlement information, Section 68513.

11 Local agency legislative body, closed sessions, disclosure of materials, Section  
12 54956.9.

13 Local government employees, confidentiality of records and claims relating to  
14 group insurance, Section 53202.25.

15 Local summary criminal history information, confidentiality of, Sections 13300  
16 and 13305, Penal Code.

17 Local agency legislative body, closed session, nondisclosure of minute book,  
18 Section 54957.2.

19 Local agency legislative body, meeting, disclosure of agenda, Section 54957.5.

20 Long-term health facilities, confidentiality of complaints against, Section 1419,  
21 Health and Safety Code.

22 Long-term health facilities, confidentiality of records retained by State  
23 Department of Public Health, Section 1439, Health and Safety Code.

24 Los Angeles County Tourism Marketing Commission, confidentiality of  
25 information obtained from businesses to determine their assessment, Section  
26 13995.108.

27 **§ 6276.30. Managed care health plan proprietary information to multijurisdictional drug**  
28 **law enforcement agency closed session**

29 6276.30. Managed care health plans, confidentiality of proprietary information,  
30 Section 14091.3 of the Welfare and Institutions Code.

31 Managed Risk Medical Insurance Board, negotiations with entities contracting  
32 or seeking to contract with the board, **subdivisions (v) and (y) of Section 6254.**

33 Mandated blood testing and confidentiality to protect public health, prohibition  
34 against compelling identification of test subjects, Section 120975 of the Health  
35 and Safety Code.

36 Mandated blood testing and confidentiality to protect public health,  
37 unauthorized disclosures of identification of test subjects, Sections 1603.1, 1603.3,  
38 and 121022 of the Health and Safety Code.

39 Mandated blood testing and confidentiality to protect public health, disclosure to  
40 patient's spouse, sexual partner, needle sharer, or county health officer, Section  
41 121015 of the Health and Safety Code.

1 Manufactured home, mobilehome, floating home, confidentiality of home  
2 address of registered owner, Section 18081 of the Health and Safety Code.

3 Marital confidential communications, Sections 980, 981, 982, 983, 984, 985,  
4 986, and 987 of the Evidence Code.

5 Market reports, confidential, **subdivision (e) of Section 6254.**

6 Marketing of commodities, confidentiality of financial information, Section  
7 58781 of the Food and Agricultural Code.

8 Marketing orders, confidentiality of processors' or distributors' information,  
9 Section 59202 of the Food and Agricultural Code.

10 Marriage, confidential, certificate, Section 511 of the Family Code.

11 Medi-Cal Benefits Program, confidentiality of information, Section 14100.2 of  
12 the Welfare and Institutions Code.

13 Medi-Cal Benefits Program, Request of Department for Records of Information,  
14 Section 14124.89 of the Welfare and Institutions Code.

15 Medi-Cal Fraud Bureau, confidentiality of complaints, Section 12528.

16 Medi-Cal managed care program, exemption from disclosure for financial and  
17 utilization data submitted by Medi-Cal managed care health plans to establish  
18 rates, Section 14301.1 of the Welfare and Institutions Code.

19 Medi-Cal program, exemption from disclosure for best price contracts between  
20 the State Department of Health Care Services and drug manufacturers, Section  
21 14105.33 of the Welfare and Institutions Code.

22 Medical information, disclosure by provider unless prohibited by patient in  
23 writing, Section 56.16 of the Civil Code.

24 Medical information, types of information not subject to patient prohibition of  
25 disclosure, Section 56.30 of the Civil Code.

26 Medical and other hospital committees and peer review bodies, confidentiality  
27 of records, Section 1157 of the Evidence Code.

28 Medical or dental licensee, action for revocation or suspension due to illness,  
29 report, confidentiality of, Section 828 of the Business and Professions Code.

30 Medical or dental licensee, disciplinary action, denial or termination of staff  
31 privileges, report, confidentiality of, Sections 805, 805.1, and 805.5 of the  
32 Business and Professions Code.

33 Meetings of state agencies, disclosure of agenda, Section 11125.1.

34 Mentally abnormal sex offender committed to state hospital, confidentiality of  
35 records, Section 4135 of the Welfare and Institutions Code.

36 Mentally disordered and developmentally disabled offenders, access to criminal  
37 histories of, Section 1620 of the Penal Code.

38 Mentally disordered persons, court-ordered evaluation, confidentiality of  
39 reports, Section 5202 of the Welfare and Institutions Code.

40 Mentally disordered or mentally ill person, confidentiality of written consent to  
41 detainment, Section 5326.4 of the Welfare and Institutions Code.

1 Mentally disordered or mentally ill person, voluntarily or involuntarily detained  
2 and receiving services, confidentiality of records and information, Sections 5328,  
3 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9 of the Welfare and Institutions Code.

4 Mentally disordered or mentally ill person, weapons restrictions, confidentiality  
5 of information about, Section 8103 of the Welfare and Institutions Code.

6 Milk marketing, confidentiality of records, Section 61443 of the Food and  
7 Agricultural Code.

8 Milk product certification, confidentiality of, Section 62121 of the Food and  
9 Agricultural Code.

10 Milk, market milk, confidential records and reports, Section 62243 of the Food  
11 and Agricultural Code.

12 Milk product registration, confidentiality of information, Section 38946 of the  
13 Food and Agricultural Code.

14 Milk equalization pool plan, confidentiality of producers' voting, Section 62716  
15 of the Food and Agricultural Code.

16 Mining report, confidentiality of report containing information relating to  
17 mineral production, reserves, or rate of depletion of mining operation, Section  
18 2207 of the Public Resources Code.

19 Minor, criminal proceeding testimony closed to public, Section 859.1 of the  
20 Penal Code.

21 Minors, material depicting sexual conduct, records of suppliers to be kept and  
22 made available to law enforcement, Section 1309.5 of the Labor Code.

23 Misdemeanor and felony reports by police chiefs and sheriffs to Department of  
24 Justice, confidentiality of, Sections 11107 and 11107.5 of the Penal Code.

25 Monetary instrument transaction records, confidentiality of, Section 14167 of  
26 the Penal Code.

27 Missing persons' information, disclosure of, Sections 14204 and 14205 of the  
28 Penal Code.

29 Morbidity and mortality studies, confidentiality of records, Section 100330 of  
30 the Health and Safety Code.

31 Motor vehicle accident reports, disclosure, Sections 16005, 20012, and 20014 of  
32 the Vehicle Code.

33 Motor vehicles, department of, public records, exceptions, Sections 1808 to  
34 1808.7, inclusive, of the Vehicle Code.

35 Motor vehicle insurance fraud reporting, confidentiality of information acquired,  
36 Section 1874.3 of the Insurance Code.

37 Motor vehicle liability insurer, data reported to Department of Insurance,  
38 confidentiality of, Section 11628 of the Insurance Code.

39 Multijurisdictional drug law enforcement agency, closed sessions to discuss  
40 criminal investigation, Section 54957.8.

1 **§ 6276.32. Narcotic addict outpatient revocation proceeding report to osteopathic physician**  
2 **and surgeon rehabilitation and diversion records**

3 6276.32. Narcotic addict outpatient revocation proceeding, confidentiality of  
4 reports, Section 3152.5, Welfare and Institutions Code.

5 Narcotic and drug abuse patients, confidentiality of records, Section 11845.5,  
6 Health and Safety Code.

7 Native American graves, cemeteries and sacred places, records of, **subdivision**  
8 **(r), Section 6254.**

9 Notary public, confidentiality of application for appointment and commission,  
10 Section 8201.5.

11 Nurse, alcohol or dangerous drug diversion and rehabilitation records,  
12 confidentiality of, Section 2770.12, Business and Professions Code.

13 Obscene matter, defense of scientific or other purpose, confidentiality of  
14 recipients, Section 311.8, Penal Code.

15 Occupational safety and health investigations, confidentiality of complaints and  
16 complainants, Section 6309, Labor Code.

17 Occupational safety and health investigations, confidentiality of trade secrets,  
18 Section 6322, Labor Code.

19 Official information acquired in confidence by public employee, disclosure of,  
20 Sections 1040 and 1041, Evidence Code.

21 Oil and gas, confidentiality of proposals for the drilling of a well, Section  
22 3724.4, Public Resources Code.

23 Oil and gas, disclosure of onshore and offshore exploratory well records,  
24 Section 3234, Public Resources Code.

25 Oil and gas, disclosure of well records, Section 3752, Public Resources Code.

26 Oil and gas leases, surveys for permits, confidentiality of information, Section  
27 6826, Public Resources Code.

28 Oil spill feepayer information, prohibition against disclosure, Section 46751,  
29 Revenue and Taxation Code.

30 Older adults receiving county services, providing information between county  
31 agencies, confidentiality of, Section 9401, Welfare and Institutions Code.

32 Organic food certification organization records, release of, Section 110845,  
33 Health and Safety Code.

34 Osteopathic physician and surgeon, rehabilitation and diversion records,  
35 confidentiality of, Section 2369, Business and Professions Code.

36 **§ 6276.34. Parole revocation reports to postmortem or autopsy photos**

37 6276.34. Parole revocation proceedings, confidentiality of information in  
38 reports, Section 3063.5, Penal Code.

39 Passenger fishing boat licenses, records, Section 7923, Fish and Game Code.

40 Paternity, acknowledgement, confidentiality of records, Section 102760, Health  
41 and Safety Code.

1 Patient-physician confidential communication, Sections 992 and 994, Evidence  
2 Code.

3 Patient records, confidentiality of, Section 123135, Health and Safety Code.

4 Payment instrument licensee records, inspection of, Section 33206, Financial  
5 Code.

6 Payroll records, confidentiality of, Section 1776, Labor Code.

7 Peace officer personnel records, confidentiality of, Sections 832.7 and 832.8,  
8 Penal Code.

9 Penitential communication between penitent and clergy, Sections 1032 and  
10 1033, Evidence Code.

11 Personal Care Services Program, exemption from disclosure for information  
12 regarding persons paid by the state to provide personal care services, Section  
13 6253.2.

14 Personal Income Tax, disclosure of information, Article 2 (commencing with  
15 Section 19542), Chapter 7, Part 10.2, Division 2, Revenue and Taxation Code.

16 Personal information, Information Practices Act, prohibitions against disclosure  
17 by state agencies, Sections 1798.24 and 1798.75, Civil Code.

18 Personal information, subpoena of records containing, Section 1985.4, Code of  
19 Civil Procedure.

20 Personal representative, confidentiality of personal representative's birth date  
21 and driver's license number, Section 8404, Probate Code.

22 Personnel Administration, Department of, confidentiality of pay data furnished  
23 to, Section 19826.5.

24 Persons formerly classified as mentally abnormal sex offenders committed to a  
25 state hospital, confidentiality of records, Section 4135, Welfare and Institutions  
26 Code.

27 Persons with mental health disorders, court-ordered evaluation, confidentiality  
28 of reports, Section 5202, Welfare and Institutions Code.

29 Persons with mental health disorders, confidentiality of written consent to  
30 detainment, Section 5326.4, Welfare and Institutions Code.

31 Persons with mental health disorders voluntarily detained and receiving services,  
32 confidentiality of records and information, Sections 5328, 5328.15, 5328.2,  
33 5328.4, 5328.8, and 5328.9, Welfare and Institutions Code.

34 Persons with mental health disorders, weapons restrictions, confidentiality of  
35 information about, Section 8103, Welfare and Institutions Code.

36 Petition signatures, Section 18650, Elections Code.

37 Petroleum supply and pricing, confidential information, Sections 25364 and  
38 25366, Public Resources Code.

39 Pharmacist, alcohol or dangerous drug diversion and rehabilitation records,  
40 confidentiality of, Section 4372, Business and Professions Code.

41 Physical therapist or assistant, records of dangerous drug or alcohol diversion  
42 and rehabilitation, confidentiality of, Section 2667, Business and Professions  
43 Code.

1 Physical or mental condition or conviction of controlled substance offense,  
2 records in Department of Motor Vehicles, confidentiality of, **Section 1808.5,**  
3 **Vehicle Code.**

4 Physician and surgeon, rehabilitation and diversion records, confidentiality of,  
5 **Section 2355, Business and Professions Code.**

6 Physician assistant, alcohol or dangerous drug diversion and rehabilitation  
7 records, confidentiality of, **Section 3534.7, Business and Professions Code.**

8 Physician competency examination, confidentiality of reports, **Section 2294,**  
9 **Business and Professions Code.**

10 Physicians and surgeons, confidentiality of reports of patients with a lapse of  
11 consciousness disorder, **Section 103900, Health and Safety Code.**

12 Physician Services Account, confidentiality of patient names in claims, **Section**  
13 **16956, Welfare and Institutions Code.**

14 Pilots, confidentiality of personal information, **Section 1157.1, Harbors and**  
15 **Navigation Code.**

16 Pollution Control Financing Authority, financial data submitted to, **subdivision**  
17 **(o), Section 6254.**

18 Postmortem or autopsy photos, **Section 129, Code of Civil Procedure.**

19 **§ 6276.36. Pregnancy tests by local public health agencies to pupil records**

20 6276.36. Pregnancy tests by local public health agencies, confidentiality of,  
21 **Section 123380, Health and Safety Code.**

22 Pregnant women, confidentiality of blood tests, **Section 125105, Health and**  
23 **Safety Code.**

24 Prehospital emergency medical care, release of information, **Sections 1797.188**  
25 **and 1797.189, Health and Safety Code.**

26 Prenatal syphilis tests, confidentiality of, **Section 120705, Health and Safety**  
27 **Code.**

28 Prescription drug discounts, confidentiality of corporate proprietary information,  
29 **Section 130506, Health and Safety Code.**

30 Prisoners, behavioral research on, confidential personal information, **Section**  
31 **3515, Penal Code.**

32 Prisoners, confidentiality of blood tests, **Section 7530, Penal Code.**

33 Prisoners, medical testing, confidentiality of records, **Sections 7517 and 7540,**  
34 **Penal Code.**

35 Prisoners, transfer from county facility for mental treatment and evaluation,  
36 confidentiality of written reasons, **Section 4011.6, Penal Code.**

37 Private industry wage data collected by public entity, confidentiality of, **Section**  
38 **6254.6.**

39 Private railroad car tax, confidentiality of information, **Section 11655, Revenue**  
40 **and Taxation Code.**

41 Probate referee, disclosure of materials, **Section 8908, Probate Code.**

42 Probation officer reports, inspection of, **Section 1203.05, Penal Code.**

1 Produce dealer, confidentiality of financial statements, Section 56254, Food and  
2 Agricultural Code.

3 Products liability insurers, transmission of information, Section 1857.9,  
4 Insurance Code.

5 Professional corporations, financial statements, confidentiality of, Section  
6 13406, Corporations Code.

7 Property on loan to museum, notice of intent to preserve an interest in, not  
8 subject to disclosure, Section 1899.5, Civil Code.

9 Property taxation, confidentiality of change of ownership, Section 481, Revenue  
10 and Taxation Code.

11 Property taxation, confidentiality of exemption claims, Sections 63.1, 69.5, and  
12 408.2, Revenue and Taxation Code.

13 Property taxation, confidentiality of property information, Section 15641,  
14 Government Code and Section 833, Revenue and Taxation Code.

15 Proprietary information, availability only to the director and other persons  
16 authorized by the operator and the owner, Section 2778, Public Resources Code.

17 Psychologist and client, confidential relations and communications, Section  
18 2918, Business and Professions Code.

19 Psychotherapist-patient confidential communication, Sections 1012 and 1014,  
20 Evidence Code.

21 Public employees' home addresses and telephone numbers, confidentiality of,  
22 **Section 6254.3.**

23 Public Employees' Medical and Hospital Care Act, confidentiality of data  
24 relating to health care services rendered by participating hospitals to members and  
25 annuitants, Section 22854.5.

26 Public Employees' Retirement System, confidentiality of data filed by member  
27 or beneficiary with board of administration, Section 20134.

28 Public investment funds, exemption from disclosure for records regarding  
29 alternative investments, **Section 6254.26.**

30 Public school employees organization, confidentiality of proof of majority  
31 support submitted to Public Employment Relations Board, Sections 3544, 3544.1,  
32 and 3544.5.

33 Public social services, confidentiality of digest of decisions, Section 10964,  
34 Welfare and Institutions Code.

35 Public social services, confidentiality of information regarding child abuse or  
36 elder or dependent persons abuse, Section 10850.1, Welfare and Institutions Code.

37 Public social services, confidentiality of information regarding eligibility,  
38 Section 10850.2, Welfare and Institutions Code.

39 Public social services, confidentiality of records, Section 10850, Welfare and  
40 Institutions Code.

41 Public social services, disclosure of information to law enforcement agencies,  
42 Section 10850.3, Welfare and Institutions Code.

1 Public social services, disclosure of information to law enforcement agencies  
2 regarding deceased applicant or recipient, Section 10850.7, Welfare and  
3 Institutions Code.

4 Public utilities, confidentiality of information, Section 583, Public Utilities  
5 Code.

6 Pupil, confidentiality of personal information, Section 45345, Education Code.

7 Pupil drug and alcohol use questionnaires, confidentiality of, Section 11605,  
8 Health and Safety Code.

9 Pupil, expulsion hearing, disclosure of testimony of witness and closed session  
10 of district board, Section 48918, Education Code.

11 Pupil, personal information disclosed to school counselor, confidentiality of,  
12 Section 49602, Education Code.

13 Pupil record contents, records of administrative hearing to change contents,  
14 confidentiality of, Section 49070, Education Code.

15 Pupil records, access authorized for specified parties, Section 49076, Education  
16 Code.

17 Pupil records, disclosure in hearing to dismiss or suspend school employee,  
18 Section 44944.1, Education Code.

19 Pupil records, release of directory information to private entities, Sections 49073  
20 and 49073.5, Education Code.

21 **§ 6276.38. Radioactive material transportation information to safe surrender site**  
22 **information**

23 6276.38. Radioactive materials, dissemination of information about  
24 transportation of, Section 33002, Vehicle Code.

25 Railroad infrastructure protection program, disclosure not required for risk  
26 assessments filed with the Public Utilities Commission, the Director of Emergency  
27 Services, or the Office of Emergency Services, **Section 6254.23**.

28 Real estate broker, annual report to Bureau of Real Estate of financial  
29 information, confidentiality of, Section 10232.2, Business and Professions Code.

30 Real property, acquisition by state or local government, information relating to  
31 feasibility, **subdivision (h), Section 6254**.

32 Real property, change in ownership statement, confidentiality of, Section 27280.

33 Records described in Section 1620 of the Penal Code.

34 Records of contract purchasers, inspection by public prohibited, Section 85,  
35 Military and Veterans Code.

36 Records of persons committed to a state hospital pursuant to Section 4135 of the  
37 Welfare and Institutions Code.

38 Registered public obligations, inspection of records of security interests in,  
39 Section 5060.

40 Registration of exempt vehicles, nondisclosure of name of person involved in  
41 alleged violation, Section 5003, Vehicle Code.

1 Rehabilitation, Department of, confidential information, Section 19016, Welfare  
2 and Institutions Code.

3 Reinsurance intermediary-broker license information, confidentiality of, Section  
4 1781.3, Insurance Code.

5 Relocation assistance, confidential records submitted to a public entity by a  
6 business or farm operation, Section 7262.

7 Rent control ordinance, confidentiality of information concerning  
8 accommodations sought to be withdrawn from, Section 7060.4.

9 Report of probation officer, inspection, copies, Section 1203.05, Penal Code.

10 Repossession agency licensee application, confidentiality of information,  
11 Sections 7503, 7504, and 7506.5, Business and Professions Code.

12 Reproductive health facilities, disclosure not required for personal information  
13 regarding employees, volunteers, board members, owners, partners, officers, and  
14 contractors of a reproductive health services facility who have provided requisite  
15 notification, **Section 6254.18**.

16 Residence address in any record of Department of Housing and Community  
17 Development, confidentiality of, **Section 6254.1**.

18 Residence address in any record of Department of Motor Vehicles,  
19 confidentiality of, **Section 6254.1, Government Code**, and Section 1808.21,  
20 Vehicle Code.

21 Residence and mailing addresses in records of Department of Motor Vehicles,  
22 confidentiality of, Section 1810.7, Vehicle Code.

23 Residential care facilities, confidentiality of resident information, Section  
24 1568.08, Health and Safety Code.

25 Residential care facilities for the elderly, confidentiality of client information,  
26 Section 1569.315, Health and Safety Code.

27 Resource families, identifying information, Section 16519.55, Welfare and  
28 Institutions Code.

29 Respiratory care practitioner, professional competency examination reports,  
30 confidentiality of, Section 3756, Business and Professions Code.

31 Restraint of trade, civil action by district attorney, confidential memorandum,  
32 Section 16750, Business and Professions Code.

33 Reward by Governor for information leading to arrest and conviction,  
34 confidentiality of person supplying information, Section 1547, Penal Code.

35 Safe surrender site, confidentiality of information pertaining to a parent or  
36 individual surrendering a child, Section 1255.7, Health and Safety Code.

37 **§ 6276.40. Sales and use tax information to SSNs within records of local agencies**

38 6276.40. Sales and use tax, disclosure of information, Section 7056, Revenue  
39 and Taxation Code.

40 Santa Barbara Regional Health Authority, exemption from disclosure for records  
41 maintained by the authority regarding negotiated rates for the California Medical  
42 Assistance Program, Section 14499.6, Welfare and Institutions Code.

1 Savings association employees, disclosure of criminal history information,  
2 Section 6525, Financial Code.

3 Savings associations, inspection of records by shareholders, Section 6050,  
4 Financial Code.

5 School district governing board, disciplinary action, disclosure of pupil  
6 information, Section 35146, Education Code.

7 School employee, merit system examination records, confidentiality of, Section  
8 45274, Education Code.

9 School employee, notice and reasons for hearing on nonreemployment of  
10 employee, confidentiality of, Sections 44948.5 and 44949, Education Code.

11 School meals for needy pupils, confidentiality of records, Section 49558,  
12 Education Code.

13 Sealed records, arrest for misdemeanor, Section 851.7, Penal Code.

14 Sealed records, misdemeanor convictions, Section 1203.45, Penal Code.

15 Sealing and destruction of arrest records, determination of innocence, Section  
16 851.8, Penal Code.

17 Search warrants, special master, Section 1524, Penal Code.

18 Sex change, confidentiality of birth certificate, Section 103440, Health and  
19 Safety Code.

20 Sex offenders, registration form, Section 290.021, Penal Code.

21 Sexual assault forms, confidentiality of, Section 13823.5, Penal Code.

22 Sexual assault counselor and victim, confidential communication, Sections  
23 1035.2, 1035.4, and 1035.8, Evidence Code.

24 Shorthand reporter's complaint, Section 8010, Business and Professions Code.

25 Small family day care homes, identifying information, Section 1596.86, Health  
26 and Safety Code.

27 Social security number, applicant for driver's license or identification card,  
28 nondisclosure of, Section 1653.5, Vehicle Code, and Section 6254.29.

29 Social security number, official record or official filing, nondisclosure of,  
30 Section 9526.5, Commercial Code, and Sections 6254.27 and 6254.28.

31 Social Security Number Truncation Program, Article 3.5 (commencing with  
32 Section 27300), Chapter 6, Part 3, Division 2, Title 3.

33 Social security numbers within records of local agencies, nondisclosure of,  
34 Section 6254.29.

35 **§ 6276.42. State agency activities relating to unrepresented employees to sturgeon egg**  
36 **processor records**

37 6276.42. State agency activities relating to unrepresented employees,  
38 **subdivision (p) of Section 6254.**

39 State agency activities relating to providers of health care, **subdivision (a) of**  
40 **Section 6254.**

41 State Auditor, access to barred records, Section 8545.2.

42 State Auditor, confidentiality of records, Sections 8545, 8545.1, and 8545.3.

1 State civil service employee, confidentiality of appeal to state personnel board,  
2 Section 18952.

3 State civil service employees, confidentiality of reports, Section 18573.

4 State civil service examination, confidentiality of application and examination  
5 materials, Section 18934.

6 State Compensation Insurance Fund, exemption from disclosure for various  
7 records maintained by the State Compensation Insurance Fund, **subdivision (ad),**  
8 **Section 6254.**

9 State Contract Act, bids, questionnaires and financial statements, Section 10165,  
10 Public Contract Code.

11 State Contract Act, bids, sealing, opening and reading bids, Section 10304,  
12 Public Contract Code.

13 State Energy Resources Conservation and Development Commission,  
14 confidentiality of proprietary information submitted to, Section 25223, Public  
15 Resources Code.

16 State hospital patients, information and records in possession of Superintendent  
17 of Public Instruction, confidentiality of, Section 56863, Education Code.

18 State Long-Term Care Ombudsman, access to government agency records,  
19 Section 9723, Welfare and Institutions Code.

20 State Long-Term Care Ombudsman office, confidentiality of records and files,  
21 Section 9725, Welfare and Institutions Code.

22 State Long-Term Care Ombudsman office, disclosure of information or  
23 communications, Section 9715, Welfare and Institutions Code.

24 State Lottery Evaluation Report, disclosure, Section 8880.46.

25 State prisoners, exemption from disclosure for surveys by the California  
26 Research Bureau of children of female prisoners, Section 7443, Penal Code.

27 State summary criminal history information, confidentiality of information,  
28 Sections 11105, 11105.1, 11105.3, and 11105.4, Penal Code.

29 State Teachers' Retirement System, confidentiality of information filed with the  
30 system by a member, participant, or beneficiary, Sections 22306 and 26215,  
31 Education Code.

32 Sterilization of disabled, confidentiality of evaluation report, Section 1955,  
33 Probate Code.

34 Strawberry marketing information, confidentiality of, Section 63124, Food and  
35 Agricultural Code.

36 Structural pest control licensee records relating to pesticide use, confidentiality  
37 of, Section 15205, Food and Agricultural Code.

38 Student driver, records of physical or mental condition, confidentiality of,  
39 Section 12661, Vehicle Code.

40 Student, community college, information received by school counselor,  
41 confidentiality of, Section 72621, Education Code.

42 Student, community college, records, limitations on release, Section 76243,  
43 Education Code.

1 Student, community college, record contents, records of administrative hearing  
2 to change contents, confidentiality of, Section 76232, Education Code.

3 Student, sexual assault on private higher education institution campus,  
4 confidentiality of information, Section 94385, Education Code.

5 Student, sexual assault on public college or university, confidentiality of  
6 information, Section 67385, Education Code.

7 Sturgeon egg processors, records, Section 10004, Fish and Game Code.

8 **§ 6276.44. Taxpayer information to trust company disclosure of confidential information of**  
9 **private trust**

10 6276.44. Taxpayer information, confidentiality, local taxes, **subdivision (i),**  
11 **Section 6254.**

12 Tax preparer, disclosure of information obtained in business of preparing tax  
13 returns, Section 17530.5, Business and Professions Code.

14 Teacher, credential holder or applicant, information provided to Commission on  
15 Teacher Credentialing, confidentiality of, Section 44341, Education Code.

16 Teacher, certified school personnel examination results, confidentiality of,  
17 Section 44289, Education Code.

18 Telephone answering service customer list, trade secret, Section 16606,  
19 Business and Professions Code.

20 Timber yield tax, disclosure to county assessor, Section 38706, Revenue and  
21 Taxation Code.

22 Timber yield tax, disclosure of information, Section 38705, Revenue and  
23 Taxation Code.

24 Title insurers, confidentiality of notice of noncompliance, Section 12414.14,  
25 Insurance Code.

26 Tobacco products, exemption from disclosure for distribution information  
27 provided to the State Department of Public Health, Section 22954, Business and  
28 Professions Code.

29 Tow truck driver, information in records of California Highway Patrol,  
30 Department of Motor Vehicles, or other agencies, confidentiality of, Sections 2431  
31 and 2432.3, Vehicle Code.

32 Toxic substances, Department of, inspection of records of, Section 25152.5,  
33 Health and Safety Code.

34 Trade secrets, Section 1060, Evidence Code.

35 Trade secrets, confidentiality of, occupational safety and health inspections,  
36 Section 6322, Labor Code.

37 Trade secrets, disclosure of public records, Section 3426.7, Civil Code.

38 Trade secrets, food, drugs, cosmetics, nondisclosure, Sections 110165 and  
39 110370, Health and Safety Code.

40 Trade secrets, protection by Director of the Department of Pesticide Regulation,  
41 **Section 6254.2.**

1 Trade secrets and proprietary information relating to pesticides, confidentiality  
2 of, Sections 14022 and 14023, Food and Agricultural Code.

3 Trade secrets, protection by Director of Industrial Relations, Section 6396,  
4 Labor Code.

5 Trade secrets relating to hazardous substances, disclosure of, Sections 25358.2  
6 and 25358.7, Health and Safety Code.

7 Traffic violator school licensee records, confidentiality of, Section 11212,  
8 Vehicle Code.

9 Traffic offense, dismissed for participation in driving school or program, record  
10 of, confidentiality of, Section 1808.7, Vehicle Code.

11 Transit districts, questionnaire and financial statement information in bids,  
12 Section 99154, Public Utilities Code.

13 Tribal-state gaming contracts, exemption from disclosure for records of an  
14 Indian tribe relating to securitization of annual payments, Section 63048.63.

15 Trust companies, disclosure of private trust confidential information, Section  
16 1582, Financial Code.

17 **§ 6276.46. Unclaimed property records to ward's or dependent child's juvenile court**  
18 **documents**

19 6276.46. Unclaimed property, Controller records of, disclosure, Section 1582,  
20 Code of Civil Procedure.

21 Unemployment compensation, disclosure of confidential information, Section  
22 2111, Unemployment Insurance Code.

23 Unemployment compensation, information obtained in administration of code,  
24 Section 1094, Unemployment Insurance Code.

25 Unemployment fund contributions, publication of annual tax paid, Section 989,  
26 Unemployment Insurance Code.

27 University of California, exemption from disclosure for information submitted  
28 by bidders for award of best value contracts, Section 10506.6, Public Contract  
29 Code.

30 Unsafe working condition, confidentiality of complainant, Section 6309, Labor  
31 Code.

32 Use fuel tax information, disclosure prohibited, Section 9255, Revenue and  
33 Taxation Code.

34 Utility systems development, confidential information, **subdivision (e), Section**  
35 **6254.**

36 Utility user tax return and payment records, exemption from disclosure, Section  
37 7284.6, Revenue and Taxation Code.

38 Vehicle registration, confidentiality of information, Section 4750.4, Vehicle  
39 Code.

40 Vehicle accident reports, disclosure of, Sections 16005, 20012, and 20014,  
41 Vehicle Code and Section 27177, Streets and Highways Code.

1 Vehicular offense, record of, confidentiality five years after conviction, Section  
2 1807.5, Vehicle Code.

3 Veterans Affairs, Department of, confidentiality of records of contract  
4 purchasers, Section 85, Military and Veterans Code.

5 Veterinarian or animal health technician, alcohol or dangerous drugs diversion  
6 and rehabilitation records, confidentiality of, Section 4871, Business and  
7 Professions Code.

8 Victims' Legal Resource Center, confidentiality of information and records  
9 retained, Section 13897.2, Penal Code.

10 Voter, affidavit or registration, confidentiality of information contained in,  
11 **Section 6254.4.**

12 Voter, registration by confidential affidavit, Section 2194, Elections Code.

13 Voting, secrecy, Section 1050, Evidence Code.

14 Wards and dependent children, inspection of juvenile court documents, Section  
15 827, Welfare and Institutions Code.

16 **§ 6276.48. Ward's petition for sealing records to Youth Authority information relating to**  
17 **specified offenses**

18 6276.48. Wards, petition for sealing records, Section 781, Welfare and  
19 Institutions Code.

20 Winegrowers of California Commission, confidentiality of producers' or  
21 vintners' proprietary information, Sections 74655 and 74955, Food and  
22 Agricultural Code.

23 Workers' Compensation Appeals Board, injury or illness report, confidentiality  
24 of, Section 6412, Labor Code.

25 Workers' compensation insurance, dividend payment to policyholder,  
26 confidentiality of information, Section 11739, Insurance Code.

27 Workers' compensation insurance fraud reporting, confidentiality of  
28 information, Section 1877.4, Insurance Code.

29 Workers' compensation insurer or rating organization, confidentiality of notice  
30 of noncompliance, Section 11754, Insurance Code.

31 Workers' compensation insurer, rating information, confidentiality of, Section  
32 11752.7, Insurance Code.

33 Workers' compensation, notice to correct noncompliance, Section 11754,  
34 Insurance Code.

35 Workers' compensation, release of information to other governmental agencies,  
36 Section 11752.5, Insurance Code.

37 Workers' compensation, self-insured employers, confidentiality of financial  
38 information, Section 3742, Labor Code.

39 Workplace inspection photographs, confidentiality of, Section 6314, Labor  
40 Code.

41 Youth Authority, parole revocation proceedings, confidentiality of, Section  
42 1767.6, Welfare and Institutions Code.

- 1 Youth Authority, release of information in possession of Youth Authority for
  - 2 offenses under Sections 676, 1764.1, and 1764.2, Welfare and Institutions Code.
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