

First Supplement to Memorandum 2019-31

California Public Records Act Clean-Up (Draft of Tentative Recommendation)

Upon re-reading the draft attached to Memorandum 2019-31,¹ the staff suggests the following revisions:

- **Page 18, lines 18-19.** Revise as shown below:
“... ~~most~~ some of which are split into numerous paragraphs, subparagraphs, and even ~~some~~ unnumbered provisions.”
- **Page 39, line 41 (proposed Section 7920.550 Comment).** At the end of the Comment add:
“The same definition of ‘writing’ is used in the Evidence Code. See Evid. Code § 250.”
- **Page 40, lines 10-13, and globally.** Replace:
“For basic rules protecting access to public records under the CPRA, see Sections 7922.525 (inspection of public record) and 7922.530 (copy of public record); see also Sections 7921.005 and 7921.010 (restricting agency’s ability to transfer public record or otherwise relinquish control over its disclosure).”
with:
“For restrictions on an agency’s ability to transfer a public record or otherwise relinquish control over its disclosure, see Sections 7921.005 and 7921.010. For inspection and copying of a public record, see Sections 7922.525 and 7922.530.”
- **Page 71, line 24.** Replace “Appellate Review” with “Writ Review”
- **Page 117, lines 11-13 (proposed Section 7926.400 Comment).** Revise as shown below:
“For provisions of the California Public Records Act (‘CPRA’) that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.405-7926.430). See also

1. 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). 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.

Sections 6215-6216 (address confidentiality for reproductive health care service providers, employees, volunteers, and patients), 6218-6218.05 (online privacy for reproductive health services providers, employees, volunteers, and patients).

For additional CPRA provisions that relate specifically to health care, see”

- **Pages 117-121 (Comments to proposed Sections 7926.405-7926.430).** Revise these Comments as shown in the preceding bulletpoint.

Unless the Commission otherwise directs, the staff will incorporate these revisions and any necessary conforming changes into the next draft of the tentative recommendation. The staff will also correct some typographical and formatting errors that we spotted in the draft attached to Memorandum 2019-31.

Respectfully submitted,

Barbara Gaal
Chief Deputy Counsel