

STATE OF CALIFORNIA

CALIFORNIA LAW REVISION COMMISSION

RECOMMENDATION

California Public Records Act Clean-Up

November 2019

California Law Revision Commission
c/o UC Davis School of Law
Davis, CA 95616
www.clrc.ca.gov

NOTE

This report includes an explanatory Comment to each section of the recommended legislation. The Comments are written as if the legislation were already operative, since their primary purpose is to explain the law as it will exist to those who will have occasion to use it after it is operative. The Comments are legislative history and are entitled to substantial weight in construing the statutory provisions. For a discussion of cases addressing the use of Law Revision Commission materials in ascertaining legislative intent, see the Commission's most recent *Annual Report*.

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CALIFORNIA LAW REVISION COMMISSION

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November 21, 2019

To: The Honorable Gavin Newsom
Governor of California, and
The Legislature of California

The California Public Records Act (“CPRA”) was enacted in 1968 to promote public access to public records, while also recognizing competing interests. In enacting the CPRA, the Legislature, “mindful of the right of individuals to privacy,” found and declared that “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”

Since its enactment, the CPRA has been revised over and over again, in piecemeal fashion. This has resulted in a statute that is poorly organized and cumbersome for members of the public to use and understand, impeding fulfillment of the goals underlying the CPRA.

To address that problem, the Legislature asked the Law Revision Commission to study the CPRA on a priority basis and prepare a report containing recommended legislation that would make the CPRA more user-friendly, without changing its substance. More specifically, the Legislature asked the Commission to develop legislation that would:

- (1) Reduce the length and complexity of current sections.
- (2) Avoid unnecessary cross-references.

(3) Neither expand nor contract the scope of existing exemptions to the general rule that records are open to the public pursuant to the current provisions of the CPRA.

(4) To the extent compatible with (3), use terms with common definitions.

(5) Organize the existing provisions in such a way that similar provisions are located in close proximity to one another.

(6) Eliminate duplicative provisions.

(7) Clearly express legislative intent without any change in the substantive provisions.

The Commission studied the CPRA as directed and this is the requested report. In preparing it, the Commission took great care to ensure that the proposed recodification of the CPRA would not make any substantive change in the law.

This recommendation was prepared pursuant to Resolution Chapter 158 of the Statutes of 2018.

Respectfully submitted,

Victor King
Chairperson

CALIFORNIA PUBLIC RECORDS ACT CLEAN-UP

In 2016, the Legislature directed the Law Revision Commission to conduct a strictly nonsubstantive clean-up of the California Public Records Act (“CPRA”)¹ and related provisions. The Legislature requested that the Commission complete this work “as soon as possible, considering the Commission’s preexisting duties and workload demands”² As requested, this recommendation presents a proposed recodification of the CPRA to make it more user-friendly, without changing its substance.

The history and purposes of the CPRA are discussed briefly below, followed by a discussion of the history and purposes of this study. The Commission then describes the general character and noteworthy features of the proposed recodification, as well as the methodology used in preparing it.

Unless otherwise indicated, all further statutory references are to the Government Code.

History and Purposes of the CPRA

The CPRA was enacted in 1968 to promote public access to public records, while also recognizing competing interests.³ In enacting the CPRA, the Legislature, “mindful of the right of individuals to privacy,” found and declared that “access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”⁴

“[P]eople in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are

1. Gov’t Code §§ 6250-6276.48.

2. 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)); see also 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)) (reaffirming Commission’s authority to study CPRA).

3. See 1968 Cal. Stat. ch. 1473.

4. 1968 Cal. Stat. ch. 1473, § 39 (Section 6250).

prohibited from observing.”⁵ The CPRA thus serves “a crucial function.”⁶ As the California Supreme Court has explained:

Implicit in the democratic process is the notion that government should be accountable for its actions. In order to verify accountability, individuals must have access to government files. Such access permits checks against the arbitrary exercise of official power and secrecy in the political process.⁷

Although public access to public records is of great importance, it must sometimes yield to a competing interest.⁸ Thus, the CPRA “contains numerous exemptions to the requirement of public disclosure, many of which are designed to protect individual privacy.”⁹ Under the CPRA, the public “is entitled to inspect public records unless one of the exemptions ... applies.”¹⁰

The CPRA thus strikes “a careful balance” between the right of public access and competing considerations.¹¹ Since its enactment,

5. *Richmond Newspapers v. Virginia*, 448 U.S. 555, 572 (1980).

6. *City of San Jose v. Superior Court*, 2 Cal. 5th 608, 615, 389 P.3d 848, 214 Cal. Rptr. 3d 274 (2017).

7. *Id.*, quoting *Internat’l Federation of Professional and Technical Engineers, Local 21, AFL-CIO v. Superior Court*, 42 Cal. 4th 319, 328-29, 165 P.3d 488, 64 Cal. Rptr. 3d 693 (2007) (internal quotation marks omitted).

8. *City of San Jose*, 2 Cal. 5th at 615; see, e.g., *Commission on Peace Officer Standards & Training v. Superior Court*, 42 Cal. 4th 278, 288, 165 P.3d 462, 64 Cal. Rptr. 3d 661 (2007).

9. *Commission on Peace Officer Standards & Training*, 42 Cal. 4th at 288.

10. *Id.*

11. *City of San Jose*, 2 Cal. 5th at 616; see also *Copley Press, Inc. v. Superior Court*, 39 Cal. 4th 1272, 1282, 141 P.3d 288, 48 Cal. Rptr. 3d 183 (2006) (Judicial decisions interpreting CPRA “seek to balance the public right to access to information, the government’s need, or lack of need, to preserve confidentiality, and the individual’s right to privacy.”).

The statutory balancing of competing interests in the CPRA is similar to the interplay between two sometimes conflicting provisions of the California Constitution: the people’s right of access to information concerning the conduct

the Legislature has continually refined that balance, adjusting the statutory scheme over and over again in an incremental manner as new issues surfaced.¹²

Due to the piecemeal nature of these repeated reforms, the CPRA has developed into a complicated tangle of statutory provisions. In its present form, it is hard for users (especially non-lawyers) to comprehend and follow, and hard for the Legislature to place new material where it logically belongs.

Here are a few illustrations:

- Instead of being grouped together, provisions with the same subject matter are sometimes separated in ways that can make key material hard to find. For example, Section 6254(f) is a long and complicated exemption pertaining to law enforcement records, with multiple caveats, qualifications, exceptions, and exceptions to the exceptions. Sections 6254.30 and 6262 clarify aspects of Section 6254(f), but they are not referenced in, or located in proximity to, Section 6254(f).¹³
- Other CPRA provisions are buried amongst unrelated material. Section 6254.7(c), governing records of a housing or building violation, is a good example. It

of the people's business (Cal. Const. art. I, § 3) and the right of privacy (Cal. Const. art. I, § 1). See, e.g., *City of San Jose*, 2 Cal. 5th at 616 ("Similarly, while the Constitution provides for public access, it does not supersede or modify existing privacy rights."); *Commission on Peace Officer Standards & Training*, 42 Cal. 4th at 288 (comparing balancing in California Constitution with balancing in CPRA).

12. See, e.g., Assembly Committee on Judiciary Analysis of ACR 148 (April 19, 2016), p. 3 ("Since the enactment of the CPRA, it has been amended multiple times to exempt certain records."); Senate Committee on Judiciary Analysis of ACR 148 (June 14, 2016), p. 4 (referring to "nearly 50 years of amendments to the CPRA").

13. Similarly, Section 6254(l) is a CPRA exemption for "[c]orrespondence of and to the Governor or employees of the Governor's office or in the custody of or maintained by the Governor's Legal Affairs Secretary." Sections 6268 and 6268.5 also concern access to the Governor's records, but they are not referenced in, or located in proximity to, Section 6254(l).

could easily be overlooked, because it is located in the middle of Section 6254.7, surrounded by pollution-related material.

- To place new material where it seemed to belong, the Legislature has at times resorted to unsystematic decimal numbering (e.g., Sections 6254.1, 6254.10, 6254.4.5). This is potentially confusing, because it is difficult to determine the proper sequence of those code sections and thus can be difficult to find them.
- At other times, the Legislature has added new material on a subject to an already overlong statute that addresses the same subject and other topics. This necessitates cumbersome labeling, such as Section 6254(f)(4)(B)(ii)(I). Such labeling makes it hard for CPRA users to readily refer to the material in question.

Problems like these impede fulfillment of the purposes underlying the CPRA.

History and Purposes of the Commission's Study

In 2016, the Legislature recognized and decided to address the problems described above. That year, Assembly Member Chau authored the biennial legislative resolution regarding topics assigned to the Commission for study. At the request of the Assembly Committee on Judiciary, he included the following new study in the resolution:

Resolved, That the Legislature authorizes and requests that the California Law Revision Commission study, report on, and prepare recommended legislation as soon as possible, considering the commission's preexisting duties and workload demands, concerning ... revision of the ... California Public Records Act and related provisions, and that this legislation shall accomplish all of the following objectives:

- (1) Reduce the length and complexity of current sections.
- (2) Avoid unnecessary cross-references.

(3) Neither expand nor contract the scope of existing exemptions to the general rule that records are open to the public pursuant to the current provisions of the Public Records Act.

(4) To the extent compatible with (3), use terms with common definitions.

(5) Organize the existing provisions in such a way that similar provisions are located in close proximity to one another.

(6) Eliminate duplicative provisions.

(7) Clearly express legislative intent without any change in the substantive provisions¹⁴

An analysis for the Assembly Committee on Judiciary explained the need for such a study:

The CPRA, signed into law in 1968 as a general record keeping law, allows the public to monitor government activity. Since the enactment of the CPRA, it has been amended multiple times to exempt certain records. ... Due to the multiple changes to the statute, *the CPRA has become difficult for the public to understand*.¹⁵

Similarly, an analysis for the Senate Committee on Judiciary explained:

Because of nearly 50 years of amendments to the CPRA, *the CPRA has become more difficult to understand*. Making it easier for the public to understand their rights to access government information will arguably lead to more access to public records and more government accountability.¹⁶

14. 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)); see also 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)).

15. Assembly Committee on Judiciary Analysis of ACR 148 (April 19, 2016), p. 3 (emphasis added).

16. Senate Committee on Judiciary Analysis of ACR 148 (June 14, 2016), p. 4 (emphasis added).

The Legislature passed the resolution near the end of the legislative session without anyone voting against it. Soon afterwards, the Commission began examining the CPRA as requested.

Scope of Study

As originally introduced, the legislative resolution instructed the Commission to “study, report on, and prepare recommended legislation ... concerning the revision of *the portions of the Government Code relating to public records*”¹⁷ It was not clear whether the study was to encompass all Government Code provisions relating to public records, or only those relating to *inspection* of public records. It was also uncertain at best whether the Commission could examine any related provisions located outside the Government Code, such as statutes that cross-refer to the CPRA.

Later, however, the resolution was amended to instruct the Commission to “study, report on, and prepare recommended legislation ... concerning the revision of ... *the California Public Records Act and related provisions*”¹⁸ Given this amendment, the Commission’s authority appears to be limited to public records *inspection* law, not other aspects of public records law (e.g., laws governing retention of public records¹⁹ or criminalizing conduct relating to public records²⁰).

Importantly, however, the Commission’s authority does not appear to be restricted to the Government Code. Rather, the

17. ACR 148 (Chau), as introduced on March 3, 2016 (emphasis added).

18. Due to what appears to have been an inadvertent error, the 2016 resolution referred to “*the portions of the California Public Records Act and related provisions*” See 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)). The italicized language was deleted when the Commission’s authority to study the CPRA was reaffirmed in 2018. See 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)).

19. See, e.g., Sections 9080 (legislative records), 12220-12237 (State Archives), 14740-14746 (State Records Storage Act), 26201-26202.6 (county records), 34090-34090.8 (city records), 68150-68152 (trial court records). See also Sections 12270-12279 (State Records Management Act).

20. See, e.g., Sections 6200-6203.6.

Commission may examine provisions located elsewhere, so long as they relate to the CPRA. The Commission is thus authorized not only to prepare a recodification of the CPRA, but also to recommend conforming revisions of the many statutes throughout the codes that cross-refer to the CPRA.

Whether the Commission is authorized to go beyond conforming revisions and suggest additional clean-up of record inspection laws other than the CPRA (e.g., the Richard McKee Transparency Act of 2011²¹) is not obvious from the language of the resolution requesting this study. To move the study forward promptly, and keep any resulting legislation manageable in size, the Commission did not do so.

Nonsubstantive Reform

In directing the Commission to study the CPRA, the Legislature said that the Commission's recommended legislation should "[c]learly express legislative intent *without any change* in the substantive provisions" and "[n]either *expand nor contract* the scope of existing exemptions to the general rule that records are open to the public pursuant to the current provisions of the Public Records Act."²² The Legislature thus made clear that the Commission's work was to be entirely nonsubstantive in nature.

The Commission took extreme care to abide by that limitation in preparing this recommendation. The specific measures it took to prevent any substantive change are described below.

Objective and Participatory Study Process

The Commission's study process is well-suited to the development of a nonsubstantive reform of the CPRA, for the following reasons:

21. Sections 92950-92961.

22. 2016 Cal. Stat. res. ch. 150 (emphasis added).

- The Commission is neutral and objective, with a long history of nonpartisan statutory reforms.²³
- The Commission is experienced in drafting legislation to recodify a complex body of law without substantive change.²⁴
- The Commission actively solicits input from affected individuals and interest groups. It carefully considers each comment and often makes revisions in response to concerns raised.
- In proposing a statutory reform, the Commission prepares a thorough report that explains the purpose and effect of the reform. The report also includes a complete draft of the proposed legislation and accompanying commentary, a detailed table of contents, and a table showing the disposition of every affected section. This report facilitates public review of the proposed reform.
- The Commission's work is transparent. All materials are publicly distributed. All deliberations are conducted at open public meetings.²⁵

23. For a listing of reforms that have been enacted on the Commission's recommendation, see the most recent version of its *Annual Report* (available at www.clrc.ca.gov).

24. See, e.g., *Nonsubstantive Reorganization of Deadly Weapon Statutes*, 38 Cal. L. Revision Comm'n Reports 217 (2009) (enacted as 2010 Cal. Stat. chs. 178 & 711, with support from both gun control and gun rights groups); *Civil Discovery: Nonsubstantive Reform*, 33 Cal. L. Revision Comm'n Reports 789 (2003) (enacted as 2004 Cal. Stat. ch. 182, without any "no" votes).

25. For a more thorough description of the Commission's study process, see CLRC Staff Memorandum 2012-1; B. Gaal, *Evidence Legislation in California*, 36 Sw. U. L. Rev. 561 (2008); see also http://www.clrc.ca.gov/Menu5_about/process.html.

Commission Comments

In preparing a recommendation, the Commission drafts an explanatory “Comment” for every section that is added, amended, or repealed.²⁶ A Comment indicates the derivation of the section and often explains its relation to other law.

Virtually every Comment in this recommendation expressly states that a proposed new code section continues an existing code section “without substantive change.”²⁷ That is important because upon enactment of the Commission’s recommendation, the Comment will become a key aid in determining legislative intent.

On completion of its recommendation, the Commission will present the full recommendation, including the Comments, to the Legislature and the Governor. When a bill is introduced to implement the recommendation, the Commission will provide the full recommendation to each member of every policy committee that reviews the bill.

Commission materials that have been placed before and considered by the Legislature are considered evidence of legislative intent,²⁸ and are entitled to great weight in construing

26. In the proposed legislation presented in this recommendation, the Comment for each proposed code section appears immediately after the code section.

27. For example, the Comment to proposed Section 7921.705 states that it “continues former Section 6264 without substantive change.” The Comment refers to the existing provision as “former Section 6264” (rather than “Section 6264”) because the Comment would be used after enactment of the proposed law and repeal of the existing version of the CPRA.

28. See, e.g., *Fair v. Bakhtiari*, 40 Cal. 4th 189, 195, 147 P.3d 653, 51 Cal. Rptr. 3d 871 (2006) (“The Commission’s official comments are deemed to express the Legislature’s intent.”); *People v. Williams*, 16 Cal. 3d 663, 667-68, 547 P.2d 1000, 128 Cal. Rptr. 888 (1976) (“The official comments of the California Law Revision Commission on the various sections of the Evidence Code are declarative of the intent not only of the draft[ers] of the code but also of the legislators who subsequently enacted it.”).

statutes.²⁹ The materials are a key interpretive aid for practitioners as well as courts,³⁰ and courts may judicially notice and rely on them.³¹ Courts at all levels of the state³² and federal³³ judicial systems use Commission materials to construe statutes enacted on Commission recommendation.³⁴

29. See, e.g., *Dep't of Alcoholic Beverage Control v. Alcoholic Beverage Control Appeals Bd.*, 40 Cal. 4th 1, 12-13 n.9, 145 P.3d 462, 50 Cal. Rptr. 585 (2006) (Commission's official comments are persuasive evidence of Legislature's intent); *Hale v. S. Cal. IPA Med. Group, Inc.*, 86 Cal. App. 4th 919, 927, 103 Cal. Rptr. 2d 773, 778 (2001) (In discerning legislative intent, Law Revision Commission reports are entitled to great weight).

30. See 7 B. Witkin, *Summary of California Law Constitutional Law* § 138, at 250 (11th ed. 2017) (Commission reports as aid to construction); Gaylord, *An Approach to Statutory Construction*, 5 Sw. U. L. Rev. 349, 384 (1973).

31. See, e.g., *Kaufman & Broad Communities, Inc. v. Performance Plastering, Inc.* 133 Cal. App. 4th 26, 34 Cal. Rptr. 3d 520 (2005) (providing overview of materials that may be judicially noticed in determining legislative intent); *Hale*, 86 Cal. App. 4th at 927; *Barkley v. City of Blue Lake*, 18 Cal. App. 4th 1745, 1751 n.3, 23 Cal. Rptr. 2d 315 (1993).

32. See, e.g., *Sullivan v. Delta Air Lines, Inc.*, 15 Cal. 4th 288, 298, 935 P.2d 781, 63 Cal. Rptr. 2d 74 (1997) (California Supreme Court); *Admin. Mgmt. Services, Inc. v. Fid. & Deposit Co. of Md.*, 129 Cal. App. 3d 484, 488, 181 Cal. Rptr. 141 (1982) (court of appeal); *Rossetto v. Barross*, 90 Cal. App. 4th Supp. 1, 5-6, 110 Cal. Rptr. 2d 255 (2001) (appellate division of superior court).

33. See, e.g., *California v. Green*, 399 U.S. 149, 154 n.3 (1970) (United States Supreme Court); *S. Cal. Bank v. Zimmerman (In re Hilde)*, 120 F.3d 950, 953 (9th Cir. 1997) (federal court of appeals); *Williams v. Townsend*, 283 F. Supp. 580, 582 (C.D. Cal. 1968) (federal district court); *Ford Consumer Fin. Co. v. McDonell (In re McDonell)*, 204 B.R. 976, 978-79 (B.A.P. 9th Cir. 1996) (bankruptcy appellate panel); *In re Garrido*, 43 B.R. 289, 292 (Bankr. S.D. Cal. 1984) (bankruptcy court).

34. See, e.g., *Jevne v. Superior Court*, 35 Cal. 4th 935, 947, 111 P.3d 954, 28 Cal. Rptr. 3d 685 (2005) (Commission report entitled to substantial weight in construing statute); *Collection Bureau of San Jose v. Ramsey*, 24 Cal. 4th 301, 308 & n.6, 6 P.3d 713, 99 Cal. Rptr. 2d 792 (2000) (Comments to reenacted statute reiterate the clear understanding and intent of original enactment); *Brian W. v. Superior Court*, 20 Cal. 3d 618, 623, 574 P.2d 788, 143 Cal. Rptr. 717 (1978) (Comments persuasive evidence of Legislature's intent); *Volkswagen*

The Commission's Comments to the proposed legislation in this study will thus help to demonstrate that the legislation constitutes a purely nonsubstantive recodification of the CPRA.

Statements of Legislative Intent

The proposed law would be known as the "CPRA Recodification Act of 2020."³⁵ It includes several codified provisions that would expressly state the purpose and effect of the recodification.

Proposed Section 7920.100 is a general statement regarding the nonsubstantive effect of the recodification:

7920.100. Nothing in the CPRA Recodification Act of 2020 is intended to substantively change the law relating to inspection of public records. The act is intended to be entirely nonsubstantive in effect. Every provision of this division and every other provision of this act, including, without limitation, every cross-reference in every provision of the act, shall be interpreted consistent with the nonsubstantive intent of the act.

Proposed Section 7920.105 would make clear that a provision of the proposed law is intended as a restatement and continuation of the provision that it restates, rather than a new enactment, and that any reference to a restated provision is deemed to include a reference to the section that restates it (and vice versa):

7920.105. (a) A provision of this division, or any other provision of the CPRA Recodification Act of 2020, insofar as it is substantially the same as a previously existing provision relating to the same subject matter, shall be considered as a restatement and continuation thereof and not as a new enactment.

(b) A reference in a statute to a previously existing provision that is restated and continued in this division, or in any other provision of the CPRA Recodification Act of

Pac., Inc. v. City of Los Angeles, 7 Cal. 3d 48, 61-63, 496 P.2d 1237, 101 Cal. Rptr. 869 (1972) (Comments evidence clear legislative intent of law).

35. See proposed Section 7920.005 *infra*.

2020, shall, unless a contrary intent appears, be deemed a reference to the restatement and continuation.

(c) A reference in a statute to a provision of this division, or any other provision of the CPRA Recodification Act of 2020, which is substantially the same as a previously existing provision, shall, unless a contrary intent appears, be deemed to include a reference to the previously existing provision.

Another provision (proposed Section 7920.110) would make clear that restatement of an existing CPRA provision is not intended to have any effect, positive or negative, on a judicial interpretation of the restated provision:

7920.110. (a) A judicial decision interpreting a previously existing provision is relevant in interpreting any provision of this division, or any other provision of the CPRA Recodification Act of 2020, which restates and continues that previously existing provision.

(b) However, in enacting the CPRA Recodification Act of 2020, the Legislature has not evaluated the correctness of any judicial decision interpreting a provision affected by the act.

(c) The CPRA Recodification Act of 2020 is not intended to, and does not, reflect any assessment of any judicial decision interpreting any provision affected by the act.

Proposed Section 7920.115 sets forth similar rules with respect to an interpretation advanced in an Attorney General opinion, because such opinions are particularly common and influential in this area of the law.

Lastly, proposed Section 7920.120 would make clear that restatement of a CPRA provision is not intended to have any effect, positive or negative, on a judicial decision or Attorney General opinion on the *constitutionality* of the restated provision:

7920.120. (a) A judicial decision or Attorney General opinion on the constitutionality of a previously existing provision is relevant in determining the constitutionality of any provision of this division, or any other provision of the

CPRA Recodification Act of 2020, which restates and continues that previously existing provision.

(b) However, in enacting the CPRA Recodification Act of 2020, the Legislature has not evaluated the constitutionality of any provision affected by the act, or the correctness of any judicial decision or Attorney General opinion on the constitutionality of any provision affected by the act.

(c) The CPRA Recodification Act of 2020 is not intended to, and does not, reflect any determination of the constitutionality of any provision affected by the act.

The provisions discussed above would establish that enactment of the proposed recodification should not be viewed as acquiescence in any court case or Attorney General opinion construing the CPRA, or as an indication that the Legislature assessed the constitutionality of each recodified section in enacting the recodification. The proposed law would take no stand and have no effect on such matters.

In addition to these codified statements of legislative intent, the proposed legislation includes an uncoded provision that sets forth the following legislative findings:

This act would recodify the California Public Records Act (Sections 6250 to 6276.48, inclusive, of the Government Code) in a more user-friendly manner without changing its substance, and make conforming revisions. Consistent with subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature finds and declares:

(1) This act continues the existing substantive balance between the public's right of access to information concerning the conduct of public business and competing interests. This act does not impose any new limitation on the public's right of access, which would require findings demonstrating the interest protected by the new limitation and the need for protecting that interest.

(2) By making the California Public Records Act more user-friendly, this act furthers the public's right of access to information concerning the conduct of public business.

These legislative findings would further reinforce the nonsubstantive nature of the reform.

Conservative Drafting

In preparing this recommendation, the Commission used a conservative drafting approach. It stuck closely to the existing statutory text, to further minimize the risk of a substantive change.

The Commission was especially cautious with Section 6254(f), the exemption pertaining to law enforcement records. Although that provision is particularly complex and difficult to understand, the Commission refrained from attempting to rephrase it more clearly.³⁶ Instead, to avoid generating concerns about a substantive change, the proposed legislation would relocate the substance of Section 6254(f) in a new article almost verbatim.³⁷ A provision at the end of the article would expressly state that (1) before recodification, the provisions in the article were located in a single subdivision, and (2) dividing the substance of those provisions into multiple code sections was not intended to affect their construction or relation to each other.³⁸ An adjacent article would contain the substance of the related provisions previously mentioned (Sections 6254.30 and 6262).³⁹

Legislative Process

After the Commission completes its study process and issues a final recommendation, the proposed law would be scrutinized carefully in the legislative process, just like any other bill. This

36. Similarly, the Commission refrained from addressing the apparently minor substantive issues that are listed at the end of its report in "Appendix B. Minor Clean-Up Issues for Possible Future Legislative Attention."

37. See proposed Sections 7923.600-7923.625 *infra*.

38. See proposed Section 7923.630 *infra*.

39. See proposed Sections 7923.650-7923.655 *infra*.

would serve as a final safeguard against any substantive change in the law.

Drafting Approach

As discussed above, the Commission used a conservative drafting approach in preparing this recommendation. Other significant drafting techniques and decisions are described below.

Location of the Proposed Law

The CPRA is currently codified as “Chapter 3.5. Inspection of Public Records” in “Division 7. Miscellaneous” in “Title 1. General” in the Government Code. It is divided into two articles:

- “Article 1. General Provisions,”⁴⁰ which contains the heart of the CPRA.
- “Article 2. Other Exemptions from Disclosure,”⁴¹ which contains a list of CPRA exemptions (“the CPRA index”), most of which are located outside the CPRA.

To effectively reorganize the CPRA, it would be helpful to be able to divide the material now in “Article 1. General Provisions” into various subcategories, placing similar provisions together. That would further the legislative objective to “[o]rganize the existing provisions in such a way that similar provisions are located in close proximity to one another.”⁴²

In the hierarchy of the Government Code, an article is the lowest level heading used to organize code sections. Because an article cannot be further subdivided, it would be difficult to effectively reorganize the CPRA in its current code location.

40. Sections 6250-6270.7.

41. Sections 6275-6276.48.

42. 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)); see also 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)) (reaffirming Commission’s authority to study CPRA).

Instead, the proposed law would repeal the existing CPRA and recodify its substance in a new division (Division 10) of Title 1 of the Government Code. This would make it possible to divide that material into parts,⁴³ chapters, and articles — enough subcategories to create a user-friendly organizational scheme.⁴⁴

Structure of the Proposed Law

New Division 10 would be divided into six parts, as follows:

- Part 1. General Provisions.
- Part 2. Disclosure and Exemptions Generally.
- Part 3. Procedures and Related Matters.
- Part 4. Enforcement.
- Part 5. Specific Types of Public Records.
- Part 6. Other Exemptions From Disclosure.

The content of each part is described briefly below.

Proposed “Part 1. General Provisions”⁴⁵ consists of two chapters. “Chapter 1. Preliminary Provisions” includes the short title of the law,⁴⁶ the statements of legislative intent described above,⁴⁷ and a few other preliminary provisions.⁴⁸ “Chapter 2. Definitions” consists of some definitions that apply to the entire

43. There is precedent for using “part” as a subheading within the Government Code. See “Division 3.6. Claims and Actions Against Public Entities and Public Employees” (Sections 810-998.3).

44. In deciding to relocate the CPRA, the Commission noted that the CPRA is currently located near several other chapters that pertain to public records (see Chapters 3, 3.01, 3.1, 3.2, and 3.3 of Division 7 of Title 1). To alert CPRA users to that material, the Commission’s Comment to the introductory provision in new Division 10 would refer each of those chapters. See proposed Section 7920.000 Comment *infra*.

45. Proposed Sections 7920.000-7920.545 *infra*.

46. Proposed Section 7920.000 *infra*.

47. Proposed Sections 7920.100-7920.120 *infra*.

48. Proposed Sections 7920.005 and 7920.200 *infra*.

CPRA.⁴⁹ That chapter also includes (1) the definition of “elected or appointed official,” which is used in a CPRA-wide definition,⁵⁰ and (2) a definition of “former Section 6254 provisions,” which will provide a convenient means of collectively referring to the material that is currently located in Section 6254 (an unmanageably long section) but would be split up in the recodification.⁵¹ The definitions in “Chapter 2. Definitions” would be in alphabetical order. The other definitions used in the CPRA have limited application and would remain in close proximity to the substantive material to which they pertain.⁵²

Proposed “Part 2. Disclosure and Exemptions Generally”⁵³ consists of three chapters. “Chapter 1. Right of Access to Public Records” contains the legislative findings and declarations for the CPRA.⁵⁴ The chapter also contains some restrictions on an agency’s ability to transfer a public record or otherwise relinquish control over its disclosure.⁵⁵ “Chapter 2. General Rules Governing Disclosure”⁵⁶ and “Chapter 3. General Rules Governing Exemptions from Disclosure”⁵⁷ contain material corresponding to their respective titles. Among other things, the CPRA catch-all exemption (existing Section 6255(a)) would be in “Chapter 3. General Rules Governing Exemptions from Disclosure.”⁵⁸

49. See proposed Sections 7920.510-7920.545 *infra*.

50. See proposed Section 7920.500 *infra*.

51. See proposed Section 7920.505 *infra*.

52. See, e.g., proposed Sections 7924.100 and 7924.105 *infra*.

53. Proposed Sections 7921.000-7922.210 *infra*.

54. See proposed Section 7921.000 *infra* (recodifying Section 6250).

55. See proposed Sections 7921.005 and 7921.010 *infra*.

56. Proposed Sections 7921.300-7921.710 *infra*.

57. Proposed Sections 7922.000-7922.210 *infra*.

58. See proposed Section 7922.000 *infra*. To help CPRA users locate the catch-all exemption, the Comments to many of the proposed new sections would refer to it.

Proposed “Part 3. Procedures and Related Matters”⁵⁹ contains a chapter on how to request a public record, which is divided into several articles.⁶⁰ Among other things, the chapter includes the basic rule on inspection of a public record⁶¹ and the basic rule on copying of a public record.⁶² Proposed “Part 3. Procedures and Related Matters” also contains a second chapter, which consists of the CPRA’s procedural rules governing agency regulations, guidelines, systems, and similar matters.⁶³

Proposed “Part 4. Enforcement”⁶⁴ contains provisions relating to enforcement of a CPRA request. It is divided into two chapters: (1) a chapter of general principles relating to enforcement⁶⁵ and (2) a chapter on the enforcement process, which is further subdivided into an article on petitioning the superior court⁶⁶ and an article on writ review and contempt.⁶⁷

Proposed “Part 5. Specific Types of Public Records”⁶⁸ consists of provisions (mostly exemptions) that relate to a specific type of public record. It is divided into nineteen different chapters, each addressing a particular subject matter, such as “Crimes, Weapons, and Law Enforcement”⁶⁹ or “Health Care.”⁷⁰ The chapters are arranged in alphabetical order.

59. Proposed Sections 7922.500-7922.725 *infra*.

60. Proposed Sections 7922.500-7922.605 *infra*.

61. Proposed Section 7922.525 *infra* (recodifying Section 6253(a)).

62. Proposed Section 7922.530(a) *infra* (recodifying Section 6253(b)).

63. See proposed Sections 7922.630-7922.725 *infra*.

64. Proposed Sections 7923.000-7923.500 *infra*.

65. Proposed Sections 7923.000-7923.005 *infra*.

66. Proposed Sections 7923.100-7923.115 *infra*.

67. Proposed Section 7923.500 *infra*.

68. Proposed Sections 7923.600-7929.610 *infra*.

69. Proposed Sections 7923.600-7923.805 *infra*.

70. Proposed Sections 7926.000-7926.430 *infra*.

Lastly, proposed “Part 6. Other Exemptions From Disclosure”⁷¹ contains the CPRA’s alphabetical index of exemptions,⁷² which is not substantive law but rather a tool designed by the Legislature to assist CPRA users locate exemptions scattered throughout the codes.⁷³ Part 6 would continue that index in essentially its current, alphabetical format.⁷⁴ The Commission considered but rejected other possibilities,⁷⁵ such as reorganizing the index by subject matter⁷⁶ or relocating all of the exemptions into the CPRA (thus separating them from other substantive provisions on the same subject matter).⁷⁷

Numbering System

Throughout the proposed legislation, the Commission used a 3-digit decimal system for numbering code sections (e.g., Section

71. Proposed Sections 7930.000-7930.215 *infra*.

72. Sections 6275-6276.48.

73. See Sections 6275-6276. For further discussion of the CPRA index, see CLRC Staff Memorandum 2019-25.

74. The Commission checked each entry in the index and updated some problematic entries as noted in the Comments to proposed Sections 7930.105-7930.115, 7930.130-7930.135, 7930.145, and 7930.155-7930.205 *infra* and discussed in the accompanying Notes.

The Commission also added an entry for California’s constitutional right of privacy (Cal. Const. art. I, § 1), because it is so fundamental. See proposed Section 7930.100 *infra*.

The Commission did not attempt to find other provisions that should be added to the CPRA index. Such research would be time-consuming and could have significantly delayed the progress of this study. It is not essential at this time, because the index is just a user guide (not substantive law) and does not purport to be exhaustive. See Sections 6275-6276 (proposed Sections 7930.000-7930.005 *infra*).

75. See CLRC Minutes (April 2019), p. 6.

76. See CLRC Staff Memorandum 2019-25, pp. 6-8 & attached “Partial Draft of ‘Part 6. Other Exemptions From Disclosure’ of Proposed New Division 10 of Title 1 of the Government Code.”

77. See CLRC Staff Memorandum 2019-25, pp. 5-6.

7920.000). The Commission also left gaps in the numbering, to allow ready insertion of new statutory material in an appropriate location if needed in the future.

This numbering approach will prevent confusion regarding the proper sequencing of code sections. It will also promote logical, user-friendly organization as the CPRA continues to evolve.

Short, Simple Sections

The legislative resolution on this study instructs the Commission to “[r]educe the length and complexity of current sections.”⁷⁸ The CPRA currently contains a number of long and complicated sections, most notably Section 6254, which spans many single-spaced pages if printed from the Legislative Counsel’s website (over 5,500 words), with subdivisions labeled from (a) to (z) followed by (aa) to (ad), some of which are split into paragraphs, subparagraphs, and even unnumbered provisions.⁷⁹

Excessively long sections can obscure relevant details of law, especially if a single section addresses several different subjects. A better approach is to divide the law into a larger number of smaller sections, with each section limited to a single subject.

Short sections have numerous advantages. They enhance readability and understanding of the law, and make it easier to locate and refer to pertinent material. In contrast to a long section, a short section can be amended without undue technical difficulties⁸⁰ and new material can be inserted where logically

78. 2016 Cal. Stat. res. ch. 150 (ACR 148 (Chau)); see also 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth)) (reaffirming Commission’s authority to study CPRA).

79. For the text of Section 6254, see Appendix C. Other, less egregious examples in the CPRA include Sections 6253, 6254.2, 6254.18, and 6254.21.

80. The full text of a section must be set forth in any bill amending the section. Joint Rule 10. A lengthy bill entails higher printing costs than a short one. It also takes longer to review. Much of the material may be unrelated to a proposed reform, wasting reviewers’ time and potentially injecting additional issues into a simple proposal.

appropriate, facilitating sound development of the law.⁸¹ The use of short sections is the preferred drafting technique of the California Code Commission,⁸² the Legislature,⁸³ the Legislative Counsel,⁸⁴ and the Law Revision Commission.⁸⁵

For all of the reasons discussed above, the proposed law would divide lengthy sections into shorter and simpler provisions. The number of sections would approximately double, but the word count would not change that much.

Signposting in Comments

In the proposed legislation, the Comment accompanying each code section would refer to other provisions (particularly within the CPRA) that may be of interest to users.⁸⁶ This would help CPRA users locate material relevant to their situations.

Further, the likelihood that two bills will be introduced to amend the same section is greater if a section is long and covers multiple topics than if a section is short and limited to a single topic. If two bills affect the same section and both are enacted, the bill that is signed last generally prevails over the other bill, rendering it a nullity. Section 9605. This can be avoided by double-jointing the bills or including other language to address the conflict. Taking such steps entails expense and effort, however, and introduces new possibilities for error.

81. In amending a short section, the Legislature is unhampered by constraints such as overlong paragraphs and lack of available subparts. This promotes clear and straightforward drafting, as opposed to confusing and convoluted provisions.

82. California Code Commission, *Drafting Rules and Principles for Use of California Code Commission Draftsmen*, 1947-48 Report, app. G, at 4.

83. Joint Rule 8.

84. Legislative Counsel of California, *Legislative Drafting Manual* 26-28 (1975).

85. CLRC Staff Memorandum 1976-24; First Supplement to CLRC Staff Memorandum 1985-64.

86. See, e.g., proposed Section 7920.000 Comment & proposed Section 7921.000 Comment *infra*.

Cross-References

The CPRA contains numerous internal cross-references. In the proposed legislation, the Commission updated each such cross-reference to reflect the new numbering scheme in the recodification.

To facilitate review of the updated cross-references, this recommendation includes two tables, located immediately after the proposed legislation. One table shows the disposition of each existing code section; the other table shows the derivation of each proposed code section.

The CPRA also contains numerous cross-references to statutes located outside the CPRA. The Commission checked each of those cross-references, as well as each of the internal cross-references, in preparing this recommendation.

A few of the cross-references in the current version of the CPRA are plainly erroneous. Where the proper cross-reference is obvious, the Commission corrected the cross-reference in the proposed legislation, rather than perpetuating the error. The cross-reference corrections are explained in the accompanying Comments; they are also listed and explained in Appendix A. Where the proper cross-reference is not altogether obvious, the Commission left the cross-reference alone, so as not to create a risk of a substantive change.

There are also many code sections located outside the CPRA that cross-refer to one or more provisions within the CPRA. Those cross-references will also need to be conformed to the new numbering scheme in the recodification. The Commission prepared a separate recommendation with those conforming revisions.⁸⁷

One issue relating to cross-references merits special mention. Within the CPRA, some provisions cross-refer to Section 6254 in its entirety;⁸⁸ such cross-references also exist elsewhere in the

87. See *California Public Records Act Clean-Up: Conforming Revisions*, 46 Cal. L. Revision Comm'n Reports 563 (2019).

88. See Sections 6253.1(d)(2) (proposed Section 7922.605(a)), 6254.5 (proposed Section 7921.505), 6254.8 (proposed Section 7928.400), 6254.13 (proposed Section 7929.610), 6254.14(a)(1) (proposed Section 7926.215(a)), 6259(b) (proposed Section 7923.110(a)).

codes.⁸⁹ In at least some of those instances, the Legislature might have intended to use the cross-reference to Section 6254 (sometimes coupled with a cross-reference to another code provision) as a shorthand way of referring to all of the CPRA exemptions generally, or at least all of the exemptions located in the CPRA itself.⁹⁰

That approach may have worked in the past, but Section 6254 no longer contains all (or even almost all) of the CPRA exemptions. Consequently, a cross-reference to “Section 6254” is underinclusive and thus imperfect as a means of referring to all of the exemptions codified in the CPRA, much less all of the CPRA exemptions that are sprinkled throughout the codes.

The Legislature may therefore wish to:

- (1) Revisit each statute that cross-refers to Section 6254 (or “the provisions listed in proposed Section 7920.505”).
- (2) Assess in each instance whether the intent was, or should be, to cross-refer to all of the CPRA exemptions.

89. See Sections 11125.1(a), 54957.5(a); see also Civ. Code § 1798.70; Code Civ. Proc. § 1985.4; Corp. Code § 28106; Educ. Code §§ 72695, 92955; Fin. Code § 31111; Food & Agric. Code § 77965; Health & Safety Code §§ 1280.20; 1798.201; Penal Code § 186.34; Pub. Res. Code § 21167.6.2(a)(2); Rev. & Tax Code §§ 408.2(a), 408.3(a); Water Code § 81671; Welf. & Inst. Code § 827.9(a), (h).

90. See, e.g., CLRC Staff Memorandum 2019-47, pp. 47-48 (discussing comment on proposed recodification of Section 6259(b)); *id.* at Exhibit p. 2 (comment of CPRA Committee of City Attorneys’ Dep’t of League of California Cities on proposed recodification of Section 6259(b) (proposed Section 7923.110)). See also CLRC Staff Memorandum 2019-47, pp. 15-17 (discussing comment on convenient cross-referencing of CPRA exemptions); *id.* at Exhibit p. 7 (comment of California News Publishers Ass’n on convenient cross-referencing of CPRA exemptions).

- (3) If appropriate, replace the existing cross-reference with a more general reference to records exempt from disclosure pursuant to the CPRA.⁹¹

Such work might involve some substantive revisions, so the Commission did not undertake it in the course of this study.

Recently-Enacted, Pending, and Future Legislation

A number of bills affecting substantive provisions of the CPRA were enacted in 2019.⁹² The proposed recodification incorporates that new legislation, as well as recently-enacted legislation affecting some provisions currently listed in the CPRA index.⁹³

91. See generally CLRC Staff Memorandum 2019-47, Exhibit p. 7 (suggestion of California News Publishers Ass’n that “it may be appropriate to consider whether the Legislature needs to make minor substantive changes to the CPRA, and other laws that reference Section 6254, to instead make a more general reference to records exempt from disclosure pursuant to the CPRA.”); see also *id.* at 15-17 (staff analysis of that suggestion).

92. See AB 378 (Limón), 2019 Cal. Stat. ch. 385, §§ 28, 29; AB 857 (Chiu), 2019 Cal. Stat. ch. 442, §§ 8, 9; AB 991 (Gallagher), 2019 Cal. Stat. ch. 497, §§ 130, 131, 334 (subordination clause); AB 1622 (Carrillo), 2019 Cal. Stat. ch. 632, § 5; AB 1819 (Committee on Judiciary), 2019 Cal. Stat. ch. 695, § 1; SB 75 (Committee on Budget), 2019 Cal. Stat. ch. 51, § 64; SB 94 (Committee on Budget & Fiscal Review), 2019 Cal. Stat. ch. 25, § 1; SB 251 (Committee on Banking & Financial Institutions), 2019 Cal. Stat. ch. 143, § 64.

93. See AB 273 (Gonzalez), 2019 Cal. Stat. ch. 216, § 11 (repealing article containing Fish & Game Code § 4041); AB 590 (Mathis), 2019 Cal. Stat. ch. 304, § 118 (amending Food & Agric. Code § 64155 & adding Food & Agric. Code § 64323); AB 1261 (Jones-Sawyer), 2019 Cal. Stat. ch. 580, §§ 7, 8 (repealing & adding Health & Safety Code § 11594); AB 1331 (Bonta), 2019 Cal. Stat. ch. 581, §§ 5, 6 (amending, repealing & adding Penal Code § 13202).

Many other provisions in the CPRA index were also revised in 2019, but not in a manner relevant to how they are described in the index. See, e.g., Bus. & Prof. Code § 30; Fam. Code § 3111; Labor Code § 432.7.

Recent legislation also added some new CPRA exemptions to the codes. Consistent with its general approach to the CPRA index, the Commission did not incorporate those new exemptions into the index. That could be done in a follow-up study comprehensively updating the index. See *supra* note 74.

When a legislator introduces a bill to implement this recommendation, there might be conflicts between that bill and other bills that are pending or subsequently introduced (i.e., two bills might try to revise the same code provision in different ways). If so, the Commission will recommend double-jointing amendments or other steps to eliminate the conflicts and coordinate the bills. Similar steps may be appropriate with regard to a bill that affects a provision listed in the CPRA index. Any such adjustments will be consistent with the nonsubstantive nature of this study.

Delayed Operative Date

Because of the breadth of the organizational changes that would be made by the proposed legislation, the Commission recommends that it be given a delayed operative date. The proposed legislation includes an uncodified provision to that effect, which would delay the operation of the proposed law by one year (i.e., until January 1, 2022).⁹⁴

This delayed operation would provide time for those who work closely with the affected statutes, including legal publishers, to adjust to the new organizational scheme before it takes effect. The Commission's comments and the disposition and derivation tables in the Commission's report would also help ease the transition.

Although the proposed recodification would entail some transitional costs (such as updating manuals and regulations), the Commission believes that the long-term benefits of having a better organized, more user-friendly statutory scheme would soon outweigh those transitional costs. The CPRA would become more readily accessible and understandable to laypersons and other

94. In general, a bill passed by the Legislature and signed by the Governor becomes operative on January 1 of the year after its enactment. See Cal. Const. art. IV, § 8(c)(1); Gov't Code § 9600(a).

For a variety of reasons, some bills specify a delayed operative date. See, e.g., *Preston v. State Bd. of Equalization*, 25 Cal. 4th 197, 223-24, 19 P.3d 1148, 105 Cal. Rptr. 2d 407 (2001); *Cline v. Lewis*, 175 Cal. 315, 318 (1917); *Johnston v. Alexis*, 153 Cal. App. 3d 33, 40 (1984).

persons using it, thus furthering its underlying purposes. Importantly, the new statutory scheme would also afford ample room for future refinement of the CPRA, promoting sound development of the law.

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PROPOSED LEGISLATION

Note. An official Commission “Comment” follows each code section in the proposed recodification. The Comments indicate the source of each recodified code section (or provision within the code section) and describe how the recodified code section (or provision) compares with the law before recodification. Courts have routinely held that the Commission’s Comments are evidence of legislative intent with regard to any legislation that implements a Commission recommendation.

There is a “disposition table” at the end of the proposed recodification. It summarizes, in tabular form, the disposition of every provision of the existing code that has been included in this proposed recodification.

There is also a “derivation table” at the end of the proposed recodification. It summarizes, in tabular form, the statutory derivation of every new code provision in this proposed recodification.

Almost all of the proposed provisions would be located in the Government Code. All references are to the Government Code unless otherwise indicated.

Gov’t Code §§ 6250-6276.48 (repealed). California Public Records Act

SEC. _____. Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code is repealed.

Gov’t Code §§ 7920.000-7930.215 (added). California Public Records Act

SEC. _____. Division 10 (commencing with Section 7920.000) is added to Title 1 of the Government Code, to read:

DIVISION 10. ACCESS TO PUBLIC RECORDS

PART 1. GENERAL PROVISIONS

CHAPTER 1. PRELIMINARY PROVISIONS

Article 1. Short Titles

§ 7920.000. California Public Records Act

7920.000. This division shall be known and may be cited as the California Public Records Act.

Comment. Section 7920.000 continues former Section 6251 without substantive change. The California Public Records Act or “CPRA” was formerly codified as Chapter 3.5 (commencing with Section 6250) of Division 7 of this title.

For a similar law pertaining to federal agencies, see 5 U.S.C. § 552 (“Freedom of Information Act” or “FOIA”).

For a key constitutional provision on “access to information concerning the conduct of the people’s business,” see Cal. Const. art. I, § 3(b). For legislative findings and declarations underlying the CPRA, see Section 7921.000. For an alphabetical index of many CPRA exemptions (most of which are located outside the CPRA), see Sections 7930.000-7930.215.

For guidance on access to legislative records, see Sections 9070-9080 (“Legislative Open Records Act”). For discussion of provisions and doctrines governing access to judicial records, see, e.g., NBC Subsidiary (KNBC-TV), Inc. v. Superior Court, 20 Cal. 4th 1178, 980 P.2d 337, 86 Cal. Rptr. 2d 778 (1999). For a law on access to the records of certain quasi-public entities, see Educ. Code §§ 72690-72701, 89913-89919, 92950-92961 (Richard McKee Transparency Act).

For guidance on record management, see, e.g., Sections 9080 (legislative records), 12220-12237 (State Archives), 14740-14746 (State Records Storage Act), 26200-26202.6, 26205-26205.8, 26206.7-26206.8 (county records), 34090-34090.8 (city records), 68150-68152 (trial court records). See also Sections 12270-12279 (State Records Management Act).

Many other statutes and sources of law govern public records. For instance, the following statutes are located in Division 7 of this title,

where the CPRA was formerly codified: Sections 6200-6203 (crimes relating to public records, documents and certificates), 6204-6204.4 (public records protection and recovery), 6205-6210 (address confidentiality for victims of domestic violence, sexual assault, and stalking), 6215-6216 (address confidentiality for reproductive health care service providers, employees, volunteers, and patients), 6219 (governmental linguistics).

§ 7920.005. CPRA Recodification Act of 2020

7920.005. This division recodifies the provisions of former Chapter 3.5 (commencing with Section 6250) of Division 7 of this title. The act that added this division, and the act that consists of conforming revisions to reflect the addition of this division, shall be known and may be cited as the “CPRA Recodification Act of 2020.”

Comment. Section 7920.005 is new. It provides a convenient means of referring to the recodification of former Sections 6250-6276.48. For background, see *California Public Records Act Clean-Up*, 46 Cal. L. Revision Comm’n Reports 207 (2019).

Article 2. Effect of Recodification

§ 7920.100. Nonsubstantive reform

7920.100. Nothing in the CPRA Recodification Act of 2020 is intended to substantively change the law relating to inspection of public records. The act is intended to be entirely nonsubstantive in effect. Every provision of this division and every other provision of this act, including, without limitation, every cross-reference in every provision of the act, shall be interpreted consistent with the nonsubstantive intent of the act.

Comment. Section 7920.100 is new. It is modeled on Penal Code Section 16005. It makes clear that the CPRA Recodification Act of 2020 has no substantive impact. The act is intended solely to make the California Public Records Act more user-friendly. For background, see *California Public Records Act Clean-Up*, 46 Cal. L. Revision Comm’n Reports 207 (2019).

For specific guidance on the impact of a judicial decision interpreting a predecessor of a provision in this division, see Section 7920.110. For

specific guidance on the impact of an Attorney General opinion interpreting a predecessor of a provision in this division, see Section 7920.115. For specific guidance on the impact of a judicial decision or Attorney General opinion assessing the constitutionality of a predecessor of a provision in this division, see Section 7920.120.

See Sections 7920.005 (“CPRA Recodification Act of 2020”), 7920.530 (“public records”).

§ 7920.105. Continuation of existing law

7920.105. (a) A provision of this division, or any other provision of the CPRA Recodification Act of 2020, insofar as it is substantially the same as a previously existing provision relating to the same subject matter, shall be considered as a restatement and continuation thereof and not as a new enactment.

(b) A reference in a statute to a previously existing provision that is restated and continued in this division, or in any other provision of the CPRA Recodification Act of 2020, shall, unless a contrary intent appears, be deemed a reference to the restatement and continuation.

(c) A reference in a statute to a provision of this division, or any other provision of the CPRA Recodification Act of 2020, which is substantially the same as a previously existing provision, shall, unless a contrary intent appears, be deemed to include a reference to the previously existing provision.

Comment. Section 7920.105 is new. Subdivision (a) is similar to Section 2, which is a standard provision found in many codes. See, e.g., Bus. & Prof. Code § 2; Corp. Code § 2; Fam. Code § 2; Penal Code §§ 5, 16010(a); Prob. Code § 2(a); Veh. Code § 2.

Subdivision (b) is drawn from Section 9604 and Penal Code Section 16010(b).

Subdivision (c) is drawn from Family Code Section 2 and Penal Code Section 16010(c).

See Section 7920.005 (“CPRA Recodification Act of 2020”).

§ 7920.110. Judicial decision interpreting former law

7920.110. (a) A judicial decision interpreting a previously existing provision is relevant in interpreting any provision of this division, or any other provision of the CPRA Recodification Act of

2020, which restates and continues that previously existing provision.

(b) However, in enacting the CPRA Recodification Act of 2020, the Legislature has not evaluated the correctness of any judicial decision interpreting a provision affected by the act.

(c) The CPRA Recodification Act of 2020 is not intended to, and does not, reflect any assessment of any judicial decision interpreting any provision affected by the act.

Comment. Section 7920.110 is new. It is modeled on Penal Code Section 16020.

Subdivision (a) makes clear that case law construing a predecessor provision is relevant in construing its successor in the CPRA Recodification Act of 2020.

Subdivisions (b) and (c) make clear that in recodifying former Sections 6250-6276.48, the Legislature has not taken any position on any case interpreting any of those provisions.

For specific guidance on the impact of an Attorney General opinion interpreting a predecessor of a provision in this division, see Section 7920.115. For specific guidance on the impact of a judicial decision or Attorney General opinion assessing the constitutionality of a predecessor of a provision in this division, see Section 7920.120. For general guidance on the nonsubstantive impact of the CPRA Recodification Act of 2020, see Section 7920.100.

See Section 7920.005 (“CPRA Recodification Act of 2020”).

§ 7920.115. Attorney General opinion interpreting former law

7920.115. (a) An opinion of the Attorney General interpreting a previously existing provision is relevant in interpreting any provision of this division, or any other provision of the CPRA Recodification Act of 2020, which restates and continues that previously existing provision.

(b) However, in enacting the CPRA Recodification Act of 2020, the Legislature has not evaluated the correctness of any Attorney General opinion interpreting a provision affected by the act.

(c) The CPRA Recodification Act of 2020 is not intended to, and does not, reflect any assessment of any Attorney General opinion interpreting any provision affected by the act.

Comment. Section 7920.115 is new. It is comparable to Section 7920.110, but it pertains to Attorney General opinions rather than judicial decisions.

Subdivision (a) makes clear that Attorney General opinions construing a predecessor provision are relevant in construing its successor in the CPRA Recodification Act of 2020.

Subdivisions (b) and (c) make clear that in recodifying former Sections 6250-6276.48, the Legislature has not taken any position on any Attorney General opinion interpreting any of those provisions.

For specific guidance on the impact of a judicial decision interpreting a predecessor of a provision in this division, see Section 7920.110. For specific guidance on the impact of a judicial decision or Attorney General opinion assessing the constitutionality of a predecessor of a provision in this division, see Section 7920.120. For general guidance on the nonsubstantive impact of the CPRA Recodification Act of 2020, see Section 7920.100.

See Section 7920.005 (“CPRA Recodification Act of 2020”).

§ 7920.120. Constitutionality

7920.120. (a) A judicial decision or Attorney General opinion on the constitutionality of a previously existing provision is relevant in determining the constitutionality of any provision of this division, or any other provision of the CPRA Recodification Act of 2020, which restates and continues that previously existing provision.

(b) However, in enacting the CPRA Recodification Act of 2020, the Legislature has not evaluated the constitutionality of any provision affected by the act, or the correctness of any judicial decision or Attorney General opinion on the constitutionality of any provision affected by the act.

(c) The CPRA Recodification Act of 2020 is not intended to, and does not, reflect any determination of the constitutionality of any provision affected by the act.

Comment. Section 7920.120 is new. It is modeled on Penal Code Section 16025. Due to the prevalence and significant impact of Attorney General opinions on CPRA issues, the section expressly refers to Attorney General opinions as well as judicial decisions.

Subdivision (a) makes clear that case law and Attorney General opinions on the constitutionality of a predecessor provision are relevant

in determining the constitutionality of its successor in the CPRA Recodification Act of 2020.

Subdivisions (b) and (c) make clear that in recodifying former Sections 6250-6276.48, the Legislature has not taken any position on the constitutionality of any of those provisions.

For specific guidance on the impact of a judicial decision interpreting a predecessor of a provision in this division, see Section 7920.110. For specific guidance on the impact of an Attorney General opinion interpreting a predecessor of a provision in this division, see Section 7920.115. For general guidance on the nonsubstantive impact of the CPRA Recodification Act of 2020, see Section 7920.100.

See Section 7920.005 (“CPRA Recodification Act of 2020”).

Article 3. Effect of Division

§ 7920.200. Effect of division

7920.200. The provisions of this division shall not be deemed in any manner to affect the status of judicial records as it existed immediately before the effective date of the provision that is continued in this section, nor to affect the rights of litigants, including parties to administrative proceedings, under the laws of discovery of this state, nor to limit or impair any rights of discovery in a criminal case.

Comment. Section 7920.200 continues former Section 6260 without substantive change.

Former Section 6260 was enacted in 1968 (see 1968 Cal. Stat. ch. 1473, § 39) and amended in 1976 to insert the phrase “nor to limit or impair any rights of discovery in a criminal case” (see 1976 Cal. Stat. ch. 314, § 2). The effective date of the original enactment was January 1, 1969. See Cal. Const. art. IV, § 8(c)(1); Gov’t Code § 9600(a).

CHAPTER 2. DEFINITIONS

§ 7920.500. “Elected or appointed official”

7920.500. For purposes of Article 3 (commencing with Section 7928.200) of Chapter 14 of Part 5, “elected or appointed official” includes, but is not limited to, all of the following:

- (a) A state constitutional officer.

- (b) A member of the Legislature.
- (c) A judge or court commissioner.
- (d) A district attorney.
- (e) A public defender.
- (f) A member of a city council.
- (g) A member of a board of supervisors.
- (h) An appointee of the Governor.
- (i) An appointee of the Legislature.
- (j) A mayor.
- (k) A city attorney.
- (l) A police chief or sheriff.
- (m) A public safety official.
- (n) A state administrative law judge.
- (o) A federal judge or federal defender.
- (p) A member of the United States Congress or appointee of the President of the United States.

Comment. Section 7920.500 continues former Section 6254.21(f) without substantive change. See Section 13 (singular includes plural and vice versa).

See Section 7920.535 (“public safety official”).

§ 7920.505. “Former Section 6254 provisions”

7920.505. (a) The following provisions are continuations of provisions that were included in former Section 6254 as that section read when it was repealed by the CPRA Recodification Act of 2020:

- (1) Section 7921.500.
- (2) Sections 7923.600 to 7923.625, inclusive.
- (3) Section 7923.700.
- (4) Sections 7923.800 and 7923.805.
- (5) Section 7924.505.
- (6) Section 7925.000
- (7) Section 7925.005.
- (8) Section 7925.010.
- (9) Section 7926.000.
- (10) Section 7926.100.
- (11) Section 7926.200.

(12) Section 7926.210.

(13) Section 7926.220, except the continuation of former Section 6254.14(b).

(14) Section 7926.225, except the continuation of former Section 6254.14(b).

(15) Section 7926.230, except the continuation of former Section 6254.14(b).

(16) Section 7926.235.

(17) Section 7927.000.

(18) Section 7927.100.

(19) Section 7927.200.

(20) Section 7927.300.

(21) Section 7927.500.

(22) Section 7927.700.

(23) Section 7927.705.

(24) Section 7928.000.

(25) Section 7928.100.

(26) Sections 7928.405 and 7928.410.

(27) Section 7928.705.

(28) Section 7929.000.

(29) Section 7929.200.

(30) Section 7929.205.

(31) Chapter 18 (commencing with Section 7929.400) of Part 5.

(32) Section 7929.605.

(b) The provisions listed in subdivision (a) may be referred to as “former Section 6254 provisions.”

(c) Subdivision (a) does not include any provision that was first codified in one of the specified numerical ranges after the effective date of the CPRA Recodification Act of 2020.

Comment. Section 7920.505 is new. It provides a convenient means of referring to the provisions that comprised former Section 6254.

For a disposition table showing where each provision in former Section 6254 was recodified, as well as a derivation table showing the source of each provision in the CPRA Recodification of 2020, see *California Public Records Act Clean-Up*, 46 Cal. L. Revision Comm’n Reports 207 (2019).

See Section 7920.005 (“CPRA Recodification Act of 2020”).

§ 7920.510. “Local agency”

7920.510. As used in this division, “local agency” includes any of the following:

- (a) A county.
- (b) A city, whether general law or chartered.
- (c) A city and county.
- (d) A school district.
- (e) A municipal corporation.
- (f) A district.
- (g) A political subdivision.
- (h) Any board, commission, or agency of the foregoing.
- (i) Another local public agency.
- (j) An entity that is a legislative body of a local agency pursuant to subdivision (c) or (d) of Section 54952.

Comment. Section 7920.510 continues former Section 6252(a) without substantive change.

In subdivision (j), the erroneous reference to “subdivisions (c) *and* (d) of Section 54952” that appeared in former Section 6252(a) has been replaced with a reference to “subdivision (c) *or* (d) of Section 54952.” (Emphasis added.) This is a technical correction.

See Section 7920.525 (“public agency”).

§ 7920.515. “Member of the public”

7920.515. As used in this division, “member of the public” means any person other than a member, agent, officer, or employee of a federal, state, or local agency who is acting within the scope of that membership, agency, office, or employment.

Comment. Section 7920.515 continues former Section 6252(b) without substantive change.

See Sections 7920.510 (“local agency”), 7920.520 (“person”).

§ 7920.520. “Person”

7920.520. As used in this division, “person” includes any natural person, corporation, partnership, limited liability company, firm, or association.

Comment. Section 7920.520 continues former Section 6252(c) without substantive change.

§ 7920.525. “Public agency”

7920.525. (a) As used in this division, “public agency” means any state or local agency.

(b) As used in Article 5 (commencing with Section 7926.400) of Chapter 5 of Part 5, “public agency” means an entity specified in subdivision (c) of Section 7926.400.

Comment. Subdivision (a) of Section 7920.525 continues former Section 6252(d) without substantive change.

Subdivision (b) is new. It is intended to help persons locate the special definition of “public agency” that applies to the article on reproductive health services facilities (Sections 7926.400-7926.430).

See Sections 7920.510 (“local agency”), 7020.540 (“state agency”).

§ 7920.530. “Public records”

7920.530. (a) As used in this division, “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.

(b) “Public records” in the custody of, or maintained by, the Governor’s office means any writing prepared on or after January 6, 1975.

Comment. Section 7920.530 continues former Section 6252(e) without substantive change.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”), 7920.545 (“writing”).

§ 7920.535. “Public safety official”

7920.535. As used in this division, “public safety official” means the following parties, whether active or retired:

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

(b) A public officer or other person listed in Section 1808.2 or 1808.6 of the Vehicle Code.

(c) An “elected or appointed official” as defined in Section 7920.500.

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

(e) A city attorney and an attorney who represents cities in criminal matters.

(f) An employee of the Department of Corrections and Rehabilitation who supervises inmates or is required to have care or custody of a prisoner.

(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, or a local juvenile hall, camp, ranch, or home, and a probation officer as defined in Section 830.5 of the Penal Code.

(h) A federal prosecutor, a federal criminal investigator, and a National Park Service Ranger working in California.

(i) The surviving spouse or child of a peace officer defined in Section 830 of the Penal Code, if the peace officer died in the line of duty.

(j) State and federal judges and court commissioners.

(k) An employee of the Attorney General, a district attorney, or a public defender who submits verification from the Attorney General, district attorney, or public defender that the employee represents the Attorney General, district attorney, or public defender in matters that routinely place that employee in personal contact with persons under investigation for, charged with, or convicted of, committing criminal acts.

(l) A nonsworn employee of the Department of Justice or a police department or sheriff’s office that, in the course of employment, is responsible for collecting, documenting, and

preserving physical evidence at crime scenes, testifying in court as an expert witness, and other technical duties, and a nonsworn employee that, in the course of employment, performs a variety of standardized and advanced laboratory procedures in the examination of physical crime evidence, determines their results, and provides expert testimony in court.

Comment. Section 7920.535 continues former Section 6254.24 without substantive change.

In subdivision (b), the erroneous reference to “Sections 1808.2 *and* 1808.6 of the Vehicle Code” that appeared in former Section 6254.24(b) has been replaced with a reference to “Section 1808.2 *or* 1808.6 of the Vehicle Code.” (Emphasis added.) This is a technical correction.

In subdivision (g), the erroneous phrase “*and* a local juvenile hall, camp, ranch, or home” that appeared in former Section 6254.24(g) has been replaced with the phrase “*or* a local juvenile hall, camp, ranch, or home.” (Emphasis added.) This is a technical correction.

See Section 7920.520 (“person”).

§ 7920.540. “State agency”

7920.540. (a) As used in this division, “state agency” means every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(b) Notwithstanding subdivision (a) or any other law, “state agency” also means the State Bar of California, as described in Section 6001 of the Business and Professions Code.

Comment. Section 7920.540 continues former Section 6252(f) without substantive change.

§ 7920.545. “Writing”

7920.545. As used in this division, “writing” means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words,

pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

Comment. Section 7920.545 continues former Section 6252(g) without substantive change. The same definition of “writing” is used in the Evidence Code. See Evid. Code § 250.

PART 2. DISCLOSURE AND EXEMPTIONS GENERALLY

CHAPTER 1. RIGHT OF ACCESS TO PUBLIC RECORDS

§ 7921.000. Legislative findings and declarations

7921.000. In enacting this division, 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.

Comment. Section 7921.000 continues former Section 6250 without substantive change.

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.

For general rules governing disclosure of public records under the California Public Records Act (“CPRA”), see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7921.005. Control of disclosure of information by another party

7921.005. A state or local agency may not allow another party to control the disclosure of information that is otherwise subject to disclosure pursuant to this division.

Comment. Section 7921.005 continues former Section 6253.3 without substantive change.

For a similar restriction, see Section 7921.010 (providing public record to private entity). For legislative findings and declarations underlying the California Public Records Act (“CPRA”), see Section 7921.000. For inspection and copying of a public record, see Sections 7922.525 and 7922.530.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7921.010. Providing public record to private entity

7921.010. (a) Notwithstanding any other provision of law, no state or local agency shall sell, exchange, furnish, or otherwise provide a public record subject to disclosure pursuant to this division to a private entity in a manner that prevents a state or local agency from providing the record directly pursuant to this division.

(b) Nothing in this section requires a state or local agency to use the State Printer to print public records.

(c) Nothing in this section prevents the destruction of a public record pursuant to law.

(d) This section shall not apply to contracts entered into before January 1, 1996, between the County of Santa Clara and a private

entity, for the provision of public records subject to disclosure under this division.

Comment. Section 7921.010 continues former Section 6270 without substantive change.

For a similar restriction, see Section 7921.005 (control of disclosure of information by another party). For legislative findings and declarations underlying the California Public Records Act (“CPRA”), see Section 7921.000. For inspection and copying of a public record, see Sections 7922.525 and 7922.530.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.530 (“public records”), 7920.540 (“state agency”).

CHAPTER 2. GENERAL RULES GOVERNING DISCLOSURE

Article 1. Nondiscrimination

§ 7921.300. Prohibition on limitation of access based on purpose of request

7921.300. This division does not allow limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure.

Comment. Section 7921.300 continues former Section 6257.5 without substantive change.

For other provisions that prohibit discrimination in disclosing information under the California Public Records Act (“CPRA”), see Sections 7921.305 and 7921.310. For rules relating to voluntary

disclosure, see Sections 7921.500-7921.505. For rules that specifically address disclosure to a district attorney, see Sections 7921.700-7921.710.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 ("public records").

§ 7921.305. Access by elected member or officer of agency

7921.305. (a) Notwithstanding the definition of "member of the public" in Section 7920.515, an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person. Nothing in this section shall limit the ability of elected members or officers to access public records permitted by law in the administration of their duties.

(b) This section does not constitute a change in, but is declaratory of, existing law.

Comment. Section 7921.305 continues former Section 6252.5 without substantive change.

For other provisions that prohibit discrimination in disclosing information under the California Public Records Act ("CPRA"), see Sections 7921.300 and 7921.310. For rules relating to voluntary disclosure, see Sections 7921.500-7921.505. For rules that specifically address disclosure to a district attorney, see Sections 7921.700-7921.710.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see

Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7920.530 ("public records"), 7920.540 ("state agency").

§ 7921.310. Nondiscrimination by local agency in disclosure to members of local legislative body

7921.310. Notwithstanding Section 7921.305 or any other provision of law, when the members of a legislative body of a local agency are authorized to access a writing of the body or of the agency as permitted by law in the administration of their duties, the local agency, as defined in Section 54951, shall not discriminate between or among any of those members as to which writing or portion thereof is made available or when it is made available.

Comment. Section 7921.310 continues former Section 6252.7 without substantive change.

For other provisions that prohibit discrimination in disclosing information under the California Public Records Act ("CPRA"), see Sections 7921.300 and 7921.305. For rules relating to voluntary disclosure, see Sections 7921.500-7921.505. For rules that specifically address disclosure to a district attorney, see Sections 7921.700-7921.710.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.545 ("writing"). See also Section 7920.510 ("local agency"); but see Section 54951 ("local agency").

Article 2. Voluntary Disclosure

§ 7921.500. Voluntary disclosure by agency

7921.500. Unless disclosure is otherwise prohibited by law, the provisions listed in Section 7920.505 do not prevent any agency from opening its records concerning the administration of the agency to public inspection.

Comment. Section 7921.500 continues the next-to-last paragraph of former Section 6254 without substantive change.

For circumstances in which disclosure of a public record constitutes a waiver of exemptions to the California Public Records Act ("CPRA"), see Section 7921.505. For provisions that prohibit discrimination in disclosing information under the CPRA, see Sections 7921.300-7921.310. For rules that specifically address disclosure to a district attorney, see Sections 7921.700-7921.710.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.505 (“former Section 6254 provisions”).

§ 7921.505. Waiver of exemption based on disclosure

7921.505. (a) As used in this section, “agency” includes a member, agent, officer, or employee of the agency acting within the scope of that membership, agency, office, or employment.

(b) Notwithstanding any other law, if a state or local agency discloses to a member of the public a public record that is otherwise exempt from this division, this disclosure constitutes a waiver of the exemptions specified in:

- (1) The provisions listed in Section 7920.505.
- (2) Sections 7924.510 and 7924.700.
- (3) Other similar provisions of law.

(c) This section, however, does not apply to any of the following disclosures:

(1) A disclosure made pursuant to the Information Practices Act (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) or a discovery proceeding.

(2) A disclosure made through other legal proceedings or as otherwise required by law.

(3) A disclosure within the scope of disclosure of a statute that limits disclosure of specified writings to certain purposes.

(4) A disclosure not required by law, and prohibited by formal action of an elected legislative body of the local agency that retains the writing.

(5) A disclosure made to a governmental agency that agrees to treat the disclosed material as confidential. Only persons authorized in writing by the person in charge of the agency

shall be permitted to obtain the information. Any information obtained by the agency shall only be used for purposes that are consistent with existing law.

(6) A disclosure of records relating to a financial institution or an affiliate thereof, if the disclosure is made to the financial institution or affiliate by a state agency responsible for regulation or supervision of the financial institution or affiliate.

(7) A disclosure of records relating to a person who is subject to the jurisdiction of the Department of Business Oversight, if the disclosure is made to the person who is the subject of the records for the purpose of corrective action by that person, or, if a corporation, to an officer, director, or other key personnel of the corporation for the purpose of corrective action, or to any other person to the extent necessary to obtain information from that person for the purpose of an investigation by the Department of Business Oversight.

(8) A disclosure made by the Commissioner of Business Oversight under Section 450, 452, 8009, or 18396 of the Financial Code.

(9) A disclosure of records relating to a person who is subject to the jurisdiction of the Department of Managed Health Care, if the disclosure is made to the person who is the subject of the records for the purpose of corrective action by that person, or, if a corporation, to an officer, director, or other key personnel of the corporation for the purpose of corrective action, or to any other person to the extent necessary to obtain information from that person for the purpose of an investigation by the Department of Managed Health Care.

Comment. Subdivision (a) of Section 7921.505 continues the second sentence of former Section 6254.5 without substantive change.

Subdivision (b) continues the first sentence of former Section 6254.5 without substantive change.

Subdivision (c) continues former Section 6254.5(a)-(i) without substantive change.

For a provision governing voluntary disclosure of a public record under the California Public Records Act (“CPRA”), see Section 7921.500. For provisions that prohibit discrimination in disclosing information under the CPRA, see Sections 7921.300-7921.310. For rules that specifically address disclosure to a district attorney, see Sections 7921.700-7921.710.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.515 (“member of the public”), 7920.520 (“person”), 7920.530 (“public records”), 7920.540 (“state agency”), 7920.545 (“writing”).

Article 3. Disclosure to District Attorney and Related Matters

§ 7921.700. Inspection or copying of public record by district attorney

7921.700. A state or local agency shall allow an inspection or copying of any public record or class of public records not exempted by this division when requested by a district attorney.

Comment. Section 7921.700 continues former Section 6263 without substantive change.

For guidance on enforcement of a district attorney's right to inspect or copy public records, see Section 7921.705. For the effect of disclosure to a district attorney, see Section 7921.710. For a special rule governing a request by a district attorney for records of a complaint to, or an investigation conducted by, a state or local agency for licensing purposes, see Section 7923.650.

For rules relating to voluntary disclosure of a public record under the California Public Records Act ("CPRA"), see Sections 7921.500-7921.505. For provisions that prohibit discrimination in disclosing information under the CPRA, see Sections 7921.300-7921.310.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules relating to crimes, weapons, and law enforcement, see Sections 7923.600-7923.805. For other special rules applicable to specific types of public records, see Sections 7924.000-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.530 ("public records"), 7920.540 ("state agency").

§ 7921.705. Enforcement of district attorney's right to inspect or copy

7921.705. (a) If a district attorney makes a request to a state or local agency to inspect or receive a copy of a public record or class of public records not exempted by this division, and the state or local agency fails or refuses to allow inspection or copying within

10 working days of that request, the district attorney may petition a court of competent jurisdiction to require the state or local agency to allow the requested inspection or copying.

(b) Unless the public interest or good cause in withholding the requested records clearly outweighs the public interest in disclosure, the court may require the public agency to allow the district attorney to inspect or copy those records.

Comment. Section 7921.705 continues former Section 6264 without substantive change.

For a district attorney's right to inspect or copy public records, see Section 7921.700. For the effect of disclosure to a district attorney, see Section 7921.710. For a special rule governing a request by a district attorney for records of a complaint to, or an investigation conducted by, a state or local agency for licensing purposes, see Section 7923.650.

For rules relating to voluntary disclosure of a public record under the California Public Records Act ("CPRA"), see Sections 7921.500-7921.505. For provisions that prohibit discrimination in disclosing information under the CPRA, see Sections 7921.300-7921.310.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules relating to crimes, weapons, and law enforcement, see Sections 7923.600-7923.805. For other special rules applicable to specific types of public records, see Sections 7924.000-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.530 ("public records"), 7920.540 ("state agency").

§ 7921.710. Effect of disclosure to district attorney

7921.710. Disclosure of records to a district attorney under the provisions of this division shall effect no change in the status of the records under any other provision of law.

Comment. Section 7921.710 continues former Section 6265 without substantive change.

For a district attorney's right to inspect or copy public records, see Section 7921.700. For enforcement of that right, see Section 7921.705. For a special rule governing a request by a district attorney for records of a complaint to, or an investigation conducted by, a state or local agency for licensing purposes, see Section 7923.650.

For rules relating to voluntary disclosure of a public record under the California Public Records Act ("CPRA"), see Sections 7921.500-7921.505. For provisions that prohibit discrimination in disclosing information under the CPRA, see Sections 7921.300-7921.310.

For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For special rules relating to crimes, weapons, and law enforcement, see Sections 7923.600-7923.805. For other special rules applicable to specific types of public records, see Sections 7924.000-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 3. GENERAL RULES GOVERNING EXEMPTIONS FROM DISCLOSURE

Article 1. Justification for Withholding of Record

§ 7922.000. Justification for withholding of record (CPRA catch-all exemption)

7922.000. An agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this division, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

Comment. Section 7922.000 continues former Section 6255(a) without substantive change. This provision is sometimes known as the “catch-all exemption” to the California Public Records Act (“CPRA”).

For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210. For additional CPRA exemptions and special rules applicable to specific types of public records (including some rules relating to social security numbers), see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 2. Social Security Numbers and Related Matters

§ 7922.200. Redaction of SSN by local agency

7922.200. (a) It is the intent of the Legislature that, in order to protect against the risk of identity theft, a local agency shall redact social security numbers from a record before disclosing the record to the public pursuant to this division.

(b) Nothing in this division shall be construed to require a local agency to disclose a social security number.

(c) This section does not apply to a record maintained by a county recorder.

Comment. Section 7922.200 continues former Section 6254.29 without substantive change.

For truncation of a social security number by a county recorder, see Section 7922.205. For truncation of a social security number with regard to a secured transaction, see Section 7922.210. For additional exemptions to the California Public Records Act (“CPRA”) and special rules applicable to specific types of public records (including some rules relating to social security numbers), see Sections 7922.000, 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.510 (“local agency”).

§ 7922.205. Truncation of SSN by county recorder

7922.205. Nothing in this division 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.

Comment. Section 7922.205 continues former Section 6254.27 without substantive change.

For redaction of a social security number by a local agency, see Section 7922.200. For truncation of a social security number with regard to a secured transaction, see Section 7922.210. For additional exemptions to the California Public Records Act (“CPRA”) and special rules applicable to specific types of public records (including some rules relating to social security numbers), see Sections 7922.000, 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7922.210. Truncation of SSN with regard to secured transaction

7922.210. Nothing in this division shall be construed to require the disclosure by a filing office of any “official filing,” if a “public filing” version of that record is available pursuant to Section 9526.5 of the Commercial Code.

Comment. Section 7922.210 continues former Section 6254.28 without substantive change.

The erroneous references to an “official record” and a “public record” in former Section 6254.28 have been replaced with references to an

“official filing” and a “public filing,” respectively, to conform to the terminology used in Commercial Code Section 9526.5. This is a technical correction.

For redaction of a social security number by a local agency, see Section 7922.200. For truncation of a social security number by a county recorder, see Section 7922.205. For additional exemptions to the California Public Records Act (“CPRA”) and special rules applicable to specific types of public records (including some rules relating to social security numbers), see Sections 7922.000, 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

PART 3. PROCEDURES AND RELATED MATTERS

CHAPTER 1. REQUEST FOR A PUBLIC RECORD

Article 1. General Principles

§ 7922.500. No delay or obstruction

7922.500. Nothing in this division shall be construed to permit an agency to delay or obstruct the inspection or copying of public records.

Comment. Section 7922.500 continues the first sentence of former Section 6253(d) without substantive change.

For a related provision, see Section 7922.505 (option to adopt requirements that allow faster, more efficient, of greater access than minimum standards). For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.525-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 ("public records").

§ 7922.505. Option to adopt requirements that allow faster, more efficient, or greater access than minimum standards

7922.505. Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this division.

Comment. Section 7922.505 continues former Section 6253(e) without substantive change.

For a related provision, see Section 7922.500 (no delay or obstruction). For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.525-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.540 ("state agency").

Article 2. Procedural Requirements Generally

§ 7922.525. Inspection of public record

7922.525. (a) Public records are open to inspection at all times during the office hours of a state or local agency and every person has a right to inspect any public record, except as otherwise provided.

(b) Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.

Comment. Subdivision (a) of Section 7922.525 continues the first sentence of former Section 6253(a) without substantive change.

Subdivision (b) continues the second sentence of former Section 6253(a) without change.

For guidance on obtaining a copy of a public record, see Section 7922.530. For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.505, 7922.535-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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 the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7920.530 ("public records"), 7920.540 ("state agency").

§ 7922.530. Copy of public record

7922.530. (a) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so.

(b) A requester who inspects a disclosable record on the premises of the agency has the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in either of the following:

- (1) Damage to the record.

- (2) Unauthorized access to the agency's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the agency's electronic records.

(c) The agency may impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. In addition, the agency may impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.

Comment. Subdivision (a) of Section 7922.530 continues former Section 6253(b) without change.

Subdivision (b) continues former Section 6253(d)(1) without substantive change.

Subdivision (c) continues former Section 6253(d)(2) without substantive change.

For guidance on inspection of a public record, see Section 7922.525. For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.505, 7922.535-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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 the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7920.530 ("public records"), 7920.540 ("state agency").

<p>Note. Proposed Section 7922.530 incorporates revisions of Section 6253(d) made by Assembly Bill 1819 (Committee on Judiciary), 2019 Cal. Stat. ch. 695, § 1.</p>
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§ 7922.535. Time to respond

7922.535. (a) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. If the agency determines that the request seeks disclosable public records, the agency shall also state the estimated date and time when the records will be made available.

(b) In unusual circumstances, the time limit prescribed in this article and Article 1 (commencing with Section 7922.500) may be extended by written notice from the head of the agency or a designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days.

(c) As used in this section, “unusual circumstances” means the following, but only to the extent reasonably necessary to the proper processing of the particular request:

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

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

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

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

Comment. Subdivision (a) of Section 7922.535 continues the first and fourth sentences of former Section 6253(c) without substantive change.

Subdivision (b) continues the second and third sentences of former Section 6253(c) without substantive change.

Subdivision (c) continues the fifth sentence of former Section 6253(c) without change.

For further guidance on the timing of an agency's response to a record request, see Section 7922.500 (no delay or obstruction) and 7922.505 (option to adopt requirements that allow faster, more efficient, or greater access than minimum standards). For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.525-7922.530, 7922.540-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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 the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records").

§ 7922.540. Denial of request

7922.540. (a) A response to a written request for inspection or copies of public records that includes a determination that the request is denied, in whole or in part, shall be in writing.

(b) The notification of denial shall set forth the names and titles or positions of each person responsible for the denial.

(c) An agency shall justify withholding any record by complying with Section 7922.000.

Comment. Subdivision (a) of Section 7922.540 continues former Section 6255(b) without change.

Subdivision (b) continues former Section 6253(d)(3) without substantive change.

Subdivision (c) is new. It is a nonsubstantive signpost provision, included simply to alert readers to the requirements of Section 7922.000 (justification for withholding of record).

For an agency's duty to assist a person requesting records under the California Public Records Act ("CPRA"), see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.535, 7922.545-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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 the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.545 ("writing").

§ 7922.545. Posting public record on agency's internet website

7922.545. (a) In addition to maintaining public records for public inspection during its office hours, a public agency may comply with Section 7922.525 by posting any public record on its internet website and, in response to a request for a public record posted on the internet website, directing a member of the public to the location on the internet website where the public record is posted.

(b) However, if after the public agency directs a member of the public to the internet website, the member of the public requesting the public record requests a copy of the public record due to an inability to access or reproduce the public record from the internet website, the public agency shall promptly provide a copy of the public record pursuant to subdivision (a) of Section 7922.530.

Comment. Subdivision (a) of Section 7922.545 continues the first sentence of former Section 6253(f) without substantive change.

Subdivision (b) continues the second sentence of former Section 6253(f) without substantive change.

For further guidance in the California Public Records Act (“CPRA”) on agency websites, see Sections 7922.680 (formatting of record that local agency posts on internet resource), 7922.715 (posting catalog of enterprise systems on local agency’s website). See also Section 7922.570 (disclosure of information in electronic format).

For an agency’s duty to assist a person requesting records under the CPRA, see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.575-7922.585, 7922.605-7922.640, 7922.700-7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.515 (“member of the public”), 7920.525 (“public agency”), 7920.530 (“public records”).

Article 3. Information in Electronic Format

§ 7922.570. Disclosure of information in electronic format

7922.570. (a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this division that is in an

electronic format shall make that information available in an electronic format when requested by any person.

(b) When applicable, the agency shall do the following:

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

(2) The agency shall provide a copy of an electronic record in the format requested if the requested format is one that the agency has used to create copies for its own use or for provision to other agencies.

(c) If a request is for information in other than electronic format, and the information also is in electronic format, an agency may inform the requester that the information is available in electronic format.

Comment. Subdivision (a) of Section 7922.570 continues the first part of the introductory clause of former Section 6253.9 without substantive change.

Subdivision (b) continues paragraph (a)(1), the first sentence of paragraph (a)(2), and the second part of the introductory clause of former Section 6253.9 without substantive change.

Subdivision (c) continues former Section 6253.9(d) without substantive change.

For guidance on the cost of duplicating an electronic record, see Section 7922.575. For limitations on the application of Sections 7922.570 and 7922.575, see Section 7922.580. For guidance on computer software, see Section 7922.585.

For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For an agency’s duty to assist a person requesting records under the CPRA, see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.605-7922.640, 7922.700-7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records").

§ 7922.575. Cost of duplication

7922.575. (a) The cost of duplication of an electronic record pursuant to paragraph (2) of subdivision (b) of Section 7922.570 shall be limited to the direct cost of producing a copy of a record in an electronic format.

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

(1) In order to comply with subdivisions (a) and (b) of Section 7922.570, the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals.

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

Comment. Subdivision (a) of Section 7922.575 continues the second sentence of former Section 6253.9(a)(2) without substantive change.

Subdivision (b) continues former Section 6253.9(b) without substantive change.

For guidance on disclosure of a public record in electronic format, see Section 7922.570. For limitations on the application of Sections 7922.570 and 7922.575, see Section 7922.580. For guidance on computer software, see Section 7922.585.

For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For an agency’s duty to assist a person requesting records under the CPRA, see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.605-7922.640, 7922.700-7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 (“public agency”).

§ 7922.580. Limitations

7922.580. (a) Nothing in Section 7922.570 or 7922.575 shall be construed to require a public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format.

(b) Nothing in Section 7922.570 or 7922.575 shall be construed to permit an agency to make information available only in an electronic format.

(c) Nothing in Section 7922.570 or 7922.575 shall be construed to require a public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the

original record or of any proprietary software in which it is maintained.

(d) Nothing in Section 7922.570 or 7922.575 shall be construed to permit public access to records held by any agency to which access is otherwise restricted by statute.

Comment. Subdivision (a) of Section 7922.580 continues former Section 6253.9(c) without substantive change.

Subdivision (b) continues former Section 6253.9(e) without substantive change.

Subdivision (c) continues former Section 6253.9(f) without substantive change.

Subdivision (d) continues former Section 6253.9(g) without substantive change.

For guidance on disclosure of a public record in electronic format, see Section 7922.570. For guidance on the cost of duplicating an electronic record, see Section 7922.575. For guidance on computer software, see Section 7922.585.

For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For an agency’s duty to assist a person requesting records under the CPRA, see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.605-7922.640, 7922.700-7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 (“public agency”).

§ 7922.585. Computer software

7922.585. (a) As used in this section, “computer software” includes computer mapping systems, computer programs, and computer graphics systems.

(b) Computer software developed by a state or local agency is not itself a public record under this division. The agency may sell, lease, or license the software for commercial or noncommercial use.

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

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

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

Comment. Section 7922.585 continues former Section 6254.9 without substantive change.

For guidance on disclosure of a public record in electronic format, see Section 7922.570. For guidance on the cost of duplicating an electronic record, see Section 7922.575. For limitations on the application of Sections 7922.570 and 7922.575, see Section 7922.580.

For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For an agency’s duty to assist a person requesting records under the CPRA, see Section 7922.600. For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.605-7922.640, 7922.700-

7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.530 ("public records"), 7920.540 ("state agency").

Article 4. Duty to Assist in Formulating Request

§ 7922.600. Duty to provide assistance

7922.600. (a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances:

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

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

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

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

(c) The requirements of subdivision (a) are in addition to any action required of a public agency by Article 1 (commencing with Section 7922.500) or Article 2 (commencing with Section 7922.525).

Comment. Section 7922.600 continues former Section 6253.1(a)-(c) without substantive change.

For further guidance regarding assistance to the public, see Sections 7922.500 (no delay or obstruction), 7922.505 (option to adopt requirements that allow faster, more efficient, or greater access than minimum standards). For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.525-7922.585, 7922.605-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.515 (“member of the public”), 7920.525 (“public agency”), 7920.530 (“public records”).

§ 7922.605. Inapplicability of article

7922.605. This article shall not apply to a request for public records if any of the following applies:

(a) The public agency makes the requested records available pursuant to Article 1 (commencing with Section 7922.500) and Article 2 (commencing with Section 7922.525).

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

(c) The public agency determines that the request should be denied and bases that determination solely on an exemption listed in Section 7920.505.

Comment. Section 7922.605 continues former Section 6253.1(d) without substantive change.

For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.525-7922.600, 7922.630-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.525 (“public agency”), 7920.530 (“public records”).

CHAPTER 2. AGENCY REGULATIONS, GUIDELINES, SYSTEMS, AND SIMILAR MATTERS

Article 1. Agency Regulations and Guidelines

§ 7922.630. Authority to adopt regulations

7922.630. Every agency may adopt regulations in accordance with this article stating the procedures to be followed when making its records available.

Comment. Section 7922.630 continues the first paragraph of former Section 6253.4(a) without substantive change.

For further guidance on adoption of regulations, see Sections 7922.500 (no delay or obstruction), 7922.505 (option to adopt requirements that allow faster, more efficient, or greater access than minimum standards), 7922.635 (agencies required to establish & make available written guidelines for accessibility of records), 7922.640 (limitations on guidelines & regulations).

For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.525-7922.605, 7922.680-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7922.635. Agencies required to establish and make available written guidelines for accessibility of records

7922.635. (a) The following state and local bodies shall establish written guidelines for accessibility of records:

- (1) All regional water quality control boards.
- (2) Bay Area Air Pollution Control District.
- (3) Bureau of Real Estate.
- (4) California Coastal Commission.
- (5) Department of Business Oversight.
- (6) Department of Consumer Affairs.
- (7) Department of Corrections and Rehabilitation.
- (8) Department of General Services.

- (9) Department of Industrial Relations.
- (10) Department of Insurance.
- (11) Department of Justice.
- (12) Department of Managed Health Care.
- (13) Department of Motor Vehicles.
- (14) Department of Parks and Recreation.
- (15) Department of Toxic Substances Control.
- (16) Department of Veterans Affairs.
- (17) Department of Water Resources.
- (18) Division of Juvenile Justice.
- (19) Employment Development Department.
- (20) Golden Gate Bridge, Highway and Transportation District.
- (21) Los Angeles County Air Pollution Control District.
- (22) Office of Environmental Health Hazard Assessment.
- (23) Public Employees' Retirement System.
- (24) Public Utilities Commission.
- (25) San Francisco Bay Area Rapid Transit District.
- (26) San Francisco Bay Conservation and Development Commission.
- (27) Secretary of State.
- (28) State Air Resources Board.
- (29) State Board of Equalization.
- (30) State Department of Developmental Services.
- (31) State Department of Health Care Services.
- (32) State Department of Public Health.
- (33) State Department of Social Services.
- (34) State Department of State Hospitals.
- (35) State Water Resources Control Board.
- (36) Teachers' Retirement Board.
- (37) Transportation Agency.

(b) A copy of these guidelines shall be posted in a conspicuous public place at the offices of these bodies, and a copy of the guidelines shall be available upon request, free of charge, to any person requesting that body's records.

Comment. Section 7922.635 continues the second paragraph of former Section 6253.4(a) without substantive change.

For further guidance on adoption of guidelines and regulations, see Sections 7922.500 (no delay or obstruction), 7922.505 (option to adopt requirements that allow faster, more efficient, or greater access than minimum standards), 7922.630 (authority to adopt regulations), 7922.640 (limitations on guidelines & regulations).

For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.525-7922.605, 7922.680-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7922.640. Limitations on guidelines and regulations

7922.640. (a) Guidelines and regulations adopted pursuant to this article shall be consistent with all other sections of this division and shall reflect the intention of the Legislature to make the records accessible to the public.

(b) Guidelines and regulations adopted pursuant to this article shall not operate to limit the hours public records are open for inspection as prescribed in Article 1 (commencing with Section 7922.500) and Article 2 (commencing with Section 7922.525).

Comment. Section 7922.640 continues former Section 6253.4(b) without substantive change.

For further guidance on adoption of guidelines and regulations, see Sections 7922.500 (no delay or obstruction), 7922.505 (option to adopt requirements that allow faster, more efficient, or greater access than

minimum standards), 7922.630 (authority to adopt regulations), 7922.635 (agencies required to establish and make available written guidelines for accessibility of records).

For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.525-7922.605, 7922.680-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 (“public records”).

Article 2. Internet Resources

§ 7922.680. Formatting of record that local agency posts on internet resource

7922.680. If a local agency, except a school district, maintains an internet resource, including, but not limited to, an internet website, internet web page, or internet web portal, which the local agency describes or titles as “open data,” and the local agency voluntarily posts a public record on that internet resource, the local agency shall post the public record in an open format that meets all of the following requirements:

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

(b) Platform independent and machine readable.

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

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

Comment. Section 7922.680 continues former Section 6253.10 without change.

For further guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website) and 7922.715 (posting catalog of enterprise systems on local agency’s website). See also Section 7922.570 (disclosure of information in electronic format).

For other CPRA procedures and related matters, see Sections 7922.500-7922.540, 7922.575-7922.640, 7922.700-7922.710, 7922.720-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.510 (“local agency”), 7920.530 (“public records”).

Article 3. Catalog of Enterprise Systems

§ 7922.700. “Enterprise system”

7922.700. For purposes of this article:

(a) “Enterprise system” means a software application or computer system that satisfies all of the following conditions:

(1) It collects, stores, exchanges, and analyzes information that the agency uses.

(2) It is a multidepartmental system or a system that contains information collected about the public.

(3) It is a system of record.

(b) An “enterprise system” does not include any of the following:

(1) Information technology security systems, including firewalls and other cybersecurity systems.

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

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

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

(5) Systems that would be restricted from disclosure pursuant to Section 7929.210.

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

Comment. Subdivision (a) of Section 7922.700 continues former Section 6270.5(c)(1) without substantive change.

Subdivision (b) continues former Section 6270.5(c)(3) without substantive change.

For a provision requiring a local agency (other than a local educational agency) to create, post, and annually update a catalog of enterprise systems, see Section 7922.710. For related provisions, see the remainder of this article.

For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7922.705 ("system of record").

§ 7922.705. "System of record"

7922.705. For purposes of this article, "system of record" means a system that serves as an original source of data within an agency.

Comment. Section 7922.705 continues former Section 6270.5(c)(2) without substantive change.

For a provision requiring a local agency (other than a local educational agency) to create, post, and annually update a catalog of enterprise systems, see Section 7922.710. For related provisions, see the remainder of this article.

For other procedures under the California Public Records Act ("CPRA") and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7922.710. Creation of catalog

7922.710. (a) In implementing this division, each local agency, except a local educational agency, shall create a catalog of enterprise systems.

(b) The local agency shall complete and post the catalog as required by this article by July 1, 2016, and thereafter shall update the catalog annually.

Comment. Subdivision (a) of Section 7922.710 continues the first sentence of former Section 6270.5(a) without substantive change.

Subdivision (b) continues former Section 6270.5(f) without substantive change.

For related provisions, see the remainder of this article. For other procedures under the California Public Records Act (“CPRA”) and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7922.700 (“enterprise system”).

§ 7922.715. Availability of catalog

7922.715. (a) The catalog of enterprise systems required by Section 7922.710 shall be made publicly available upon request in the office of the person or officer designated by the agency’s legislative body.

(b) If the agency has an internet website, the catalog shall be posted in a prominent location on the agency's internet website.

Comment. Subdivision (a) of Section 7922.715 continues the second sentence of former Section 6270.5(a) without substantive change.

Subdivision (b) continues the third sentence of former Section 6270.5(a) without substantive change.

For a provision requiring a local agency (other than a local educational agency) to create, post, and annually update a catalog of enterprise systems, see Section 7922.710. For related provisions, see the remainder of this article.

For other procedures under the California Public Records Act ("CPRA") and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7922.700 ("enterprise system").

§ 7922.720. Content of catalog

7922.720. (a) The catalog of enterprise systems required by Section 7922.710 shall disclose a list of the enterprise systems utilized by the agency.

(b) For each system, the catalog shall also disclose all of the following:

- (1) Current system vendor.
- (2) Current system product.

- (3) A brief statement of the system's purpose.
- (4) A general description of categories or types of data.
- (5) The department that serves as the system's primary custodian.
- (6) How frequently system data is collected.
- (7) How frequently system data is updated.

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

Comment. Subdivisions (a) and (b) of Section 7922.720 continue the fourth sentence of former Section 6270.5(a) without substantive change.

Subdivision (c) continues former Section 6270.5(e) without substantive change.

For a provision requiring a local agency (other than a local educational agency) to create, post, and annually update a catalog of enterprise systems, see Section 7922.710. For related provisions, see the remainder of this article.

For other procedures under the California Public Records Act ("CPRA") and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7922.700 ("enterprise system").

§ 7922.725. Construction of article

7922.725. (a) This article shall not be interpreted to limit a person's right to inspect public records pursuant to this division.

(b) Nothing in this article shall be construed to permit public access to records held by an agency to which access is otherwise restricted by statute or to alter the process for requesting a public record, as set forth in this division.

Comment. Subdivision (a) of Section 7922.725 continues former Section 6270.5(b) without substantive change.

Subdivision (b) continues former Section 6270.5(d) without substantive change.

For a provision requiring a local agency (other than a local educational agency) to create, post, and annually update a catalog of enterprise systems, see Section 7922.710. For related provisions, see the remainder of this article.

For other procedures under the California Public Records Act ("CPRA") and related matters, see Sections 7922.500-7922.680; see also Sections 7923.000-7923.500 (enforcement).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records").

PART 4. ENFORCEMENT

CHAPTER 1. GENERAL PRINCIPLES

§ 7923.000. Right to seek enforcement of request

7923.000. Any person may institute a proceeding for injunctive or declarative relief, or for a writ of mandate, in any court of competent jurisdiction, to enforce that person's right under this division to inspect or receive a copy of any public record or class of public records.

Comment. Section 7923.000 continues the first sentence of former Section 6258 without substantive change.

For other rules relating to enforcement of the California Public Records Act ("CPRA"), see Sections 7923.005-7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records").

§ 7923.005. Court to set schedule that promotes prompt decision

7923.005. In a proceeding under Section 7923.000, the court shall set the times for hearings and responsive pleadings with the object of securing a decision as to the matters at issue at the earliest possible time.

Comment. Section 7923.005 continues the second sentence of former Section 6258 without substantive change.

For other rules relating to enforcement of the California Public Records Act (“CPRA”), see Sections 7923.000, 7923.100-7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 (“person”), 7920.530 (“public records”).

CHAPTER 2. ENFORCEMENT PROCEDURE

Article 1. Petition to Superior Court

§ 7923.100. Verified petition and order to show cause

7923.100. Whenever it is made to appear, by verified petition to the superior court of the county where the records or some part thereof are situated, that certain public records are being improperly withheld from a member of the public, the court shall order the officer or other person charged with withholding the records to disclose those records or show cause why that person should not do so.

Comment. Section 7923.100 continues the first sentence of former Section 6259(a) without substantive change.

For other rules relating to enforcement of the California Public Records Act (“CPRA”), see Sections 7923.000-7923.005, 7923.105-

7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.515 ("member of the public"), 7920.530 ("public records").

Note. Proposed Section 7923.100 incorporates revisions of Section 6259(a) made by Assembly Bill 991 (Gallagher), 2019 Cal. Stat. ch. 497, § 131.

§ 7923.105. Material to be considered by court

7923.105. The court shall decide the case after the court does all of the following:

(a) Examine the record in camera, if permitted by subdivision (b) of Section 915 of the Evidence Code.

(b) Examine any papers filed by the parties.

(c) Consider any oral argument and additional evidence as the court may allow.

Comment. Section 7923.105 continues the second sentence of former Section 6259(a) without substantive change.

For other rules relating to enforcement of the California Public Records Act ("CPRA"), see Sections 7923.000-7923.100, 7923.110-7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7923.110. Decision and order

7923.110. (a) If the court finds that the public official's decision to refuse disclosure is not justified under Section 7922.000 or any provision listed in Section 7920.505, the court shall order the public official to make the record public.

(b) If the court finds that the public official was justified in refusing to make the record public, the court shall return the record to the public official without disclosing its content, together with an order supporting the decision refusing disclosure.

Comment. Section 7923.110 continues former Section 6259(b) without substantive change.

For other rules relating to enforcement of the California Public Records Act ("CPRA"), see Sections 7923.000-7923.105, 7923.115-7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Note. Proposed Section 7923.110 incorporates revisions of Section 6259(b) made by Assembly Bill 991 (Gallagher), 2019 Cal. Stat. ch. 497, § 131.

§ 7923.115. Costs and attorney fees

7923.115. (a) If the requester prevails in litigation filed pursuant to this chapter, the court shall award court costs and reasonable attorney's fees to the requester. The costs and fees shall be paid by the public agency and shall not become a personal liability of the public official involved.

(b) If the court finds that a requester's case pursuant to this chapter is clearly frivolous, the court shall award court costs and reasonable attorney's fees to the public agency.

(c) This article does not limit a requester's right to obtain fees and costs pursuant to this section or any other law.

Comment. Subdivisions (a) and (b) of Section 7923.115 continue former Section 6259(d) without substantive change.

Subdivision (c) continues former Section 6259(e) without substantive change.

For other rules relating to enforcement of the California Public Records Act ("CPRA"), see Sections 7923.000-7923.110, 7923.500. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 ("public agency").

Note. Proposed Section 7923.115 incorporates revisions of Section 6259(d)-(e) made by Assembly Bill 991 (Gallagher), 2019 Cal. Stat. ch. 497, § 131.

Article 2. Writ Review and Contempt

§ 7923.500. Writ review and contempt

7923.500. (a) An order of the court, either directing disclosure by a public official or supporting the decision of the public official refusing disclosure, is not a final judgment or order within the meaning of Section 904.1 of the Code of Civil Procedure from which an appeal may be taken, but shall be immediately reviewable by petition to the appellate court for the issuance of an extraordinary writ.

(b) Upon entry of any order pursuant to this chapter, a party shall, in order to obtain review of the order, file a petition within 20 days after service upon the party of a written notice of entry of the order, or within a further time, not exceeding an additional 20 days, as the trial court may for good cause allow.

(c) If the notice is served by mail, the period within which to file the petition shall be increased by five days.

(d) A stay of an order or judgment shall not be granted unless the petitioning party demonstrates that the party will otherwise sustain irreparable damage and probable success on the merits.

(e) Any person who fails to obey the order of the court shall be cited to show cause why that person is not in contempt of court.

Comment. Section 7923.500 continues former Section 6259(c) without substantive change. The introductory clause, which limited the applicability of this provision to an action filed on or after January 1, 1991, is omitted as obsolete.

For other rules relating to enforcement of the California Public Records Act (“CPRA”), see Sections 7923.000-7923.115. For CPRA procedures and related matters, see Sections 7922.500-7922.680.

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210.

For special rules applicable to specific types of public records, see Sections 7923.600-7929.610; see also Sections 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Note. Proposed Section 7923.500 incorporates revisions of Section 6259(c) made by Assembly Bill 991 (Gallagher), 2019 Cal. Stat. ch. 497, § 131.

PART 5. SPECIFIC TYPES OF PUBLIC RECORDS

CHAPTER 1. CRIMES, WEAPONS, AND LAW ENFORCEMENT

Article 1. Law Enforcement Records Generally

§ 7923.600. Law enforcement exemption

7923.600. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of records of complaints to, or investigations

conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes.

(b) A customer list that an alarm or security company provides to a state or local police agency at the agency's request is a record subject to this article.

Comment. Subdivision (a) of Section 7923.600 continues the first sentence of former Section 6254(f) without substantive change.

Subdivision (b) continues the second unnumbered paragraph of former Section 6254(f) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act ("CPRA"), see Sections 7923.605-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805; see also Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7923.605. Disclosure of incident information

7923.605. (a) Notwithstanding Section 7923.600, a state or local law enforcement agency shall disclose the names and addresses of persons involved in, or witnesses other than confidential informants to, the incident, the description of any property involved, the date, time, and location of the incident, all diagrams, statements of the parties involved in the incident, the statements of all witnesses, other than confidential informants, to the victims of an incident, or an authorized representative thereof, an insurance carrier against which a claim has been or might be made, and any person suffering bodily injury or property damage or loss, as the result of the incident caused by arson, burglary, fire, explosion, larceny, robbery, carjacking, vandalism, vehicle theft, or a crime as defined by subdivision (b) of Section 13951, unless the disclosure would endanger either of the following:

(1) The safety of a witness or other person involved in the investigation.

(2) The successful completion of the investigation or a related investigation.

(b) However, this article does not require the disclosure of that portion of those investigative files that reflects the analysis or conclusions of the investigating officer.

Comment. Subdivision (a) of Section 7923.605 continues the second sentence of former Section 6254(f) without substantive change.

Subdivision (b) continues the third sentence of former Section 6254(f) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act (“CPRA”), see Sections 7923.600, 7923.610-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805; see also

Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person").

§ 7923.610. Disclosure of arrest information

7923.610. Notwithstanding any other provision of this article, a state or local law enforcement agency shall make public all of the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

(a) The full name and occupation of every individual arrested by the agency.

(b) The individual's physical description including date of birth, color of eyes and hair, sex, height and weight.

(c) The time and date of arrest.

(d) The time and date of booking.

(e) The location of the arrest.

- (f) The factual circumstances surrounding the arrest.
- (g) The amount of bail set.
- (h) The time and manner of release or the location where the individual is currently being held.
- (i) All charges the individual is being held upon, including any outstanding warrants from other jurisdictions, parole holds, and probation holds.

Comment. Section 7923.610 continues former Section 6254(f)(1) without substantive change. In combination with Sections 7923.615(a) and 7923.620(a), Section 7923.610 also continues the third unnumbered paragraph of former Section 6254(f) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act (“CPRA”), see Sections 7923.600-7923.605, 7923.615-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.650-7923.805; see also Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7923.615. Disclosure of information relating to complaints or requests for assistance

7923.615. (a)(1) Notwithstanding any other provision of this article, a state or local law enforcement agency shall make public the information described in paragraph (2), except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation.

(2) Subject to the restrictions imposed by Section 841.5 of the Penal Code, paragraph (1) applies to the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded:

(A) The time, date, and location of occurrence.

(B) The time and date of the report.

(C) The name and age of the victim.

(D) The factual circumstances surrounding the crime or incident.

(E) A general description of any injuries, property, or weapons involved.

(b)(1) The name of a victim of any crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 287, 288, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of, or former Section 288a of, the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor.

(2) When a person is the victim of more than one crime, information disclosing that the person is a victim of a crime defined in any of the sections of the Penal Code set forth in

this article may be deleted at the request of the victim, or the victim's parent or guardian if the victim is a minor, in making the report of the crime, or of any crime or incident accompanying the crime, available to the public in compliance with the requirements of this section.

(c)(1) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the names and images of a victim of human trafficking, as defined in Section 236.1 of the Penal Code, and of that victim's immediate family, other than a family member who is charged with a criminal offense arising from the same incident, may be withheld at the victim's request until the investigation or any subsequent prosecution is complete.

(2) For purposes of this article, "immediate family" has the same meaning as that provided in paragraph (3) of subdivision (b) of Section 422.4 of the Penal Code.

Comment. Subdivision (a) of Section 7923.615 continues the first sentence of former Section 6254(f)(2)(A) without substantive change. In combination with Sections 7923.610 and 7923.620(a), subdivision (a) also continues the third unnumbered paragraph of former Section 6254(f) without substantive change.

Subdivision (b) continues the second and third sentences of former Section 6254(f)(2)(A) without substantive change. Revisions have been made to reflect that Penal Code Section 288a was renumbered as Penal Code Section 287. See 2018 Cal. Stat. ch. 423, § 49.

Subdivision (c) continues former Section 6254(f)(2)(B) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act ("CPRA"), see Sections 7923.600-7923.610, 7923.620-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805; see also Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person").

Note. In 2018, the Legislature enacted a bill renumbering Penal Code Section 288a as Penal Code Section 287. See 2018 Cal. Stat. ch. 423, § 49 (SB 1494 (Committee on Public Safety)). That bill included a conforming revision of Section 6254(f)(2), but the conforming revision was chaptered out by another bill. See Section 9605 (bill conflict rules); 2018 Cal. Stat. ch. 423, §§ 27 (conforming revision), 130 (subordination clause); 2018 Cal. Stat. ch. 960, § 1 (AB 748 (Ting)).

In 2019, the Legislature enacted a bill with the same conforming revision of Section 6254(f)(2), but it was again chaptered out by another bill. See 2019 Cal. Stat. ch. 497, §§ 130 (conforming revision), 334 (subordination clause); 2019 Cal. Stat. ch. 385, § 29 (AB 378 (Limón)).

As noted in the accompanying Comment, proposed Section 7923.615 would continue the substance of Section 6254(f)(2), with revisions to reflect the renumbering of Penal Code Section 288a (in the same manner as the conforming revision that was twice chaptered out).

§ 7923.620. Disclosure of arrestee's address or victim's address for specified purposes

7923.620. (a) Notwithstanding any other provision of this article, if the requester declares under penalty of perjury that the request is made for a scholarly, journalistic, political, or governmental purpose, or that the request is made for investigation purposes by a licensed private investigator as described in Chapter 11.3 (commencing with Section 7512)

of Division 3 of the Business and Professions Code, a state or local law enforcement agency shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation or a related investigation:

(1) Subject to the restrictions of Section 841.5 of the Penal Code and this article, the current address of every individual arrested by the agency.

(2) Subject to the restrictions of Section 841.5 of the Penal Code and this article, the current address of the victim of a crime. However, the address of the victim of any crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 287, 288, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of, or former Section 288a of, the Penal Code shall remain confidential.

(b) Address information obtained pursuant to this section shall not be used directly or indirectly, or furnished to another, to sell a product or service to any individual or group of individuals, and the requester shall execute a declaration to that effect under penalty of perjury.

(c) This section shall not be construed to prohibit or limit a scholarly, journalistic, political, or government use of address information obtained pursuant to this section.

Comment. Subdivision (a) of Section 7923.620 continues the first and second sentences of former Section 6254(f)(3) without substantive change. In combination with Sections 7923.610 and Section 7923.615(a), subdivision (a) also continues the third unnumbered paragraph of former Section 6254(f) without substantive change. Revisions have been made to reflect that Penal Code Section 288a was renumbered as Penal Code Section 287. See 2018 Cal. Stat. ch. 423, § 49.

Subdivision (b) continues the third sentence of former Section 6254(f)(3) without substantive change.

Subdivision (c) continues the fourth sentence of former Section 6254(f)(3) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act (“CPRA”), see Sections 7923.600-7923.615, 7923.625-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805; see also Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215. For other CPRA provisions that relate to personal information or customer records, see Sections 7927.400-7927.420.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.500-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

Note. In 2018, the Legislature enacted a bill renumbering Penal Code Section 288a as Penal Code Section 287. See 2018 Cal. Stat. ch. 423, § 49 (SB 1494 (Committee on Public Safety)). That bill included a conforming revision of Section 6254(f)(3), but the conforming revision was chaptered out by another bill. See Section 9605 (bill conflict rules); 2018 Cal. Stat. ch. 423, §§ 27 (conforming revision), 130 (subordination clause); 2018 Cal. Stat. ch. 960, § 1 (AB 748 (Ting)).

In 2019, the Legislature enacted a bill with the same conforming revision of Section 6254(f)(2), but it was again chaptered out by another

bill. See 2019 Cal. Stat. ch. 497, §§ 130 (conforming revision), 334 (subordination clause); 2019 Cal. Stat. ch. 385, § 29 (AB 378 (Limón)).

As noted in the accompanying Comment, proposed Section 7923.620 would continue the substance of Section 6254(f)(3), with revisions to reflect the renumbering of Penal Code Section 288a (in the same manner as the conforming revision that was twice chaptered out).

§ 7923.625. Video or audio recording relating to critical incident

7923.625. Notwithstanding any other provision of this article, commencing July 1, 2019, a video or audio recording that relates to a critical incident, as defined in subdivision (e), may be withheld only as follows:

(a)(1) During an active criminal or administrative investigation, disclosure of a recording related to a critical incident may be delayed for no longer than 45 calendar days after the date the agency knew or reasonably should have known about the incident, if, based on the facts and circumstances depicted in the recording, disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. If an agency delays disclosure pursuant to this section, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.

(2) After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation. If an agency delays disclosure pursuant to this paragraph, the agency shall promptly provide in writing to the requester the specific basis for the agency's determination that the interest in preventing interference with an active investigation

outweighs the public interest in disclosure and provide the estimated date for the disclosure. The agency shall reassess withholding and notify the requester every 30 days. A recording withheld by the agency shall be disclosed promptly when the specific basis for withholding is resolved.

(b)(1) If the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, the agency shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording and may use redaction technology, including blurring or distorting images or audio, to obscure those specific portions of the recording that protect that interest. However, the redaction shall not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording and the recording shall not otherwise be edited or altered.

(2) Except as provided in paragraph (3), if the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction as described in paragraph (1) and that interest outweighs the public interest in disclosure, the agency may withhold the recording from the public, except that the recording, either redacted as provided in paragraph (1) or unredacted, shall be disclosed promptly, upon request, to any of the following:

(A) The subject of the recording whose privacy is to be protected, or the subject's authorized representative.

(B) If the subject is a minor, the parent or legal guardian of the subject whose privacy is to be protected.

(C) If the subject whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased subject whose privacy is to be protected.

(3) If disclosure pursuant to paragraph (2) would substantially interfere with an active criminal or administrative investigation, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation, and provide the estimated date for the disclosure of the video or audio recording. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to extensions as set forth in paragraph (2) of subdivision (a).

(c) An agency may provide greater public access to video or audio recordings than the minimum standards set forth in this section.

(d) For purposes of this section, a peace officer does not include any peace officer employed by the Department of Corrections and Rehabilitation.

(e) For purposes of this section, a video or audio recording relates to a critical incident if it depicts any of the following incidents:

(1) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.

(2) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death or in great bodily injury.

(f) This section does not alter, limit, or negate any other rights, remedies, or obligations with respect to public records regarding an incident other than a critical incident as described in subdivision (e).

Comment. Section 7923.625 continues former Section 6254(f)(4) without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act ("CPRA"), see Sections 7923.600-7923.620, 7923.630-7923.655. For additional CPRA provisions relating to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805; see also Sections 7921.700-7921.710 (disclosure to district attorney and related matters). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections

7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records").

Note. Proposed Section 7923.625(b)(3) incorporates a revision of Section 6254(f)(4)(B)(iii) made by Senate Bill 94 (Committee on Budget & Fiscal Review), 2019 Cal. Stat. ch. 25, § 1.

§ 7923.630. Rule of construction

7923.630. (a) Immediately before the CPRA Recodification Act of 2020, the other provisions in this article comprised a single subdivision of former Section 6254 (subdivision (f) of Section 29 of Chapter 385 of the Statutes of 2019).

(b) Dividing the substance of those provisions into multiple code sections was not intended to affect the construction of those provisions or their relation to each other.

Comment. Section 7923.630 is new. It underscores that Sections 7923.600, 7923.605, 7923.610, 7923.615, 7923.620, and 7923.625 (the six preceding provisions in this article) derive from a single subdivision and should be construed accordingly.

The purpose of this section is to provide useful information where it is particularly needed due to the high volume of matters involving the law enforcement exemption to the California Public Records Act ("CPRA"). Courts and others interpreting the CPRA should not draw any inferences from the failure to include similar statutory language elsewhere.

See Section 7920.005 (“CPRA Recodification Act of 2020”); see also Section 7920.100 (nonsubstantive reform).

Article 2. Obtaining Access to Law Enforcement Records

§ 7923.650. District attorney’s request to inspect licensing records

7923.650. The exemption of records of complaints to, or investigations conducted by, any state or local agency for licensing purposes under Article 1 (commencing with Section 7923.600) shall not apply when a district attorney requests inspection of those records.

Comment. Section 7923.650 continues former Section 6262 without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to district attorneys, see Sections 7921.700-7921.710. For other provisions relating to the law enforcement exemption to the CPRA, see Sections 7923.600-7923.630, 7923.655. For additional CPRA provisions that relate specifically to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805. For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7923.655. Required documentation as prerequisite to receipt of information

7923.655. (a) A state or local law enforcement agency shall not require a victim of an incident, or an authorized representative of a victim, to show proof of the victim’s legal presence in the United States in order to obtain the information required to be disclosed by that law enforcement agency pursuant to Article 1 (commencing with Section 7923.600).

(b) If, for identification purposes, a state or local law enforcement agency requires a victim of an incident, or an authorized representative of a victim, to provide identification in order to obtain information required to be disclosed by that law enforcement agency pursuant to Article 1 (commencing with Section 7923.600), the agency shall at a minimum accept any of the following:

(1) A current driver’s license or identification card issued by any state in the United States.

(2) A current passport issued by the United States or a foreign government with which the United States has a diplomatic relationship.

(3) A current Matricula Consular card.

Comment. Subdivision (a) of Section 7923.655 continues the first sentence of former Section 6254.30 without substantive change.

Subdivision (b) continues the second sentence of former Section 6254.30 without substantive change.

For other provisions relating to the law enforcement exemption to the California Public Records Act (“CPRA”), see Sections 7923.600-7923.650. For additional CPRA provisions that relate specifically to crimes, weapons, or law enforcement, see Sections 7923.700-7923.805. For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 3. Records of Emergency Communications to Public Safety Authorities

§ 7923.700. Emergency information

7923.700. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of a record obtained pursuant to paragraph (2) of subdivision (f) of Section 2891.1 of the Public Utilities Code.

Comment. Section 7923.700 continues former Section 6254(z) without substantive change.

For additional provisions of the California Public Records Act ("CPRA") that relate specifically to crimes, weapons, or law enforcement, see the rest of this chapter (Sections 7923.600-7923.805). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from

disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 4. Records Specifically Relating to Crime Victims

§ 7923.750. Video and audio recordings

7923.750. (a) This division does not require disclosure of a video or audio recording that was created during the commission or investigation of the crime of rape, incest, sexual assault, domestic violence, or child abuse that depicts the face, intimate body part, or voice of a victim of the incident depicted in the recording. An agency shall justify withholding that type of video or audio recording by demonstrating, pursuant to Section 7922.000 and subdivision (a) of Section 7922.540, that on the facts of the particular case, the public interest served by not disclosing the recording clearly outweighs the public interest served by disclosure of the recording.

(b) When balancing the public interests as required by this section, an agency shall consider both of the following:

(1) The constitutional right to privacy of the person or persons depicted in the recording.

(2) Whether the potential harm to the victim caused by disclosing the recording may be mitigated by redacting the recording to obscure images showing intimate body parts and

personally identifying characteristics of the victim or by distorting portions of the recording containing the victim's voice, provided that the redaction does not prevent a viewer from being able to fully and accurately perceive the events captured on the recording. The recording shall not otherwise be edited or altered.

(c) A victim of a crime described in subdivision (a) who is a subject of a recording, the parent or legal guardian of a minor subject, a deceased subject's next of kin, or a subject's legally authorized designee, shall be permitted to inspect the recording and to obtain a copy of the recording. Disclosure under this subdivision does not require that the record be made available to the public pursuant to Section 7921.505.

(d) Nothing in this section shall be construed to affect any other exemption provided by this division.

Comment. Section 7923.750 continues former Section 6254.4.5 without substantive change.

For additional provisions of the California Public Records Act ("CPRA") that relate specifically to crimes, weapons, or law enforcement, see the rest of this chapter (Sections 7923.600-7923.805). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7923.755. Records of the California Victim Compensation Board

7923.755. (a) This division does not require disclosure of a record of the California Victim Compensation Board that relates to a request for assistance under Article 1 (commencing with Section 13950) of Chapter 5 of Part 4 of Division 3 of Title 2.

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

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

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

Comment. Section 7923.755 continues former Section 6254.17 without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to crimes, weapons, or law enforcement, see the rest of this chapter (Sections 7923.600-7923.805). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 5. Firearm Licenses and Related Records

§ 7923.800. Personal information

7923.800. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of any of the following information contained in an application for a license to carry a firearm, issued by the sheriff of a county or the chief or other head of a municipal police department pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code:

(a) Information that indicates when or where the applicant is vulnerable to attack.

(b) Information that concerns the applicant's medical or psychological history, or that of members of the applicant's family.

Comment. Section 7923.800 continues former Section 6254(u)(1) without substantive change.

For additional provisions of the California Public Records Act ("CPRA") that relate specifically to crimes, weapons, or law enforcement, see the rest of this chapter (Sections 7923.600-7923.805). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215. For laws governing firearms and other deadly weapons, see Penal Code Sections 16000-34370.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7923.805. Address and telephone number of person in criminal justice field

7923.805. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of the home address or telephone number of any of the following individuals, as set forth in an application for a license to carry a firearm, or in a license to carry a firearm, issued by the sheriff of a county or the chief or other head of a municipal police department, pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code:

- (a) A prosecutor.
- (b) A public defender.
- (c) A peace officer.
- (d) A judge.
- (e) A court commissioner.
- (f) A magistrate.

Comment. Section 7923.805 continues former Section 6254(u)(2)-(3) without substantive change.

For additional provisions of the California Public Records Act ("CPRA") that relate specifically to crimes, weapons, or law enforcement, see the rest of this chapter (Sections 7923.600-7923.805). For CPRA provisions on security measures and related matters, see Sections 7929.200-7929.215. For laws governing firearms and other deadly weapons, see Penal Code Sections 16000-34370.

For other special rules applicable to specific types of public records, see Sections 7924.000-7929.005, 7929.400-7929.610; see also Sections

7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 2. ELECTION MATERIALS AND PETITIONS

Article 1. Voter Information

§ 7924.000. Voter registration information

7924.000. (a) Except as provided in Section 2194 of the Elections Code, both of the following are confidential and shall not be disclosed to any person:

(1) The home address, telephone number, email address, precinct number, or other number specified by the Secretary of State for voter registration purposes.

(2) Prior registration information shown on an affidavit of registration.

(b) 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 (52

U.S.C. Sec. 20901 et seq.), are confidential and shall not be disclosed to any person.

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

(d) For purposes of this section, “home address” means street address only, and does not include an individual’s city or post office address.

Comment. Section 7924.000 continues former Section 6254.4 without substantive change. The citation to the federal Help America Vote Act of 2002 has been updated to reflect relocation of that Act within the United States Code.

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to election materials and petitions, see the rest of this chapter (Sections 7924.005-7924.110). For other special rules applicable to specific types of public records, see Sections 7923.600-7923.805, 7924.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.005. Information identifying requester of bilingual ballot or ballot pamphlet

7924.005. (a) Notwithstanding Sections 7920.510, 7920.515, 7920.520, 7920.530, 7920.540, 7920.545, 7922.545, subdivision (a) of Section 7920.525, subdivision (b) of Section 7922.540, and Sections 7922.500 to 7922.535, inclusive, information compiled by

a public officer or public employee that reveals the identity of a person who has requested a bilingual ballot or ballot pamphlet, in accordance with any federal or state law, or other data that would reveal the identity of the requester, is not a public record and shall not be provided to any person other than a public officer or public employee who is responsible for receiving the request and processing it.

(b) Subdivision (a) does not prohibit a person, otherwise authorized by law, from examining election materials, including, but not limited to, an affidavit of registration, provided that a request for a bilingual ballot or ballot pamphlet is subject to the restrictions in subdivision (a).

Comment. Section 7924.005 continues former Section 6253.6 without substantive change. See Section 13 (singular includes plural and vice versa).

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to election materials and petitions, see the rest of this chapter (Sections 7924.000-7924.110). For other special rules applicable to specific types of public records, see Sections 7923.600-7923.805, 7924.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 (“person”), 7920.530 (“public records”).

Article 2. Initiative, Referendum, Recall, and Other Petitions and Related Materials

§ 7924.100. “Petition”

7924.100. As used in this article, “petition” means any petition to which a registered voter has affixed the voter’s own signature.

Comment. Section 7924.100 continues former Section 6253.5(c) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to election materials and petitions, see the rest of this chapter (Sections 7924.000-7924.110). For other special rules applicable to specific types of public records, see Sections 7923.600-7923.805, 7924.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7924.105. “Proponent of the petition”

7924.105. As used in this article, “proponent of the petition” means the following:

(a) For a statewide initiative or referendum measure, the person who submits a draft of a petition proposing the measure to the Attorney General with a request that the Attorney General prepare a title and summary of the chief purpose and points of the proposed measure.

(b) For other initiative and referendum measures, the person who publishes a notice of intention to circulate a petition, or, where publication is not required, who files the petition with an elections official.

(c) For a recall measure, the person defined in Section 343 of the Elections Code.

(d) For a petition circulated pursuant to Section 5091 of the Education Code, the person having charge of the petition who submits the petition to the county superintendent of schools.

(e) For a petition circulated pursuant to Article 1 (commencing with Section 35700) of Chapter 4 of Part 21 of Division 3 of Title 2 of the Education Code, the person designated as chief petitioner under Section 35701 of the Education Code.

(f) For a petition circulated pursuant to Part 46 (commencing with Section 74000) of Division 7 of Title 3 of the Education Code, the person designated as chief petitioner under Section 74102, 74133, or 74152 of the Education Code.

Comment. Section 7924.105 continues former Section 6253.5(d) without substantive change. Section 13 (singular includes plural and vice versa). An incomplete cross-reference to “Part 21 of the Election Code” and an incomplete cross-reference to “Part 46 (commencing with Section 74000) of the Education Code” have been corrected.

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to election materials and petitions, see the rest of this chapter (Sections 7924.000-7924.110). For other special rules applicable to specific types of public records, see Sections 7923.600-7923.805, 7924.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 (“person”), 7924.100 (“petition”).

§ 7924.110. Initiative, referendum, or recall petition, or petition for reorganization of school districts or community college districts

7924.110. (a) Notwithstanding Sections 7920.510, 7920.515, 7920.520, 7920.530, 7920.540, 7920.545, 7922.545, subdivision (a) of Section 7920.525, subdivision (b) of Section 7922.540, and Sections 7922.500 to 7922.535, inclusive, the following are not public records:

(1) A statewide, county, city, or district initiative, referendum, or recall petition.

(2) A petition circulated pursuant to Section 5091 of the Education Code.

(3) A petition for reorganization of school districts submitted pursuant to Article 1 (commencing with Section 35700) of Chapter 4 of Part 21 of Division 3 of Title 2 of the Education Code.

(4) A petition for reorganization of community college districts submitted pursuant to Part 46 (commencing with Section 74000) of Division 7 of Title 3 of the Education Code.

(5) A memorandum prepared by a county elections official in the examination of a petition, indicating which registered voters signed that particular petition.

(b) The materials described in subdivision (a) shall not be open to inspection except by the following persons:

(1) A public officer or public employee who has the duty of receiving, examining, or preserving the petition, or who is responsible for preparation of the memorandum.

(2) If a petition is found to be insufficient, by the proponent of the petition and a representative of the proponent as may be designated by the proponent in writing, in order to determine which signatures were disqualified and the reasons therefor.

(c) Notwithstanding subdivisions (a) and (b), the Attorney General, the Secretary of State, the Fair Political Practices

Commission, a district attorney, a city attorney, a school district attorney, and a community college district attorney shall be permitted to examine the materials described in subdivision (a) upon approval of the appropriate superior court.

(d) If the proponent of a petition is permitted to examine a petition and a memorandum pursuant to subdivision (b), the examination shall commence not later than 21 days after certification of insufficiency, and the county elections official shall retain the documents as prescribed in Section 17200 of the Elections Code.

Comment. Subdivision (a) and (b) of Section 7924.110 continue the first sentence of former Section 6253.5(a) without substantive change. An incomplete cross-reference to “Part 21 of the Election Code” and an incomplete cross-reference to “Part 46 (commencing with Section 74000) of the Education Code” have been corrected.

Subdivision (c) continues the second sentence of former Section 6253.5(a) without substantive change.

Subdivision (d) continues former Section 6253.5(b) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate specifically to election materials and petitions, see the rest of this chapter (Sections 7924.000-7924.110). For other special rules applicable to specific types of public records, see Sections 7923.600-7923.805, 7924.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 (“person”), 7920.530 (“public records”), 7920.545 (“writing”), 7924.100 (“petition”), 7924.105 (“proponent of the petition”). See also Section 13 (singular includes plural and vice versa).

CHAPTER 3. ENVIRONMENTAL PROTECTION, BUILDING STANDARDS, AND SAFETY REQUIREMENTS

Article 1. Pesticide Safety and Efficacy Information Disclosable Under the Federal Insecticide, Fungicide, and Rodenticide Act

§ 7924.300. Disclosure of pesticide safety and efficacy information

7924.300. If both of the following conditions are satisfied, nothing in this division exempts from public disclosure the same categories of pesticide safety and efficacy information that are disclosable under Section 10(d)(1) of the federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136h(d)(1)):

(a) The individual requesting the information is not an officer, employee, or agent specified in subdivision (a) of Section 7924.310.

(b) The individual signs the affirmation specified in subdivision (b) of Section 7924.310.

Comment. Section 7924.300 continues former Section 6254.2(a) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.305-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7924.305. Data submitted and designated as trade secret

7924.305. (a) The Director of Pesticide Regulation, upon the Director's initiative, or upon receipt of a request pursuant to this division for the release of data submitted and designated as a trade secret by a registrant or applicant, shall determine whether any or all of the data so submitted is a properly designated trade secret. In order to assure that the interested public has an opportunity to obtain and review pesticide safety and efficacy data and to comment before the expiration of the public comment period on a proposed pesticide registration, the director shall provide notice to interested persons when an application for registration enters the registration evaluation process.

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

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

(d) The director shall determine whether the data is protected as a trade secret within 15 days after receipt of the justification and statement or, if no justification and statement is filed, within 45 days of the original notice. The director shall notify the registrant

or applicant and any party who has requested the data pursuant to this division of that determination by certified mail. If the director determines that the data is not protected as a trade secret, the final notice shall also specify a date, not sooner than 15 days after the date of mailing of the final notice, when the data shall be available to any person requesting information pursuant to Section 7924.300.

(e) This article does not prohibit any person from maintaining a civil action for wrongful disclosure of a trade secret.

(f) “Trade secret” means data that is nondisclosable under Section 10(d)(1) of the federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136h(d)(1)).

Comment. Subdivision (a) of Section 7924.305 continues former Section 6254.2(b) without substantive change.

Subdivision (b) continues former Section 6254.2(c) without substantive change.

Subdivision (c) continues former Section 6254.2(d) without substantive change.

Subdivision (d) continues former Section 6254.2(e) without substantive change.

Subdivision (e) continues former Section 6254.2(m) without substantive change.

Subdivision (f) continues former Section 6254.2(f) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person"). See also Section 13 (singular includes plural and vice versa).

§ 7924.310. Prohibition on disclosure of application or registration information to person with specified foreign connection

7924.310. (a) Unless the applicant or registrant consents to disclosure of information that the applicant or registrant submits to the state pursuant to Article 4 (commencing with Section 12811) of Chapter 2 of Division 7 of the Food and Agricultural Code, the Director of Pesticide Regulation shall not knowingly disclose any of that information to any of the following:

(1) An officer, employee, or agent of any business or other entity engaged in the production, sale, or distribution of pesticides in a country other than the United States, or in a country in addition to the United States.

(2) Any other person who intends to deliver this information to any foreign or multinational business or entity.

(b) To implement this section, the director shall require a person requesting information described in subdivision (a) to sign the following affirmation:

AFFIRMATION OF STATUS

This affirmation is required by Article 1 (commencing with Section 7924.300) of Chapter 3 of Part 5 of Division 10 of Title 1 of the Government Code.

I have requested access to information submitted to the Department of Pesticide Regulation (or previously submitted to the

Department of Food and Agriculture) by a pesticide applicant or registrant pursuant to the California Food and Agricultural Code. I hereby affirm all of the following statements:

(1) I do not seek access to the information for purposes of delivering it or offering it for sale to any business or other entity, including the business or entity of which I am an officer, employee, or agent, engaged in the production, sale, or distribution of pesticides in a country other than the United States or in a country in addition to the United States, or to an officer, employee, or agent of such a business or entity.

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

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

Name of Requester

Name of Requester's Organization

Signature of Requester

Address of Requester

Date

Request No.

Telephone Number of Requester

Name, Address, and Telephone Number of Requester's Client if the requester has requested access to the information on behalf of someone other than the requester or the requester's organization listed above.

(c) Section 118 of the Penal Code applies to any affirmation made pursuant to this article.

Comment. Subdivisions (a) and (b) of Section 7924.310 continue former Section 6254.2(h) without substantive change.

Subdivision (c) continues former Section 6254.2(k) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.315. Information needed to determine whether pesticide or ingredient causes unreasonable adverse effect on health or environment

7924.315. Notwithstanding any other provision of this article, if the Director of Pesticide Regulation determines that information

submitted by an applicant or registrant is needed to determine whether a pesticide, or any ingredient of any pesticide, causes unreasonable adverse effects on health or the environment, the director may disclose that information to any person in connection with a public proceeding conducted under law or regulation.

Comment. Section 7924.315 continues former Section 6254.2(i) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.320. Recordkeeping and notification

7924.320. The Director of Pesticide Regulation shall maintain records of the names of persons to whom data is disclosed pursuant to this article and the persons or organizations they represent and

shall inform the applicant or registrant of the names and the affiliation of these persons.

Comment. Section 7924.320 continues former Section 6254.2(j) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.325. Effect of frivolous request

7924.325. The Director of Pesticide Regulation may limit an individual to one request per month pursuant to this article if the director determines that a person has made a frivolous request within the past 12-month period.

Comment. Section 7924.325 continues former Section 6254.2(n) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.330. Penalty for willfully disclosing material prohibited from disclosure by this article

7924.330. (a) Any officer or employee of the state, or former officer or employee of the state, who, because of this employment or official position, obtains possession of, or has access to, material which is prohibited from disclosure by this article, and who, knowing that disclosure of this material is prohibited by this article, willfully discloses the material in any manner to any person not entitled to receive it, shall, upon conviction, be punished by a fine of not more than ten thousand dollars (\$10,000), or by

imprisonment in the county jail for not more than one year, or by both fine and imprisonment.

(b) For purposes of this section, any contractor with the state who is furnished information pursuant to this article, or any employee of any contractor, shall be considered an employee of the state.

Comment. Section 7924.330 continues former Section 6254.2(l) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7924.335. Conditional operation

7924.335. This article shall be operative only so long as, and to the extent that, enforcement of Section 10(d)(1) of the federal

Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136h(d)(1)) has not been enjoined by federal court order. If a final and unappealable federal court judgment or decision holds that paragraph invalid, this article shall become inoperative, to the extent of the invalidity.

Comment. Section 7924.335 continues former Section 6254.2(g) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see the rest of this article (Sections 7924.300-7924.335). For CPRA provisions relating to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 2. Pollution

§ 7924.500. Information received or compiled by air pollution control officer

7924.500. Nothing in this division requires the disclosure of records that relate to volatile organic compound or chemical substance information received or compiled by an air pollution control officer pursuant to Section 42303.2 of the Health and Safety Code.

Comment. Section 7924.500 continues former Section 6254.11 without substantive change. See Section 13 (singular includes plural and vice versa).

For additional provisions of the California Public Records Act (“CPRA”) that relate to pollution, see Sections 7924.505, 7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For CPRA provisions that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see Sections 7924.300-7924.335. For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7924.505. Financial data in application under California Pollution Control Financing Authority Act

7924.505. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of financial data contained in an application for financing under Division 27 (commencing with Section 44500) of the Health and Safety Code, if an authorized officer of the California Pollution Control Financing Authority determines that disclosure of the financial data would be competitively injurious to the applicant and the data is required in order to obtain a guarantee from the United States Small Business Administration.

(b) The California Pollution Control Financing Authority shall adopt rules for review of individual requests for confidentiality under this section and for making available to the public those portions of an application that are subject to disclosure under this division.

Comment. Section 7924.505 continues former Section 6254(o) without substantive change. See Section 13 (singular includes plural and vice versa).

For other provisions governing disclosure of financial records, see “Chapter 4. Financial Records and Tax Records” (Sections 7925.000-7925.010). For additional provisions of the California Public Records Act (“CPRA”) that relate to pollution, see Sections 7924.500, 7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For CPRA provisions that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see Sections 7924.300-7924.335. For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7926.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7924.510. Pollution information generally

7924.510. (a) Any information, analysis, plan, or specification that discloses the nature, extent, quantity, or degree of an air contaminant or other pollution that any article, machine, equipment, or other contrivance will produce, which any air pollution control district or air quality management district, or any other state or local agency or district, requires any applicant to provide before the applicant builds, erects, alters, replaces, operates, sells, rents, or uses the article, machine, equipment, or other contrivance, is a public record.

(b) All air or other pollution monitoring data, including data compiled from a stationary source, are public records.

(c) Except as otherwise provided in subdivision (d) and Chapter 3 (commencing with Section 99150) of Part 65 of Division 14 of Title 3 of the Education Code, a trade secret is not a public record under this section or Section 7924.700.

(d) Notwithstanding any other provision of law, all air pollution emission data, including those emission data that constitute trade secrets as defined in subdivision (f), are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision and data that constitute trade secrets and that are used to calculate emission data are not public records.

(e) Data used to calculate the costs of obtaining emissions offsets are not public records. At the time that an air pollution control district or air quality management district issues a permit to construct to an applicant who is required to obtain offsets pursuant to district rules and regulations, data obtained from the applicant consisting of the year the offset transaction occurred, the amount

of offsets purchased, by pollutant, and the total cost, by pollutant, of the offsets purchased is a public record. If an application is denied, the data shall not be a public record.

(f) As used in this section, “trade secret” may include, but is not limited to, any formula, plan, pattern, process, tool, mechanism, compound, procedure, production data, or compilation of information that satisfies all of the following requirements:

(1) It is not patented.

(2) It is known only to certain individuals within a commercial concern who are using it to fabricate, produce, or compound an article of trade or a service having commercial value.

(3) It gives its user an opportunity to obtain a business advantage over competitors who do not know or use it.

Comment. Subdivision (a) of Section 7924.510 continues former Section 6254.7(a) without substantive change.

Subdivision (b) continues former Section 6254.7(b) without substantive change.

Subdivision (c) continues the first sentence of former Section 6254.7(d) without substantive change. An incomplete cross-reference to “Part 65 of the Education Code” has been corrected.

Subdivision (d) continues former Section 6254.7(e) without substantive change.

Subdivision (e) continues former Section 6254.7(f) without substantive change.

Subdivision (f) continues the second sentence of former Section 6254.7(d) without substantive change.

For additional provisions of the California Public Records Act (“CPRA”) that relate to pollution, see Sections 7924.500, 7924.505; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For CPRA provisions that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see Sections 7924.300-7924.335. For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.530 ("public records"), 7920.540 ("state agency"). See also Section 13 (singular includes plural and vice versa).

Article 3. Building Standards and Safety Requirements

§ 7924.700. Record relating to housing or building violation

7924.700. (a) A record of a notice or an order that is directed to the owner of any building and relates to violation of a housing or building code, ordinance, statute, or regulation that constitutes a violation of a standard provided in Section 1941.1 of the Civil Code is a public record.

(b) A record of subsequent action with respect to a notice or order described in subdivision (a) is a public record.

Comment. Section 7924.700 continues former Section 6254.7(c) without substantive change. For a special rule applicable to a trade secret, see Section 7924.510(c).

For provisions of the California Public Records Act ("CPRA") that relate to pollution, see Sections 7924.500-7924.510; see also Section 7924.900 (internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that entity). For CPRA provisions that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see Sections 7924.300-7924.335.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 ("public records"). See also Section 13 (singular includes plural and vice versa).

Article 4. Enforcement Orders

§ 7924.900. Internet posting of final enforcement orders of California Environmental Protection Agency and specified entities within that agency

7924.900. (a) Every final enforcement order issued by an agency listed in subdivision (b) under any provision of law that is administered by an entity listed in subdivision (b), shall be displayed on the entity's internet website, if the final enforcement order is a public record that is not exempt from disclosure pursuant to this division.

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

- (1) The State Air Resources Board.
- (2) The California Integrated Waste Management Board.
- (3) The State Water Resources Control Board, and each California regional water quality control board.

(4) The Department of Pesticide Regulation.

(5) The Department of Toxic Substances Control.

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

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

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

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

Comment. Section 7924.900 continues former Section 6253.8(a)-(e) without substantive change. Former Section 6253.8(f), which stated that “[t]his section shall become operative April 1, 2001,” is discontinued as obsolete.

For the effect of posting a public record on an agency’s internet website, see Section 7922.545. For provisions of the California Public Records Act (“CPRA”) that relate to pollution, see Sections 7924.500-7924.510. For CPRA provisions that relate to pesticide safety and efficacy information disclosable under the federal Insecticide, Fungicide, and Rodenticide Act, see Sections 7924.300-7924.335. For a provision on housing or building violations, see Section 7924.700.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.110, 7925.000-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 (“public records”).

CHAPTER 4. FINANCIAL RECORDS AND TAX RECORDS

§ 7925.000. Confidential taxpayer information required in collection of local taxes

7925.000. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of information required from any taxpayer in connection with the collection of local taxes if that information is received in confidence and disclosure of it to other persons would result in unfair competitive disadvantage to the person supplying the information.

Comment. Section 7925.000 continues former Section 6254(i) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to financial records or tax records, see Sections 7925.005, 7925.010. For CPRA provisions that relate to personal information or customer records, see Sections 7927.400-7927.420.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.900, 7926.000-7927.300, 7927.500-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

§ 7925.005. Personal financial records required by licensing agency

7925.005. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of a statement of personal worth or personal financial data required by a licensing agency and filed by an applicant with the licensing agency to establish the applicant’s personal qualification for the license, certificate, or permit requested.

Comment. Section 7925.005 continues former Section 6254(n) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to financial records or tax records, see Sections 7925.000, 7925.010. For CPRA provisions that relate to personal information or customer records, see Sections 7927.400-7927.420.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.900, 7926.000-7927.300, 7927.500-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7925.010. Financial data relating to service contractor

7925.010. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of any of the following records:

(a) Financial data contained in an application for registration, or registration renewal, as a service contractor, which is filed with the Director of Consumer Affairs pursuant to Chapter 20 (commencing with Section 9800) of Division 3 of the Business and Professions Code, for the purpose of establishing the service contractor's net worth.

(b) Financial data regarding the funded accounts held in escrow for service contracts held in force in this state by a service contractor.

Comment. Section 7925.010 continues former Section 6254(x) without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to financial records or tax records, see Sections 7925.000, 7925.005. For CPRA provisions that relate to personal information or customer records, see Sections 7927.400-7927.420.

For other special rules applicable to specific types of public records, see Sections 7923.600-7924.900, 7926.000-7927.300, 7927.500-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 5. HEALTH CARE

Article 1. Accreditation

§ 7926.000. Final accreditation report of Joint Commission on Accreditation of Hospitals

7926.000. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of a final accreditation report of the Joint Commission on Accreditation of Hospitals that has been transmitted to the State Department of Public Health pursuant to subdivision (b) of Section 1282 of the Health and Safety Code.

Comment. Section 7926.000 continues former Section 6254(s) without substantive change. An erroneous reference to the State Department of Health Care Services has been replaced with a reference to the State Department of Public Health. See Health & Safety Code § 131052(7); 2005 Cal. Stat. ch. 670, § 1.5.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.100-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

Article 2. Advance Health Care Directive and Related Matters

§ 7926.100. Information provided for purpose of registration in Advance Health Care Directive Registry

7926.100. (a) Except as provided in subdivision (b) and in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of any information that a person provides to the Secretary of State for the purpose of registration in the Advance Health Care Directive Registry.

(b) The information described in subdivision (a) shall be released at the request of a health care provider, a public guardian, or the registrant's legal representative.

Comment. Section 7926.100 continues former Section 6254(ac) without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files "disclosure of which would constitute an unwarranted invasion of personal privacy"). For CPRA provisions that relate to workers' compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

Article 3. Contracts and Negotiations

§ 7926.200. Health facility disclosing relevant financing information to certified bargaining agent

7926.200. The provisions listed in Section 7920.505 do not prevent any health facility from disclosing to a certified bargaining agent relevant financing information pursuant to Section 8 of the National Labor Relations Act (29 U.S.C. Sec. 158).

Comment. Section 7926.200 continues the unlabeled last paragraph of former Section 6254 without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7926.205. Specified records of health plan licensed under Knox-Keene Act and governed by board of supervisors

7926.205. (a) Nothing in this division or any other provision of law requires disclosure of records of a health plan that is licensed pursuant to the Knox-Keene Health Care Service Plan Act of 1975 (Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code) and that is governed by a county board of supervisors, whether paper records, records maintained in the management information system, or records in any other form, that relate to provider rate or payment determinations, allocation or distribution methodologies for provider payments, formulae or calculations for these payments, and contract negotiations with providers of health care for alternative rates for a period of three years after the contract is fully executed.

(b) Transmission of the records described in subdivision (a), or the information contained therein in an alternative form, to the board of supervisors is not a waiver of exemption from disclosure. The records and information once transmitted to the board of supervisors remain subject to the exemption described in subdivision (a).

(c)(1) This section does not prevent the Joint Legislative Audit Committee from accessing any records in the exercise of its powers pursuant to Article 1 (commencing with Section 10500) of Chapter 4 of Part 2 of Division 2 of Title 2.

(2) This section does not prevent the Department of Managed Health Care from accessing any records in the exercise of its powers pursuant to Article 1 (commencing with Section 1340) of Chapter 2.2 of Division 2 of the Health and Safety Code.

Comment. Subdivision (a) of Section 7926.205 continues the first sentence of former Section 6254.22 without substantive change.

Subdivision (b) continues the second sentence of former Section 6254.22 without substantive change.

Subdivision (c) continues the third and fourth sentences of former Section 6254.22 without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7926.210. Records of municipal hospital or local hospital district that relate to contract with insurer or nonprofit hospital service plan for alternative rates

7926.210. (a) Except as provided in subdivision (b) or in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any records of a local hospital district, formed pursuant to Division 23 (commencing with Section 32000) of the Health and Safety Code, or a municipal hospital, formed pursuant to Article 7 (commencing with Section 37600) or Article 8 (commencing with Section 37650) of Chapter 5 of Part 2 of Division 3 of Title 4, that relate to a contract with an insurer or a nonprofit hospital service plan for inpatient or outpatient services for alternative rates pursuant to Section 10133 of the Insurance Code.

(b) A record described in subdivision (a) shall be open to inspection within one year after the contract is fully executed.

Comment. Section 7926.210 continues former Section 6254(t) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7926.215. Records relating to contracts for health care services for Department of Corrections and Rehabilitation

7926.215. (a) Except as provided in Sections 7924.510, 7924.700, and the provisions listed in Section 7920.505, this division does not require disclosure of records of the Department of Corrections and Rehabilitation that relate to health care services contract negotiations, and that reveal the deliberative processes, discussions, communications, or any other portion of the negotiations, including, but not limited to, records related to those negotiations such as meeting minutes, research, work product,

theories, or strategy of the department, or its staff, or members of the California Medical Assistance Commission, or its staff, who act in consultation with, or on behalf of, the department.

(b)(1) Except for the portion that contains the rates of payment, a contract for health services entered into by the Department of Corrections and Rehabilitation or the California Medical Assistance Commission on or after July 1, 1993, shall be open to inspection one year after it is fully executed.

(2) If a contract for health services was entered into before July 1, 1993, and amended on or after July 1, 1993, the amendment, except for any portion containing rates of payment, shall be open to inspection one year after it is fully executed.

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

(d)(1) Notwithstanding any other provision of law, including, but not limited to, Section 1060 of the Evidence Code, the entire contract or amendment shall be open to inspection by the California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office.

(2) The California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office shall maintain the confidentiality of each contract or amendment until the contract or amendment is fully open to inspection by the public.

(e) It is the intent of the Legislature that the confidentiality of health care provider contracts, and of the contracting process as provided in this section, shall protect the competitive nature of the negotiation process, and shall not affect public access to other information relating to the delivery of health care services.

Comment. Subdivision (a) of Section 7926.215 continues former Section 6254.14(a)(1) without substantive change.

Subdivision (b) continues former Section 6254.14(a)(2) without substantive change.

Subdivision (c) continues former Section 6254.14(a)(3) without substantive change.

Subdivision (d) continues former Section 6254.14(a)(4) without substantive change.

Subdivision (e) continues former Section 6254.14(a)(5) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7926.220. Specified records of state agency relating to selective provider contracts, county health systems, or Geographic Managed Care Pilot Project

7926.220. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of a state agency related to activities governed by Article 2.6 (commencing with Section 14081), Article 2.8 (commencing with Section 14087.5), or Article 2.91 (commencing with Section 14089) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, that reveal the special negotiator’s

deliberative processes, discussions, communications, or any other portion of the negotiations with providers of health care services, impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy, or that provide instruction, advice, or training to employees.

(b)(1) Except for the portion containing the rates of payment, a contract for inpatient services entered into pursuant to one of these articles, on or after April 1, 1984, shall be open to inspection one year after it is fully executed.

(2) If a contract for inpatient services was entered into before April 1, 1984, and amended on or after April 1, 1984, the amendment, except for any portion containing the rates of payment, shall be open to inspection one year after it is fully executed.

(3) If the California Medical Assistance Commission enters into a contract with a health care provider for other than inpatient hospital services, the contract shall be open to inspection one year after it is fully executed.

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

(d)(1) Notwithstanding any other law, the entire contract or amendment shall be open to inspection by the California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office.

(2) The California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office shall maintain the confidentiality of each contract or amendment until the contract or amendment is fully open to inspection by the public.

Comment. Subdivision (a) of Section 7926.220 continues former Section 6254(q)(1) without substantive change.

Subdivision (b) continues former Section 6254(q)(2) without substantive change.

Subdivision (c) continues former Section 6254(q)(3) without substantive change.

Subdivision (d) continues former Section 6254(q)(4) without substantive change. Subdivision (d) also continues former Section 6254.14(b) to the extent it applied to former Section 6254(q).

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.540 (“state agency”).

§ 7926.225. Specified records of Managed Risk Medical Insurance Board and State Department of Health Care Services

7926.225. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the Managed Risk Medical Insurance Board and the State Department of Health Care Services that relate to activities governed by former Part 6.3 (commencing with Section 12695), former Part 6.5 (commencing with Section 12700), former Part 6.6 (commencing with Section 12739.5), or former 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:

(1) 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.

(2) 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.

(b)(1) Except for the portion that contains the rates of payment, a contract entered into pursuant to former Part 6.3 (commencing with Section 12695), former Part 6.5 (commencing with Section 12700), former Part 6.6 (commencing with Section 12739.5), or former 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 its effective date.

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

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

(d)(1) Notwithstanding any other law, the entire contract or amendment to a contract shall be open to inspection by the

California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office.

(2) The California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office shall maintain the confidentiality of each contract or amendment until the contract or amendment is open to inspection pursuant to subdivision (c).

Comment. Subdivisions (a) and (b) of Section 7926.225 continue former Section 6254(v)(1)-(2) without substantive change. The cross-references to "Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code" have been updated to reflect the repeals of Part 6.6 and Part 6.7. See 2010 Cal. Stat. ch. 31, § 5 (former Ins. Code § 12739.62) and 2010 Cal. Stat. ch. 32, § 3 (former Ins. Code § 12739.76), which are sunset provisions that operated on Jan. 1, 2020.

Subdivision (c) continues former Section 6254(v)(3) without substantive change.

Subdivision (d) continues former Section 6254(v)(4) without substantive change. Subdivision (d) also continues former Section 6254.14(b) to the extent it applied to former Section 6254(v).

For other provisions of the California Public Records Act ("CPRA") that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files "disclosure of which would constitute an unwarranted invasion of personal privacy"). For CPRA provisions that relate to workers' compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7926.230. Additional records of Managed Risk Medical Insurance Board and State Department of Health Care Services

7926.230. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of 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 former 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:

(1) 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.

(2) 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.

(b)(1) Except for the portion that contains the rates of payment, a contract entered into pursuant to Part 6.2 (commencing with Section 12693) or former 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 its effective date.

(2) If a contract entered into pursuant to Part 6.2 (commencing with Section 12693) or former 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.

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

(d)(1) Notwithstanding any other law, the entire contract or amendments to a contract shall be open to inspection by the California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office.

(2) The California State Auditor's Office, the Joint Legislative Audit Committee, and the Legislative Analyst's Office shall maintain the confidentiality of each contract or amendment until the contract or amendment is open to inspection pursuant to subdivision (b) or (c).

(e) The exemption from disclosure provided pursuant to this section 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 former 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.

Comment. Subdivision (a) of Section 7926.230 continues former Section 6254(y)(1) without substantive change.

Subdivision (b) continues former Section 6254(y)(2) without substantive change.

Subdivision (c) continues former Section 6254(y)(3) without substantive change.

Subdivision (d) continues former Section 6254(y)(4) without substantive change. Subdivision (d) also continues former Section 6254.14(b) to the extent it applied to former Section 6254(y).

Subdivision (e) continues former Section 6254(y)(5) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

<p>Note. Proposed Section 7926.230(e) incorporates a revision of Section 6254(y)(5) made by Senate Bill 94 (Committee on Budget & Fiscal Review), 2019 Cal. Stat. ch. 25, § 1.</p>

§ 7926.235. Records of Managed Risk Medical Insurance Board relating to Small Employer Health Insurance

7926.235. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the Managed Risk Medical Insurance Board that relate to activities governed by Chapter 8 (commencing with Section 10700) of Part 2 of Division 2 of the Insurance Code, and that reveal the deliberative processes, discussions, communications, or any other portion of the negotiations with health plans, or the impressions, opinions, recommendations, meeting minutes, research, work product, theories, or strategy of the board or its staff, or records that provide instructions, advice, or training to employees.

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

(c)(1) Notwithstanding any other law, the entire contract or amendment to a contract shall be open to inspection by the Joint Legislative Audit Committee.

(2) The committee shall maintain the confidentiality of each contract or amendment until the contract or amendment is open to inspection pursuant to subdivision (b).

Comment. Subdivision (a) of Section 7926.235 continues former Section 6254(w)(1) without substantive change.

Subdivision (b) continues former Section 6254(w)(2) without substantive change.

Subdivision (c) continues former Section 6254(w)(3) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-

7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 4. In-Home Supportive Services and Personal Care Services

§ 7926.300. Information regarding persons paid by state to provide in-home supportive services or personal care services

7926.300. (a) Notwithstanding any other provision of this division, information regarding persons paid by the state to provide in-home supportive services pursuant to Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code or personal care services pursuant to Section 14132.95, 14132.952, 14132.956, or 14132.97 of the Welfare and Institutions Code, is not subject to public disclosure pursuant to this division, except as provided in subdivision (b).

(b) Copies of names, addresses, home telephone numbers, personal cellular telephone numbers, and personal email addresses of persons described in subdivision (a) shall be made available, upon request, to an exclusive bargaining agent and to any labor organization seeking representation rights pursuant to subdivision (c) of Section 12301.6, or Section 12302.5, of the Welfare and Institutions Code or Chapter 10 (commencing with Section 3500) of Division 4 of Title 1. This information shall not be used by the

receiving entity for any purpose other than the employee organizing, representation, and assistance activities of the labor organization.

(c) This section applies solely to individuals who provide services under the In-Home Supportive Services Program (Article 7 (commencing with Section 12300) of Chapter 3 of Part 3 of Division 9 of the Welfare and Institutions Code), the Personal Care Services Program pursuant to Section 14132.95 of the Welfare and Institutions Code, the In-Home Supportive Services Plus Option Program pursuant to Section 14132.952 of the Welfare and Institutions Code, the Community First Choice Option Program pursuant to Section 14132.956 of the Welfare and Institutions Code, or the Waiver Personal Care Services Program pursuant to Section 14132.97 of the Welfare and Institutions Code.

(d) This section does not alter the rights of parties under the Meyers-Milias-Brown Act (Chapter 10 (commencing with Section 3500) of Division 4) or any other labor relations law.

Comment. Section 7926.300 continues former Section 6253.2 without substantive change. An erroneous cross-reference to Section 12302.25 (instead of Section 12302.5) of the Welfare and Institutions Code has been corrected.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

Article 5. Reproductive Health Services Facility

§ 7926.400. Definitions

7926.400. For purposes of this article, the following terms have the following meanings:

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

(b) “Personal information” means any of the following information related to an individual that is maintained by a public agency:

- (1) Social security number.
 - (2) Physical description.
 - (3) Home address.
 - (4) Home telephone number.
 - (5) Statements of personal worth or personal financial data filed pursuant to Section 7925.005.
 - (6) Personal medical history.
 - (7) Employment history.
 - (8) Electronic mail address.
 - (9) Information that reveals any electronic network location or identity.
- (c) “Public agency” means all of the following:
- (1) The Department of Consumer Affairs.
 - (2) The Department of Managed Health Care.
 - (3) The State Department of Health Care Services.
 - (4) The State Department of Public Health.

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

Comment. Subdivision (a) of Section 7926.400 continues former Section 6254.18(b)(1) without substantive change.

Subdivision (b) continues former Section 6254.18(b)(2) without substantive change.

Subdivision (c) continues former Section 6254.18(b)(3) without substantive change. For another definition of “public agency,” see Section 7920.525(a).

Subdivision (d) continues former Section 6254.18(b)(4) without substantive change.

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 Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Note. Proposed Section 7926.400(d) incorporates a revision of Section 6254.18(b)(4) made by Assembly Bill 1622 (Carrillo), 2019 Cal. Stat. ch. 632, § 5.

§ 7926.405. Personal information regarding employees or specified other persons associated with reproductive health services facility

7926.405. This division does not require disclosure of any personal information received, collected, or compiled by a public agency regarding the employees, volunteers, board members, owners, partners, officers, or contractors of a reproductive health services facility who have notified the public agency pursuant to Section 7926.415 if the personal information is contained in a document that relates to the facility.

Comment. Section 7926.405 continues former Section 6254.18(a) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7926.400 (defining "contractor," "personal information," "public agency," and "reproductive health services facility").

Note. Proposed Section 7926.405 incorporates a revision of Section 6254.18(a) made by Assembly Bill 1622 (Carrillo), 2019 Cal. Stat. ch. 632, § 5.

§ 7926.410. Proceeding for access to employment history information

7926.410. (a) Any person may institute proceedings for injunctive or declarative relief or writ of mandate in any court of competent jurisdiction to obtain access to employment history information of a reproductive health services facility pursuant to Part 4 (commencing with Section 7923.000).

(b) If the court finds, based on the facts of a particular case, that the public interest served by disclosure of employment history information of a reproductive health services facility clearly outweighs the public interest served by not disclosing the information, the court shall order the officer or person charged with withholding the information to disclose employment history information or show cause why that officer or person should not disclose pursuant to Chapter 2 (commencing with Section 7923.100) of Part 4.

Comment. Section 7926.410 continues former Section 6254.18(c) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

Note. Proposed Section 7926.410 incorporates a revision of Section 6254.18(c) made by Assembly Bill 1622 (Carrillo), 2019 Cal. Stat. ch. 632, § 5.

§ 7926.415. Notification requirement for individual

7926.415. (a) In order for this article to apply to an individual who is an employee, volunteer, board member, officer, or

contractor of a reproductive health services facility, the individual shall notify the public agency to which the individual's personal information is being submitted or has been submitted that the individual falls within the application of this article.

(b) Notification pursuant to subdivision (a) is valid if it complies with all of the following:

(1) It is on the official letterhead of the facility.

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

(3) It is signed and dated by both of the following:

(A) The individual whose information is being submitted.

(B) The executive officer of the reproductive health services facility or designee of the executive officer.

(c) A reproductive health services facility shall retain a copy of all notifications submitted pursuant to this article.

Comment. Subdivision (a) of Section 7926.415 continues the first sentence of former Section 6254.18(d) without substantive change.

Subdivision (b) continues the third sentence of former Section 6254.18(d) without substantive change.

Subdivision (c) continues the second sentence of former Section 6254.18(d) without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files "disclosure of which would constitute an unwarranted invasion of personal privacy"). For CPRA provisions that relate to workers' compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-

7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7926.400 (defining "contractor," "personal information," "public agency," and "reproductive health services facility").

§ 7926.420. Duration of privacy protections

7926.420. The privacy protections for personal information authorized pursuant to this article are effective from the time of notification pursuant to Section 7926.415 until either one of the following occurs:

(a) Six months after the date of separation from a reproductive health services facility for an individual who has served for not more than one year as an employee, contractor, volunteer, board member, or officer of the reproductive health services facility.

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

Comment. Section 7926.420 continues former Section 6254.18(e) without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7926.400 (defining “contractor,” “personal information,” and “reproductive health services facility”).

§ 7926.425. Notice of separation

7926.425. Within 90 days of separation of an employee, contractor, volunteer, board member, or officer of the reproductive health services facility who has provided notice to a public agency pursuant to Section 7926.415, the facility shall provide notice of the separation to the relevant agency or agencies.

Comment. Section 7926.425 continues former Section 6254.18(f) without substantive change. An erroneous cross-reference to former Section 6254.18(c) (instead of former Section 6254.18(d)) has been corrected.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7926.400 (defining “contractor,” “public agency,” and “reproductive health services facility”).

§ 7926.430. Disclosure of data regarding age, race, ethnicity, national origin, or gender, without individually identifiable information

7926.430. This section does not prevent a government agency from disclosing data regarding the age, race, ethnicity, national origin, or gender of individuals whose personal information is

protected pursuant to this article if the data does not contain individually identifiable information.

Comment. Section 7926.430 continues former Section 6254.18(g) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to a reproductive health services facility, see the rest of this article (Sections 7926.400-7926.430). See also Sections 6215-6216 (address confidentiality for reproductive health care service providers, employers, 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 the rest of this chapter (Sections 7926.000-7926.300, 7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7926.400 (defining “personal information”).

<p>Note. Proposed Section 7926.430 incorporates revisions of Section 6254.18(g) made by Assembly Bill 1622 (Carrillo), 2019 Cal. Stat. ch. 632, § 5.</p>

Article 6. Websites and Related Matters

§ 7926.500. Implementation of CPRA by health care district

7926.500. In implementing this division, each health care district shall maintain an internet website in accordance with subdivision (b) of Section 32139 of the Health and Safety Code.

Comment. Section 7926.500 continues former Section 6270.7 without substantive change.

For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For other CPRA provisions that relate specifically to health care, see the rest of this chapter (Sections 7926.000-7926.500); see also Section 7927.700 (exemption for medical files “disclosure of which would constitute an unwarranted invasion of personal privacy”). For CPRA provisions that relate to workers’ compensation, see Sections 7929.400-7929.430.

For other special rules applicable to specific types of public records, see Sections 7923.600-7925.010, 7927.000-7929.215, 7929.600-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 6. HISTORICALLY OR CULTURALLY SIGNIFICANT MATTERS

§ 7927.000. Native American sacred places, features, and objects

7927.000. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any of the following:

(a) Records of Native American graves, cemeteries, and sacred places.

(b) Records of Native American places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code, which are maintained by, or in the possession of, the Native American Heritage Commission, another state agency, or a local agency.

Comment. Section 7927.000 continues former Section 6254(r) without substantive change.

For a provision of the California Public Records Act (“CPRA”) on archaeological site information and reports, see Section 7927.005. For other special rules applicable to specific types of public records, see Sections 7923.600-7926.500, 7927.100-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7927.005. Archaeological site information and reports

7927.005. Nothing in this division requires disclosure of records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency.

Comment. Section 7927.005 continues former Section 6254.10 without substantive change.

For a provision of the California Public Records Act (“CPRA”) on Native American sacred places, features, and objects, see Section 7927.000. For other special rules applicable to specific types of public records, see Sections 7923.600-7926.500, 7927.100-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

CHAPTER 7. LIBRARY RECORDS AND SIMILAR MATTERS

§ 7927.100. Library circulation records and related matters

7927.100. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of library circulation records kept for the purpose of identifying the borrower of items available in libraries, and library and museum materials made or acquired and presented solely for reference or exhibition purposes.

(b) The exemption in this section does not apply to records of fines imposed on the borrowers.

Comment. Section 7927.100 continues former Section 6254(j) without substantive change.

For a provision of the California Public Records Act (“CPRA”) on patron use records of a library supported by public funds, see Section 7927.105. For other special rules applicable to specific types of public records, see Sections 7923.600-7927.055, 7927.200-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7927.105. Patron use records of library supported by public funds

7927.105. (a) As used in this section, the term “patron use records” includes both of the following:

(1) Any written or electronic record that is used to identify a library patron and is provided by the patron to become eligible to borrow or use books and other materials. This includes, but is not limited to, a patron's name, address, telephone number, or email address.

(2) Any written record or electronic transaction that identifies a patron's borrowing information or use of library information resources. This includes, but is not limited to, database search records, borrowing records, class records, and any other personally identifiable uses of library resources information requests, or inquiries.

(b) This section does not apply to either of the following:

(1) Statistical reports of patron use.

(2) Records of fines collected by a library.

(c) All patron use records of a library that is in whole or in part supported by public funds shall remain confidential. A public agency, or a private actor that maintains or stores patron use records on behalf of a public agency, shall not disclose those records to any person, local agency, or state agency, except as follows:

(1) By a person acting within the scope of the person's duties within the administration of the library.

(2) By a person authorized in writing to inspect the records. The authorization shall be from the individual to whom the records pertain.

(3) By order of the appropriate superior court.

Comment. Section 7927.105 continues former Section 6267 without substantive change.

For a provision of the California Public Records Act ("CPRA") on library circulation records and library and museum materials, see Section 7927.100. For other special rules applicable to specific types of public records, see Sections 7923.600-7927.055, 7927.200-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7920.525 ("public agency"), 7920.540 ("state agency"), 7920.545 ("writing").

CHAPTER 8. LITIGATION RECORDS AND SIMILAR MATTERS

§ 7927.200. Records relating to pending litigation or pending claim

7927.200. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any of the following records:

(a) Records pertaining to pending litigation to which the public agency is a party, until the pending litigation has been finally adjudicated or otherwise settled.

(b) Records pertaining to a claim made pursuant to Division 3.6 (commencing with Section 810), until the pending claim has been finally adjudicated or otherwise settled.

Comment. Section 7927.200 continues former Section 6254(b) without substantive change.

For another provision of the California Public Records Act ("CPRA") that relates specifically to litigation records, see Section 7927.205. For a CPRA provision on preliminary drafts and similar materials, see Section 7927.500. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections

7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 ("public agency").

§ 7927.205. Memorandum of legal counsel relating to pending litigation

7927.205. Nothing in this division or any other provision of law requires 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 (e) of Section 11126 or Section 54956.9 until the pending litigation has been finally adjudicated or otherwise settled. The memorandum is protected by the attorney work-product privilege until the pending litigation has been finally adjudicated or otherwise settled.

Comment. Section 7927.205 continues former Section 6254.25 without substantive change. The cross-reference to Section 11126 has been updated to reflect relocation of the relevant material from subdivision (q) to subdivision (e) of that section.

For another provision of the California Public Records Act ("CPRA") that relates specifically to litigation records, see Section 7927.200. For a CPRA provision on preliminary drafts and similar materials, see Section 7927.500. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.510 ("local agency").

CHAPTER 9. MISCELLANEOUS PUBLIC RECORDS

§ 7927.300. Confidential information relating to utility systems development, or market or crop reports

7927.300. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of geological and geophysical data, plant production data, and similar information relating to utility systems development, or market or crop reports, that are obtained in confidence from any person.

Comment. Section 7927.300 continues former Section 6254(e) without substantive change.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see Sections 7923.600-7927.205, 7927.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person").

§ 7927.305. Family childcare providers

7927.305. (a) Notwithstanding any other provision of this division to the contrary, information regarding family childcare providers, as defined in subdivision (b) of Section 8431 of the Education Code, shall not be subject to public disclosure pursuant to this division, except as provided in subdivisions (b) and (c).

(b) Consistent with Section 8432 of the Education Code, copies of names, home and mailing addresses, county, home, if known, work, and cellular telephone numbers, and email addresses of persons described in subdivision (a) shall be made available, upon request, to provider organizations that have been determined to be a provider organization pursuant to subdivision (a) of Section 8432 of the Education Code. Information shall be made available consistent with the deadlines set in Section 8432 of the Education Code. This information shall not be used by the receiving entity for any purpose other than for purposes of organizing, representing, and assisting family childcare providers.

(c) Consistent with Section 8432 of the Education Code, copies of names, home and mailing addresses, county, home, if known, work, and cellular telephone numbers, and email addresses of persons described in subdivision (a) shall be made available to a certified provider organization, as defined in subdivision (a) of Section 8431 of the Education Code. Information shall be made available consistent with the deadlines set in Section 8432 of the Education Code. This information shall not be used by the

receiving entity for any purpose other than for purposes of organizing, representing, and assisting family childcare providers.

(d) This section does not prohibit or limit the disclosure of information otherwise required to be disclosed by the California Child Day Care Facilities Act (Chapter 3.4 (commencing with Section 1596.70) of, Chapter 3.5 (commencing with Section 1596.90) of, and Chapter 3.6 (commencing with Section 1597.30) of, Division 2 of the Health and Safety Code), or to an officer or employee of another state public agency for performance of their official duties under state law.

(e) All confidentiality requirements applicable to recipients of information pursuant to Section 1596.86 of the Health and Safety Code shall apply to protect the personal information of providers of small family daycare homes, as defined in Section 1596.78 of the Health and Safety Code, that is disclosed pursuant to subdivisions (b) and (c).

(f) A family childcare provider, as defined by subdivision (b) of Section 8431 of the Education Code, may opt out of disclosure of their home and mailing address, home, work, and cellular telephone numbers, and email address from the lists described in subdivisions (c) and (d) of Section 8432 of the Education Code by complying with the procedure set forth in subdivision (k) of Section 8432 of the Education Code.

Comment. Section 7927.305 continues former Section 6253.21 without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7927.205, 7927.400-7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 (“person”), 7920.525 (“public agency”).

Note. Proposed Section 7927.305 would continue Section 6253.21, which was recently added to the codes by Senate Bill 75 (Committee on Budget), 2019 Cal. Stat. ch. 51, § 64, and amended by Assembly Bill 378 (Limón), 2019 Cal. Stat. ch. 385, § 28.

CHAPTER 10. PERSONAL INFORMATION AND CUSTOMER RECORDS

§ 7927.400. Personal information electronically collected by state agency

7927.400. Nothing in this division requires the disclosure of records that relate to electronically collected personal information, as defined by Section 11015.5, that is received, collected, or compiled by a state agency.

Comment. Section 7927.400 continues former Section 6254.20 without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to personal information or customer records, see the rest of this chapter (Sections 7927.405-7927.420); see also Sections 7923.620 (disclosure of arrestee’s address or victim’s address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7927.405. Residence or mailing address in DMV records

7927.405. Nothing in this division requires the disclosure of the residence or mailing address of any person in any record of the Department of Motor Vehicles except in accordance with Section 1808.21 of the Vehicle Code.

Comment. Section 7927.405 continues former Section 6254.1(b) without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to personal information or customer records, see the rest of this chapter (Sections 7927.400-7927.420); see also Sections 7923.620 (disclosure of arrestee's address or victim's address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-

7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person").

§ 7927.410. Personal information of local agency utility customers

7927.410. Nothing in this division requires the disclosure of the name, credit history, utility usage data, home address, or telephone number of a utility customer of a local agency, except that disclosure of the name, utility usage data, and the home address of a utility customer of a local agency shall be made available upon request as follows:

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

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

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

(d) Upon determination by the local agency that the utility customer who is the subject of the request has used utility services

in a manner inconsistent with applicable local utility usage policies.

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

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

Comment. Section 7927.410 continues former Section 6254.16 without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to personal information or customer records, see the rest of this chapter (Sections 7927.400-7927.420); see also Sections 7923.620 (disclosure of arrestee's address or victim's address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.505 (“local agency”), 7920.520 (“person”).

§ 7927.415. Residence address in records of Department of Housing and Community Development

7927.415. Except as provided in Sections 7924.510 and 7924.700, nothing in this division requires disclosure of records that are the residence address of any person contained in the records of the Department of Housing and Community Development, if the person has requested confidentiality of that information, in accordance with Section 18081 of the Health and Safety Code.

Comment. Section 7927.415 continues former Section 6254.1(a) without substantive change.

For other provisions of the California Public Records Act (“CPRA”) that relate specifically to personal information or customer records, see the rest of this chapter (Sections 7927.400-7927.420); see also Sections 7923.620 (disclosure of arrestee’s address or victim’s address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from

disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 ("person").

§ 7927.420. Information relating to deceased minor foster child

7927.420. Notwithstanding paragraph (2) of subdivision (a) of Section 827 of the Welfare and Institutions Code, after the death of a foster child who is a minor, the name, date of birth, and date of death of the child shall be subject to disclosure by the county child welfare agency pursuant to this division.

Comment. Section 7927.420 continues former Section 6252.6 without substantive change.

For other provisions of the California Public Records Act ("CPRA") that relate specifically to personal information or customer records, see the rest of this chapter (Sections 7927.400-7927.415); see also Sections 7923.620 (disclosure of arrestee's address or victim's address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections

7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 11. PRELIMINARY DRAFTS AND SIMILAR MATERIALS

§ 7927.500. Preliminary drafts, notes, or interagency or intraagency memoranda not ordinarily retained

7927.500. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any preliminary drafts, notes, or interagency or intraagency memoranda that are not retained by a public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

Comment. Section 7927.500 continues former Section 6254(a) without substantive change.

For provisions of the California Public Records Act ("CPRA") that relate specifically to litigation records, see Sections 7927.200-7927.205. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 ("public agency").

CHAPTER 12. PRIVATE INDUSTRY

§ 7927.600. Identity of private industry employer obtained in conjunction with collection of private industry wage data

7927.600. Whenever a city and county or a joint powers agency, pursuant to a mandatory statute or charter provision to collect private industry wage data for salary setting purposes, or a contract entered to implement that mandate, is provided this data by the United States Bureau of Labor Statistics on the basis that the identity of private industry employers shall remain confidential, the identity of the employers shall not be open to the public or be admitted as evidence in any action or special proceeding.

Comment. Section 7927.600 continues former Section 6254.6 without substantive change.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7927.605. Corporate financial records, corporate proprietary information, and information relating to in-state siting furnished to agency to facilitate such siting

7927.605. (a) Nothing in this division requires the disclosure of records that are any of the following: corporate financial records, corporate proprietary information including trade secrets, and information relating to siting within the state furnished to a government agency by a private company for the purpose of permitting the agency to work with the company in retaining, locating, or expanding a facility within California.

(b) Except as provided in subdivision (c), incentives offered by a state or a local government agency, if any, shall be disclosed upon communication to the agency or the public of a decision to stay, locate, relocate, or expand, by a company, or upon application by that company to a governmental agency for a general plan amendment, rezone, use permit, building permit, or any other permit, whichever occurs first.

(c) Before publicly disclosing a record that describes state or local incentives offered by an agency to a private business to retain, locate, relocate, or expand the business within California, the agency shall delete information that is exempt pursuant to this section.

Comment. Section 7927.605 continues former Section 6254.15 without substantive change.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part

(Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.540 ("state agency").

CHAPTER 13. PRIVATE RECORDS, PRIVILEGED MATERIALS, AND OTHER RECORDS PROTECTED BY LAW FROM DISCLOSURE

§ 7927.700. Personnel, medical, and similarly private files

7927.700. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Comment. Section 7927.700 continues former Section 6254(c) without substantive change.

In addition to this section, many other laws protect personal privacy to one degree or another. See, e.g., Cal. Const. art. I, § 1; Health Insurance Portability and Accountability Act ("HIPPA"), Pub. Law 104-191, 110 Stat. 1936 (1996); Public Safety Officers Procedural Bill of Rights Act ("POBAR," codified at Sections 3300-3312); Penal Code §§ 832.5, 832.7, 832.8.

For a case that requires disclosure of certain salary information despite a claim of privacy, see *International Federation of Professional & Technical Engineers, Local 21 v. Superior Court*, 42 Cal. 4th 319, 165

P.3d 488, 64 Cal. Rptr. 3d 693 (2007); see also *Bakersfield City School Dist. v. Superior Court*, 118 Cal. App. 4th 1041, 13 Cal. Rptr. 3d 517 (2004) (requiring disclosure of certain disciplinary records); *BRV, Inc. v. Superior Court*, 143 Cal. App. 4th 742, 49 Cal. Rptr. 3d 519 (2006) (requiring disclosure of investigator's report on alleged misconduct of superintendent, with redactions).

For provisions of the California Public Records Act ("CPRA") that relate specifically to personal information or customer records, see Sections 7927.400-7927.420; see also Sections 7923.620 (disclosure of arrestee's address or victim's address for specified purposes), 7926.405 (personal information regarding employees or specified other persons associated with reproductive health services facility), 7928.200-7928.230 (online posting or sale of personal information of elected or appointed official), 7928.300 (personal information of agency employee). For CPRA provisions that relate specifically to financial records or tax records, see Sections 7925.000-7925.010. For guidance on private records, privileged materials, and other records protected by law from disclosure, see Sections 7927.700-7927.705. For provisions governing redaction or truncation of social security numbers, see Sections 7922.200-7922.210.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7927.705. Privileged records and other records protected by law from disclosure

7927.705. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

Comment. Section 7927.705 continues former Section 6254(k) without substantive change.

For evidentiary privileges under state law, see Evid. Code §§ 900-1070; see also Code Civ. Proc. §§ 2018.010-2018.080 (attorney work product); Evid. Code §§ 1115-1129 (mediation confidentiality). For evidentiary privileges under federal law, see Fed. R. Evid. 501.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 14. PUBLIC EMPLOYEE OR OFFICIAL

Article 1. The Governor

§ 7928.000. Governor's correspondence

7928.000. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of correspondence of and to the Governor or employees of the Governor's office or in the custody of or maintained by the Governor's Legal Affairs Secretary.

(b) Public records shall not be transferred to the custody of the Governor's Legal Affairs Secretary to evade the disclosure provisions of this division.

Comment. Section 7928.000 continues former Section 6254(l) without substantive change.

For guidance on archiving and disclosure of the Governor's records upon leaving office, see Sections 7928.005-7928.015. For guidance on disclosure of records of the Legislative Counsel, see Section 7928.100. For additional rules in the California Public Records Act ("CPRA") that relate specifically to public employees and officials, see Sections 7928.200-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 (“public records”).

§ 7928.005. Archiving and disclosure of Governor’s public records upon leaving office

7928.005. (a) When the Governor leaves office, either voluntarily or involuntarily, public records in the custody or control of the Governor shall be transferred to the State Archives as soon as practical.

(b) Notwithstanding any other law, the Governor, by written instrument, the terms of which shall be made public, may restrict public access to any of the transferred public records, or any other writings the Governor may transfer that have not already been made accessible to the public.

(c) With respect to public records, public access, as otherwise provided for by this division, shall not be restricted for a period greater than 50 years or the death of the Governor, whichever is later, nor shall there be any restriction whatsoever with respect to enrolled bill files, press releases, speech files, or writings relating to applications for clemency or extradition in cases that have been closed for a period of at least 25 years. Subject to any restrictions permitted by this section or Section 7928.010, the Secretary of State, as custodian of the State Archives, shall make all those public records and other writings available to the public as otherwise provided for in this division.

Comment. Section 7928.005 continues former Section 6268(a) without substantive change.

For a special rule applicable to governors who held office between 1974 and 1988, see Section 7928.010. For the Secretary of State’s authority to appraise and manage the Governor’s records for preservation in the State Archives, see Section 7928.015. For additional guidance on disclosure of the Governor’s correspondence, see Section 7928.000. For additional rules in the California Public Records Act (“CPRA”) that relate specifically to public employees and officials, see Sections 7928.100-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections

7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.530 ("public records"), 7920.545 ("writing").

§ 7928.010. Special rule for Governor who held office between 1974 and 1988

7928.010. (a)(1) For a Governor who held office between 1974 and 1988, Section 7928.005 does not apply to public records or other writings that were in the Governor's direct custody or control at the time of leaving office, except to the extent that the Governor may voluntarily transfer those records or other writings to the State Archives.

(2) Subdivision (a) does not apply to enrolled bill files, press releases, speech files, or writings relating to applications for clemency or extradition.

(b)(1) Notwithstanding any other law, the public records and other writings of any Governor who held office between 1974 and 1988 may be transferred to any educational or research institution in California. With respect to public records, however, public access, as otherwise provided for by this division, shall not be restricted for a period greater than 50 years or the death of the Governor, whichever is later.

(2) Records or writings shall not be transferred pursuant to this subdivision unless the institution receiving them agrees to

maintain, and does maintain, the materials according to commonly accepted archival standards.

(3) An institution receiving public records pursuant to this subdivision shall not destroy any of those records without first receiving the written approval of the Secretary of State, as custodian of the State Archives. The Secretary of State may require that the records be placed in the State Archives rather than being destroyed.

(4) An institution receiving records or writings pursuant to this subdivision shall allow the Secretary of State, as custodian of the State Archives, to copy, at state expense, and to make available to the public, any and all public records, and inventories, indices, or finding aids relating to those records that the institution makes available to the public generally. Copies of those records in the custody of the State Archives shall be given the same legal effect as is given to the originals.

Comment. Subdivision (a) of Section 7928.010 continues former Section 6268(b) without substantive change.

Subdivision (b) continues former Section 6268(c) without substantive change. An outdated reference to “this paragraph” (as opposed to “this subdivision”) in the second sentence of former Section 6268(c) has been corrected. See 1988 Cal. Stat. ch. 503, § 1.

By its terms, Section 7928.010 only applies to governors who held office between 1974 and 1988. For guidance on archiving and disclosure of the records of other governors upon leaving office, see Section 7928.005. For the Secretary of State’s authority to appraise and manage the Governor’s records for preservation in the State Archives, see Section 7928.015. For further guidance on disclosure of the Governor’s correspondence, see Section 7928.000. For additional rules in the California Public Records Act (“CPRA”) that relate specifically to public employees and officials, see Sections 7928.100-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.530 ("public records"), 7920.545 ("writing").

§ 7928.015. Authority of Secretary of State to appraise and manage Governor's records

7928.015. (a) The Secretary of State may appraise and manage new or existing records that are subject to Section 7928.005 or 7928.010 to determine whether the records are appropriate for preservation in the State Archives.

(b) For purposes of this section, the Secretary of State shall use professional archival practices, including, but not limited to, appraising the historic value of the records, arranging and describing the records, rehousing the records in appropriate storage containers, or providing any conservation treatment that the records require.

Comment. Section 7928.015 continues former Section 6268.5 without substantive change.

For further guidance on archiving and disclosure of the Governor's public records upon leaving office, see Sections 7928.005-7928.010. For further guidance on disclosure of the Governor's correspondence, see Section 7928.000. For additional rules in the California Public Records Act ("CPRA") that relate specifically to public employees and officials, see Sections 7928.100-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from

disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.530 ("public records").

Article 2. The Legislature

§ 7928.100. Records of Legislative Counsel

7928.100. (a) Except as provided in subdivision (b) and in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any records that are in the custody of, or maintained by, the Legislative Counsel.

(b) Subdivision (a) does not apply to records in the public database maintained by the Legislative Counsel that are described in Section 10248.

Comment. Section 7928.100 continues former Section 6254(m) without substantive change.

For guidance on disclosure and archiving of the Governor's records, see Sections 7928.000-7928.015. For additional rules in the California Public Records Act ("CPRA") that relate specifically to public employees and officials, see Sections 7928.200-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 3. Online Posting or Sale of Personal Information of Elected or Appointed Official

§ 7928.200. Effect of article

7928.200. (a) Nothing in this article is intended to preclude punishment instead under Section 69, 76, or 422 of the Penal Code, or any other law.

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

Comment. Subdivision (a) of Section 7928.200 continues former Section 6254.21(g) without substantive change.

Subdivision (b) continues former Section 6254.21(e) without substantive change.

For guidance regarding online posting or sale of personal information of an elected or appointed official, see the rest of this article (Sections 7928.205-7928.230). For additional rules in the California Public Records Act ("CPRA") that relate specifically to public employees and officials, see Sections 7928.000-7928.100, 7928.300-7928.410.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from

disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.500 ("elected or appointed official").

§ 7928.205. Agency posting home address or phone number of elected or appointed official on internet

7928.205. No state or local agency shall post the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual.

Comment. Section 7928.205 continues former Section 6254.21(a) without substantive change.

For a prohibition on posting the home address or phone number of an elected or appointed official (or the official's spouse or child) on the internet with knowledge and intent, see Section 7928.210. For a prohibition on publicly posting or displaying the home address or phone number of an elected or appointed official who has made a written demand for nondisclosure, see Sections 7928.215-7928.225 & Comments. For a prohibition on solicitation, sale, or trade of an elected or appointed official's home address or phone number on the internet with intent to cause imminent great bodily harm, see Section 7928.230. For rules on disclosure of personal information of agency employees, see Section 7928.300. For some of the laws governing disclosure of personal information of members of the general public, see Sections 7927.400-7927.420; see also Sections 7922.200-7922.210 (redaction and truncation of social security numbers).

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-

all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.500 ("elected or appointed official"), 7920.510 ("local agency"), 7920.540 ("state agency"). See also Section 7928.200 (effect of article).

§ 7928.210. Posting home address or phone number of elected or appointed official, or official's spouse or child, on internet with knowledge and intent

7928.210. (a) No person shall knowingly post the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child, on the internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual.

(b) A violation of this section is a misdemeanor.

(c) A violation of this section that leads to the bodily injury of the official, or the official's residing spouse or child, is a misdemeanor or a felony.

Comment. Section 7928.210 continues former Section 6254.21(b) without substantive change.

For a rule prohibiting a state or local agency from posting the home address or phone number of an elected or appointed official on the internet without the official's permission, see Section 7928.205. For a prohibition on publicly posting or displaying the home address or phone

number of an elected or appointed official who has made a written demand for nondisclosure, see Sections 7928.215-7928.225 & Comments. For a prohibition on solicitation, sale, or trade of an elected or appointed official's home address or phone number on the internet with intent to cause imminent great bodily harm, see Section 7928.230. For rules on disclosure of personal information of agency employees, see Section 7928.300. For some of the laws governing disclosure of personal information of members of the general public, see Sections 7927.400-7927.420; see also Sections 7922.200-7922.210 (redaction and truncation of social security numbers).

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.500 ("elected or appointed official"), 7920.520 ("person"). See also Section 7928.200 (effect of article).

§ 7928.215. Publicly posting or displaying home address or phone number of elected or appointed official who has made written demand for nondisclosure

7928.215. (a) For purposes of this section, "publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.

(b) No person, business, or association shall publicly post or publicly display on the internet the home address or telephone number of any elected or appointed official if that official has, either directly or through an agent designated under Section 7928.220, made a written demand of that person, business, or association to not disclose the official's home address or telephone number.

(c) A written demand made under this section by a state constitutional officer, a mayor, or a member of the Legislature, a city council, or a board of supervisors shall include a statement describing a threat or fear for the safety of that official or of any person residing at the official's home address.

(d) A written demand made under this section by an elected official shall be effective for four years, regardless of whether the official's term has expired before the end of the four-year period.

(e)(1) A person, business, or association that receives the written demand of an elected or appointed official pursuant to this section shall remove the official's home address or telephone number from public display on the internet, including information provided to cellular telephone applications, within 48 hours of delivery of the written demand, and shall continue to ensure that this information is not reposted on the same internet website, subsidiary site, or any other internet website maintained by the recipient of the written demand.

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

(3) Paragraph (2) does not prohibit a telephone corporation, as defined in Section 234 of the Public Utilities Code, or its affiliate, from transferring the elected or appointed official's home address or telephone number to any person, business, or association, if the transfer is authorized by federal or state law, regulation, order, or tariff, or necessary in the event of an emergency, or to collect a

debt owed by the elected or appointed official to the telephone corporation or its affiliate.

Comment. Subdivision (a) of Section 7928.215 continues former Section 6254.21(c)(1)(E) without substantive change.

Subdivision (b) continues former Section 6254.21(c)(1)(A) without substantive change.

Subdivision (c) continues former Section 6254.21(c)(1)(B) without substantive change.

Subdivision (d) continues former Section 6254.21(c)(1)(C) without substantive change.

Subdivision (e) continues former Section 6254.21(c)(1)(D) without substantive change.

For guidance on enforcement of this section and remedies for violation, see Section 7928.225. For a rule prohibiting a state or local agency from posting the home address or phone number of an elected or appointed official on the internet without the official's permission, see Section 7928.205. For a prohibition on posting the home address or phone number of an elected or appointed official (or the official's spouse or child) on the internet with knowledge and intent, see Section 7928.210. For a prohibition on solicitation, sale, or trade of an elected or appointed official's home address or phone number on the internet with intent to cause imminent great bodily harm, see Section 7928.230. For rules on disclosure of personal information of agency employees, see Section 7928.300. For some of the laws governing disclosure of personal information of members of the general public, see Sections 7927.400-7927.420; see also Sections 7922.200-7922.210 (redaction and truncation of social security numbers).

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.500 (“elected or appointed official”), 7920.520 (“person”). See also Section 7928.200 (effect of article).

§ 7928.220. Designation of agent to make written demand

7928.220. (a) An elected or appointed official may designate in writing the official’s employer, a related governmental entity, or any voluntary professional association of similar officials to act, on behalf of that official, as that official’s agent with regard to making a written demand pursuant to this article.

(b) An appointed official who is a district attorney, a deputy district attorney, or a peace officer, as defined in Sections 830 to 830.65, inclusive, of the Penal Code, may also designate the official’s recognized collective bargaining representative to make a written demand on the official’s behalf pursuant to this article.

(c) A written demand made by an agent pursuant to Section 7928.215 shall include a statement describing a threat or fear for the safety of that official or of any person residing at the official’s home address.

Comment. Section 7928.220 continues former Section 6254.21(c)(3) without substantive change.

For the effect of a demand under this section, see Sections 7928.215 (publicly posting or displaying home address or phone number of elected or appointed official who has made written demand for nondisclosure), 7928.225 (enforcement and remedies).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.500 ("elected or appointed official"), 7920.520 ("person"), 7920.545 ("writing"). See also Section 7928.200 (effect of article).

§ 7928.225. Enforcement and remedies

7928.225. (a) An official whose home address or telephone number is made public as a result of a violation of Section 7928.215 may bring an action seeking injunctive or declarative relief in any court of competent jurisdiction.

(b) If a court finds that a violation has occurred, it may grant injunctive or declarative relief and shall award the official court costs and reasonable attorney's fees.

(c) A fine not exceeding one thousand dollars (\$1,000) may be imposed for a violation of the court's order for an injunction or declarative relief obtained pursuant to this section.

Comment. Section 7928.225 continues former Section 6254.21(c)(2) without substantive change.

For further guidance regarding punishment, see Section 7928.200 (effect of article). For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7928.230. Solicitation, sale, or trade of elected or appointed official's home address or phone number on internet with intent to cause imminent great bodily harm

7928.230. (a) No person, business, or association shall solicit, sell, or trade on the internet the home address or telephone number of an elected or appointed official with the intent to cause imminent great bodily harm to the official or to any person residing at the official's home address.

(b) Notwithstanding any other law, an official whose home address or telephone number is solicited, sold, or traded in violation of subdivision (a) may bring an action in any court of competent jurisdiction.

(c) If a jury or court finds that a violation has occurred, it shall award damages to that official in an amount up to a maximum of three times the actual damages but in no case less than four thousand dollars (\$4,000).

Comment. Section 7928.230 continues former Section 6254.21(d) without substantive change.

For a rule prohibiting a state or local agency from posting the home address or phone number of an elected or appointed official on the internet without the official's permission, see Section 7928.205. For a prohibition on posting the home address or phone number of an elected or appointed official (or the official's spouse or child) on the internet with knowledge and intent, see Section 7928.210. For a prohibition on publicly posting or displaying the home address or phone number of an elected or appointed official who has made a written demand for nondisclosure, see Sections 7928.215-7928.225 & Comments. For rules on disclosure of personal information of agency employees, see Section

7928.300. For some of the laws governing disclosure of personal information of members of the general public, see Sections 7927.400-7927.420; see also Sections 7922.200-7922.210 (redaction and truncation of social security numbers).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.500 (“elected or appointed official”), 7920.520 (“person”). See also Section 7928.200 (effect of article).

Article 4. Personal Information of Agency Employee

§ 7928.300. Home address, home phone number, personal cellular phone number, birth date, and personal email address of employee of public agency

7928.300. (a) The home addresses, home telephone numbers, personal cellular telephone numbers, and birth dates of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as follows:

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

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

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

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

(b)(1) Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as specified in paragraphs (1) to (4), inclusive, of subdivision (a).

(2) This subdivision shall not be construed to limit the public's right to access the content of an employee's personal email that is used to conduct public business, as decided by the Supreme Court in *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608.

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

Comment. Section 7928.300 continues former Section 6254.3 without substantive change.

For rules governing online posting or sale of personal information of an elected or appointed official, see Sections 7928.200-7928.230. For some of the laws governing disclosure of personal information of members of the general public, see Sections 7927.400-7927.420; see also Sections 7922.200-7922.210 (redaction and truncation of social security numbers).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.525 (“public agency”), 7920.530 (“public records”), 7920.545 (“writing”).

Article 5. Employment Contracts of Government Employees and Related Matters

§ 7928.400. Employment contract between agency and public official or public employee

7928.400. Every employment contract between a state or local agency and any public official or public employee is a public record that is not subject to Section 7922.000 and the provisions listed in Section 7920.505.

Comment. Section 7928.400 continues former Section 6254.8 without substantive change.

For a provision on personal information of an agency employee, see Section 7928.300. For rules governing online posting or sale of personal information of an elected or appointed official, see Sections 7928.200-7928.230.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.530 (“public records”), 7920.540 (“state agency”).

§ 7928.405. State agency records relating to activities governed by specified employee relations acts

7928.405. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of records of state agencies related to activities governed by Chapter 10.3 (commencing with Section 3512), Chapter 10.5 (commencing with Section 3525), and Chapter 12 (commencing with Section 3560) of Division 4, and Article 19.5 (commencing with Section 8430) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, that reveal a state agency’s deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice,

or training to employees who do not have full collective bargaining and representation rights under these chapters.

(b) This section shall not be construed to limit the disclosure duties of a state agency with respect to any other records relating to the activities governed by the employee relations acts referred to in this section.

Comment. Section 7928.405 continues former Section 6254(p)(1) without substantive change.

For a similar provision relating to a local agency, see Section 7928.410. For provisions in the California Public Records Act (“CPRA”) on spending, finances, and oversight of public entities, see Sections 7928.700-7928.720.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.540 (“state agency”).

<p>Note. Proposed Section 7928.405(a) incorporates a revision of Section 6254(p)(1) made by Assembly Bill 378 (Limón), 2019 Cal. Stat. ch. 385, § 29.</p>
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§ 7928.410. Local agency records relating to activities governed by Meyers-Milias-Brown Act

7928.410. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of records of local agencies related to activities governed by Chapter 10 (commencing with Section 3500) of Division 4, that reveal a local agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under that chapter.

(b) This section shall not be construed to limit the disclosure duties of a local agency with respect to any other records relating to the activities governed by the employee relations act referred to in this section.

Comment. Section 7928.410 continues former Section 6254(p)(2) without substantive change.

For a similar provision relating to a state agency, see Section 7928.405. For provisions in the California Public Records Act ("CPRA") on spending, finances, and oversight of public entities, see Sections 7928.700-7928.720.

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.510 (“local agency”).

CHAPTER 15. PUBLIC ENTITY SPENDING, FINANCES, AND OVERSIGHT

Article 1. Access in General

§ 7928.700. Access to agency contract requiring private entity to review, audit, or report on that agency

7928.700. Notwithstanding any contract term to the contrary, a contract entered into by a state or local agency subject to this division, including the University of California, that requires a private entity to review, audit, or report on any aspect of that agency shall be public to the extent the contract is otherwise subject to disclosure under this division.

Comment. Section 7928.700 continues former Section 6253.31 without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7928.705. Specified records relating to public supply and construction contracts or to acquisition of property by state or local agency

7928.705. (a) Except as provided in subdivision (b) and in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by a state or local agency relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained.

(b) This section does not affect the law of eminent domain.

Comment. Section 7928.705 continues former Section 6254(h) without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 (“local agency”), 7920.540 (“state agency”).

§ 7928.710. Records relating to alternative investments of public investment funds

7928.710. (a) For purposes of this section, the following definitions apply:

(1) “Alternative investment” means an investment in a private equity fund, venture fund, hedge fund, or absolute return fund.

(2) “Alternative investment vehicle” means the limited partnership, limited liability company, or similar legal structure through which the public investment fund invests in portfolio companies.

(3) “Portfolio positions” means individual portfolio investments made by the alternative investment vehicles.

(4) “Public investment fund” means any public pension or retirement system, any public endowment or foundation, or a public bank, as defined in Section 57600.

(b) Notwithstanding any provision of this division or other law, the following records regarding alternative investments in which public investment funds invest are not subject to disclosure pursuant to this division, unless the information has already been publicly released by the keeper of the information:

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

(2) Quarterly and annual financial statements of alternative investment vehicles.

(3) Meeting materials of alternative investment vehicles.

(4) Records containing information regarding the portfolio positions in which alternative investment funds invest.

(5) Capital call and distribution notices.

(6) Alternative investment agreements and all related documents.

(c) Notwithstanding subdivision (b), the following information contained in records described in subdivision (b) regarding alternative investments in which public investment funds invest is subject to disclosure pursuant to this division and shall not be considered a trade secret exempt from disclosure:

(1) The name, address, and vintage year of each alternative investment vehicle.

(2) The dollar amount of the commitment made to each alternative investment vehicle by the public investment fund since inception.

(3) The dollar amount of cash contributions made by the public investment fund to each alternative investment vehicle since inception.

(4) The dollar amount, on a fiscal year-end basis, of cash distributions received by the public investment fund from each alternative investment vehicle.

(5) The dollar amount, on a fiscal year-end basis, of cash distributions received by the public investment fund plus remaining value of partnership assets attributable to the public investment fund's investment in each alternative investment vehicle.

(6) The net internal rate of return of each alternative investment vehicle since inception.

(7) The investment multiple of each alternative investment vehicle since inception.

(8) The dollar amount of the total management fees and costs paid on an annual fiscal year-end basis, by the public investment fund to each alternative investment vehicle.

(9) The dollar amount of cash profit received by public investment funds from each alternative investment vehicle on a fiscal year-end basis.

Comment. Subdivision (a) of Section 7928.710 continues former Section 6254.26(c) without substantive change.

Subdivision (b) continues former Section 6254.26(a) without substantive change.

Subdivision (c) continues former Section 6254.26(b) without substantive change.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Note. Proposed Section 7928.710(a)(4) incorporates revisions of Section 6254.26(c)(4) made by Assembly Bill 857 (Chiu), 2019 Cal. Stat. ch. 442, § 8.

§ 7928.715. Unique identifying code used by public agency to identify vendor or contractor or affiliate

7928.715. Nothing in this division requires disclosure of an identification number, alphanumeric character, or other unique identifying code that a public agency uses to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency.

Comment. Section 7928.715 continues former Section 6254.33 without substantive change.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 (“public agency”).

§ 7928.720. Itemized statement of total expenditures and disbursements of judicial branch agency

7928.720. Notwithstanding Sections 7920.510, 7920.515, 7920.520, 7920.530, 7920.540, and 7920.545, and subdivision (a) of Section 7920.525, an itemized statement of the total expenditures and disbursements of any agency provided for in Article VI of the California Constitution shall be open for inspection.

Comment. Section 7928.720 continues former Section 6261 without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

Article 2. Requirements Specific to Online Access

§ 7928.800. Website of independent special district

7928.800. In implementing this division, each independent special district shall maintain an internet website in accordance with Section 53087.8.

Comment. Section 7928.800 continues former Section 6270.6 without substantive change.

For an explanation of the role and importance of special districts, see 2018 Cal. Stat. ch. 408, § 1. For guidance in the California Public Records Act (“CPRA”) regarding agency websites, see Sections 7922.545 (posting public record on agency’s internet website), 7922.680 (formatting of record that local agency posts on internet resource), and 7922.715 (posting catalog of enterprise systems on local agency’s website).

For other special rules applicable to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 16. REGULATION OF FINANCIAL INSTITUTIONS AND SECURITIES

§ 7929.000. Records of state agency that regulates or supervises financial institutions or issuance of securities

7929.000. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records contained in, or related to, any of the following:

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

(b) Examination, operating, or condition reports prepared by, on behalf of, or for the use of, any state agency referred to in subdivision (a).

(c) Preliminary drafts, notes, or interagency or intraagency communications prepared by, on behalf of, or for the use of, any state agency referred to in subdivision (a).

(d) Information received in confidence by any state agency referred to in subdivision (a).

Comment. Section 7929.000 continues former Section 6254(d) without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.005. Disciplinary records made available to Department of Business Oversight through computer system

7929.005. (a) Any information reported to the North American Securities Administrators Association/Financial Industry Regulatory Authority and compiled as disciplinary records that are made available to the Department of Business Oversight through a computer system constitutes a public record.

(b) Notwithstanding any other provision of law, upon written or oral request pursuant to Section 25247 of the Corporations Code, the Department of Business Oversight may disclose any of the following:

- (1) The information described in subdivision (a).
- (2) The current license status of a broker-dealer.
- (3) The year of issuance of the license of a broker-dealer.

Comment. Section 7929.005 continues former Section 6254.12 without substantive change.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to

some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.530 (“public records”), 7920.545 (“writing”).

§ 7929.010. Records of public bank and related decisions of its directors, officers, and managers

7929.010. (a) For purposes of this section, the following definitions apply:

(1) “Customer” means a person or entity that has transacted or is transacting business with or has used or is using the services of a public bank or a person or entity for whom the public bank has acted as a fiduciary with respect to trust property.

(2) “Investment recipient” means an entity in which the public bank invests.

(3) “Loan recipient” means an entity or individual that has received a loan from the public bank.

(4) “Personal data” means social security numbers, tax identification numbers, physical descriptions, home addresses, home telephone numbers, statements of personal worth or any other personal financial data, employment histories, electronic mail addresses, and information that reveals any electronic network location or identity.

(5) “Public bank” has the same meaning as defined in Section 57600.

(b) Notwithstanding any other provision of this division, the following information and records of a public bank and the related decisions of the directors, officers, and managers of a public bank are not subject to disclosure pursuant to this division, unless the information has already been publicly released by the custodian of the information:

(1) Due diligence materials that are proprietary to the public bank.

(2) A memorandum or letter produced and distributed internally by the public bank.

(3) A commercial or personal financial statement or other financial data received from an actual or potential customer, loan recipient, or investment recipient.

(4) Meeting materials of a closed-session meeting, or a closed-session portion of a meeting, of the board of directors, a committee of the board of directors, or executives of a public bank.

(5) A record containing information regarding a portfolio position in which the public bank invests.

(6) A record containing information regarding a specific loan amount or loan term, or information received from a loan recipient or customer pertaining to a loan or an application for a loan.

(7) A capital call or distribution notice, or a notice to a loan recipient or customer regarding a loan or account with the public bank.

(8) An investment agreement, loan agreement, deposit agreement, or a related document.

(9) Specific account information or other personal data received by the public bank from an actual or potential customer, investment recipient, or loan recipient.

(10) A memorandum or letter produced and distributed for purposes of meetings with a federal or state banking regulator.

(11) A memorandum or letter received from a federal or state banking regulator.

(12) Meeting materials of the internal audit committee, the compliance committee, or the governance committee of the board of directors of a public bank.

(c) Notwithstanding subdivision (b), the following information contained in records described in subdivision (b) is subject to disclosure pursuant to this division and is not a trade secret exempt from disclosure:

(1) The name, title, and appointment year of each director and executive of the public bank.

(2) The name and address of each current investment recipient in which the public bank currently invests.

(3) General internal performance metrics of the public bank and financial statements of the bank, as specified or required by the public bank's charter or as required by federal law.

(4) Final audit reports of the public bank's independent auditors, although disclosure to an independent auditor of any information

described in subdivision (b) shall not be construed to permit public disclosure of that information provided to the auditor.

Comment. Section 7929.010 continues former Section 6254.35 without substantive change.

For disclosure rules relating to public entity spending, finances, and oversight, see Sections 7928.700-7928.720. For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.520 (“person”).

Note. Proposed Section 7929.010 would continue newly-enacted Section 6254.35, which was added to the codes by Assembly Bill 857 (Chiu), 2019 Cal. Stat. ch. 442, § 9.

CHAPTER 17. SECURITY MEASURES AND RELATED MATTERS

§ 7929.200. Document assessing agency’s vulnerability to terrorist attack or other criminal act intended to disrupt agency operations

7929.200. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of a document prepared by or for a state or local agency that satisfies both of the following conditions:

(a) It assesses the agency's vulnerability to terrorist attack or other criminal acts intended to disrupt the public agency's operation.

(b) It is for distribution or consideration in a closed session.

Comment. Section 7929.200 continues former Section 6254(aa) without substantive change.

For guidance on the proper treatment of critical infrastructure information that is voluntarily submitted to the Office of Emergency Services, see Section 7929.205. For guidance on handling an information security record of a public agency, see Section 7929.210. For guidance regarding a risk assessment or railroad infrastructure protection program that is filed with the Public Utilities Commission, the Director of Homeland Security, and the Office of Emergency Services, see Section 7929.215. For disclosure of records relating to crimes, weapons, or law enforcement, see Sections 7923.600-7923.805.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.525 ("public agency"), 7920.540 ("state agency").

§ 7929.205. Critical infrastructure information voluntarily submitted to OES

7929.205. (a) As used in this section, “voluntarily submitted” means submitted without the Office of Emergency Services exercising any legal authority to compel access to, or submission of, critical infrastructure information.

(b) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of critical infrastructure information, as defined in Section 131(3) of Title 6 of the United States Code, that is voluntarily submitted to the Office of Emergency Services for use by that office, including the identity of the person who, or entity that, voluntarily submitted the information.

(c) This section does not affect the status of information in the possession of any other state or local governmental agency.

Comment. Subdivision (a) of Section 7929.205 continues the second sentence of former Section 6254(ab) without substantive change.

Subdivision (b) continues the first sentence of former Section 6254(ab) without substantive change.

Subdivision (c) continues the third sentence of former Section 6254(ab) without substantive change.

For guidance on disclosure of a document assessing an agency’s vulnerability to terrorist attack or other criminal acts intended to disrupt the agency’s operation, see Section 7929.200. For guidance on handling an information security record of a public agency, see Section 7929.210. For guidance regarding a risk assessment or railroad infrastructure protection program that is filed with the Public Utilities Commission, the Director of Homeland Security, and the Office of Emergency Services, see Section 7929.215. For disclosure of records relating to crimes, weapons, or law enforcement, see Sections 7923.600-7923.805.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and

related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.510 ("local agency"), 7920.520 ("person"), 7920.540 ("state agency").

§ 7929.210. Information security record of public agency

7929.210. (a) Nothing in this division requires the disclosure of an information security record of a public agency, if, on the facts of the particular case, disclosure of that record would reveal vulnerabilities to, or otherwise increase the potential for an attack on, an information technology system of a public agency.

(b) Nothing in this section limits public disclosure of records stored within an information technology system of a public agency that are not otherwise exempt from disclosure pursuant to this division or any other law.

Comment. Section 7929.210 continues former Section 6254.19 without substantive change.

For guidance on disclosure of a document assessing an agency's vulnerability to terrorist attack or other criminal acts intended to disrupt the agency's operation, see Section 7929.200. For guidance on the proper treatment of critical infrastructure information that is voluntarily submitted to the Office of Emergency Services, see Section 7929.205. For guidance regarding a risk assessment or railroad infrastructure protection program that is filed with the Public Utilities Commission, the Director of Homeland Security, and the Office of Emergency Services, see Section 7929.215. For disclosure of records relating to crimes, weapons, or law enforcement, see Sections 7923.600-7923.805.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-

all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Section 7920.525 ("public agency").

§ 7929.215. Risk assessment or railroad infrastructure protection program filed with PUC, Director of Homeland Security, and OES

7929.215. Nothing in this division or any other law requires disclosure of a risk assessment or railroad infrastructure protection program filed with the Public Utilities Commission, the Director of Homeland Security, and the Office of Emergency Services pursuant to Article 7.3 (commencing with Section 7665) of Chapter 1 of Division 4 of the Public Utilities Code.

Comment. Section 7929.215 continues former Section 6254.23 without substantive change.

For guidance on disclosure of a document assessing an agency's vulnerability to terrorist attack or other criminal acts intended to disrupt the agency's operation, see Section 7929.200. For guidance on the proper treatment of critical infrastructure information that is voluntarily submitted to the Office of Emergency Services, see Section 7929.205. For guidance on handling an information security record of a public agency, see Section 7929.210. For disclosure of records relating to crimes, weapons, or law enforcement, see Sections 7923.600-7923.805.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-

all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 18. STATE COMPENSATION INSURANCE FUND

§ 7929.400. Confidential medical information or other individually identifiable information in records relating to claim

7929.400. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the State Compensation Insurance Fund that relate to claims pursuant to Chapter 1 (commencing with Section 3200) of Part 1 of Division 4 of the Labor Code, to the extent that confidential medical information or other individually identifiable information would be disclosed.

Comment. Section 7929.400 continues former Section 6254(ad)(1) without substantive change. An incomplete cross-reference to "Chapter 1 (commencing with Section 3200) of Division 4 of the Labor Code" has been corrected.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.405-7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files),

7929.600 (results of test in DMV study of physical or mental factors affecting driving ability).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.405. Contract negotiations and related deliberations

7929.405. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the State Compensation Insurance Fund that relate to discussions, communications, or any other portion of negotiations with entities contracting or seeking to contract with the fund, and any related deliberations.

Comment. Section 7929.405 continues former Section 6254(ad)(2) without substantive change.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400, 7929.410-7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.410. Opinions, advice, strategy determinations, and similar materials

7929.410. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the State Compensation Insurance Fund that relate to the impressions, opinions, recommendations, meeting minutes of meetings or sessions that are lawfully closed to the public, research, work product, theories, or strategy of the fund or its staff, on the development of rates, contracting strategy, underwriting, or competitive strategy pursuant to the powers granted to the fund in Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code.

Comment. Section 7929.410 continues former Section 6254(ad)(3) without substantive change.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400, 7929.405, 7929.415-7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and

similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.415. Records obtained to provide workers’ compensation insurance

7929.415. Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the State Compensation Insurance Fund obtained to provide workers’ compensation insurance under Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code, including, but not limited to, all of the following:

(a) Any medical claims information.

(b) Policyholder information, provided that this section shall not be interpreted to prevent an insurance agent or broker from obtaining proprietary information or other information authorized by law to be obtained by the agent or broker.

(c) Information on rates, pricing, and claims handling received from brokers.

Comment. Section 7929.415 continues former Section 6254(ad)(4) without substantive change.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400-7929.410, 7929.420-7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.420. Trade secrets

7929.420. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records of the State Compensation Insurance Fund that are trade secrets pursuant to Section 7930.205, or Article 11 (commencing with Section 1060) of Chapter 4 of Division 8 of the Evidence Code, including, without limitation, instructions, advice, or training provided by the State Compensation Insurance Fund to its board members, officers, and employees regarding the fund’s special investigation unit, internal audit unit, and informational

security, marketing, rating, pricing, underwriting, claims handling, audits, and collections.

(b) Notwithstanding subdivision (a), the portions of records containing trade secrets shall be available for review by the Joint Legislative Audit Committee, California State Auditor's Office, Division of Workers' Compensation, and the Department of Insurance to ensure compliance with applicable law.

Comment. Section 7929.420 continues former Section 6254(ad)(5) without substantive change.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400-7929.415, 7929.425, 7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability). For other provisions on access to trade secrets, see Sections 7924.305 (data submitted to Director of Pesticide Regulation and designated as trade secret), 7924.510 (pollution information generally).

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.425. Internal audits and related records

7929.425. (a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of internal audits of the State Compensation Insurance Fund containing proprietary information, or the following records of the State Compensation Insurance Fund that are related to an internal audit:

(1) Personal papers and correspondence of any person providing assistance to the fund when that person has requested in writing that the person's papers and correspondence be kept private and confidential. Those papers and correspondence shall become public records if the written request is withdrawn, or upon order of the fund.

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

(b) Notwithstanding subdivision (a), the portions of records containing proprietary information, or any information specified in subdivision (a), shall be available for review by the Joint Legislative Audit Committee, California State Auditor's Office, Division of Workers' Compensation, and the Department of Insurance to ensure compliance with applicable law.

Comment. Section 7929.425 continues former Section 6254(ad)(6) without substantive change.

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400-7929.420, 7929.430. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability). For guidance on access to an agency contract requiring a private entity to review, audit, or report on that agency, see Section 7928.700.

For other special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

See Sections 7920.520 ("person"), 7920.530 ("public records"), 7920.545 ("writing").

§ 7929.430. Contracts pursuant to chapter governing State Compensation Insurance Fund

7929.430. (a) For purposes of this section, "fully executed" means the point in time when all of the necessary parties to a contract have signed the contract.

(b) Except as provided in subdivision (d), records of the State Compensation Insurance Fund that are contracts entered into pursuant to Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code shall be open to inspection one year after the contract has been fully executed.

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

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

(e) Notwithstanding any other law, the entire contract or amendment to a contract shall be open to inspection by the Joint Legislative Audit Committee. The committee shall maintain the

confidentiality of the contract or amendment thereto until the contract or amendment is open to inspection pursuant to this section.

(f) This section does not apply to a document related to a contract with a public entity that is not otherwise expressly confidential as to that public entity.

Comment. Section 7929.430 continues former Section 6254(ad)(7) without substantive change. See Section 13 (singular includes plural and vice versa).

For guidance on disclosure of other types of records of the State Compensation Insurance Fund, see Sections 7929.400-7929.425. For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.600 (results of test in DMV study of physical or mental factors affecting driving ability).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

CHAPTER 19. TEST MATERIALS, TEST RESULTS, AND RELATED MATTERS

§ 7929.600. Results of test in DMV study of physical or mental factors affecting driving ability

7929.600. Nothing in this division requires the disclosure of the results of a test undertaken pursuant to Section 12804.8 of the Vehicle Code.

Comment. Section 7929.600 continues former Section 6254.1(c) without substantive change.

For some of the laws generally governing access to medical records and other health care information, see Sections 7926.000-7926.500; see also Sections 7927.700 (personnel, medical, and similarly private files), 7929.400-7929.430 (records of State Compensation Insurance Fund).

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see the rest of this part (Sections 7923.600-7929.610); see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.605. Materials used to administer licensing, employment, or academic examination

7929.605. Except as provided in Sections 7924.510, 7924.700, and 7929.610, and in Chapter 3 (commencing with Section 99150) of Part 65 of Division 14 of Title 3 of the Education Code, this

division does not require disclosure of test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment, or academic examination.

Comment. Section 7929.605 continues former Section 6254(g) without substantive change.

For further guidance on disclosure of materials used to administer academic examinations, see Section 7929.610 (disclosure of public school statewide test materials to legislative or executive branch). For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.600, 7929.610; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

§ 7929.610. Disclosure of public school statewide test materials to legislative or executive branch

7929.610. (a) Notwithstanding the provisions listed in Section 7920.505, upon the request of any Member of the Legislature or upon request of the Governor or the Governor’s designee, test questions or materials that would be used to administer an examination and are provided by the State Department of Education and administered as part of a statewide testing program of pupils enrolled in the public schools shall be disclosed to the requester.

(b) The questions or materials described in subdivision (a) may not include an individual examination that has been administered to a pupil and scored.

(c) The requester may not take physical possession of the questions or materials described in subdivision (a), but may view the questions or materials at a location selected by the department.

(d) Upon viewing this information, the requester shall keep the materials that the requester has seen confidential.

Comment. Section 7929.610 continues former Section 6254.13 without substantive change.

For additional guidance on disclosure of materials used to administer academic examinations, see Section 7929.605.

For other special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.605; see also Sections 7922.000 (CPRA catch-all exemption), 7930.000-7930.215 (alphabetical index of many CPRA exemptions).

For general rules governing disclosure of public records, see Sections 7921.300-7921.710. For general rules governing exemptions from disclosure, see Sections 7922.000-7922.210. For CPRA procedures and related matters, see Sections 7922.500-7922.725; see also Sections 7923.000-7923.500 (enforcement).

For legislative findings and declarations underlying the CPRA, see Section 7921.000. 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.

For the effect of the CPRA, see Section 7920.200; see also Sections 7920.100-7920.120 (effect of CPRA recodification). For references to some other bodies of law governing public records, see Section 7920.000 Comment.

PART 6. OTHER EXEMPTIONS FROM DISCLOSURE

CHAPTER 1. INTRODUCTORY PROVISIONS

§ 7930.000. Legislative intent and instructions

7930.000. (a) It is the intent of the Legislature to assist members of the public and state and local agencies in identifying exemptions to the California Public Records Act. It is the intent of the Legislature that, after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to Section 7927.705 shall be listed and described in Chapter 2 (commencing with Section 7930.100) pursuant to a bill authorized by a standing committee of the Legislature to be introduced during the first year of each session of the Legislature.

(b) The statutes and constitutional provisions listed in Chapter 2 (commencing with Section 7930.100) may operate to exempt certain records, or portions thereof, from disclosure. The statutes and constitutional provisions listed and described may not be inclusive of all exemptions. The listing of a statute or constitutional provision in Chapter 2 (commencing with Section 7930.100) does not itself create an exemption. Requesters of public records and public agencies are cautioned to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure.

Comment. Section 7930.000 continues former Section 6275 without substantive change.

For additional guidance on using the alphabetical list in the next chapter (Sections 7930.100-7930.215), see Section 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

See Sections 7920.510 (“local agency”), 7920.515 (“member of the public”), 7920.530 (“public records”), 7920.540 (“state agency”).

§ 7930.005. Scope and effect of index

7930.005. Records or information not required to be disclosed pursuant to Section 7927.705 may include, but shall not be limited to, records or information identified in statutes listed in Chapter 2 (commencing with Section 7930.100).

Comment. Section 7930.005 continues former Section 6276 without substantive change.

For additional guidance on using the alphabetical list in the next chapter (Sections 7930.100-7930.215), see Section 7930.000 (legislative intent and instructions). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

CHAPTER 2. ALPHABETICAL LIST

§ 7930.100. Constitutionally-based exemptions

7930.100. The following constitutional provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

Privacy, inalienable right, Section 1 of Article I of the California Constitution.

Comment. Section 7930.100 continues former Section 6276.01 and includes a reference to the constitutional right of privacy, which is fundamental in this context (see Section 7921.000). That addition is not a substantive change. The alphabetical list in this chapter is just a user guide, not substantive law.

For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For

special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.105. From “Acquired immunodeficiency syndrome” to “Advance Health Care Directive Registry”

7930.105. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Acquired immunodeficiency syndrome, blood test results, written authorization not necessary for disclosure, Section 121010, Health and Safety Code.

Acquired immunodeficiency syndrome, blood test subject, compelling identity of, Section 120975, Health and Safety Code.

Acquired immunodeficiency syndrome, confidentiality of personal data of patients in State Department of Public Health programs, Section 120820, Health and Safety Code.

Acquired immunodeficiency syndrome, confidentiality of research records, Sections 121090, 121095, 121115, and 121120, Health and Safety Code.

Acquired immunodeficiency syndrome, confidentiality of vaccine volunteers, Section 121280, Health and Safety Code.

Acquired immunodeficiency syndrome, confidentiality of information obtained in prevention programs at correctional facilities and law enforcement agencies, Sections 7552 and 7554, Penal Code.

Acquired immunodeficiency syndrome, disclosure of results of HIV test, penalties, Section 120980, Health and Safety Code.

Acquired immunodeficiency syndrome, personal information, insurers tests, confidentiality of, Section 799, Insurance Code.

Acquired immunodeficiency syndrome, public safety and testing disclosure, Sections 121065 and 121070, Health and Safety Code.

Acquired immunodeficiency syndrome Research and Confidentiality Act, production or discovery of records for use in criminal or civil proceedings against subject prohibited, Section 121100, Health and Safety Code.

Acquired immunodeficiency syndrome Public Health Records Confidentiality Act, personally identifying information confidentiality, Section 121025, Health and Safety Code.

Acquired immunodeficiency syndrome, test of criminal defendant pursuant to search warrant requested by victim, confidentiality of, Section 1524.1, Penal Code.

Acquired immunodeficiency syndrome, test results, disclosure to patient's spouse and others, Section 121015, Health and Safety Code.

Acquired immunodeficiency syndrome, test of person under Youth Authority, disclosure of results, Section 1768.9, Welfare and Institutions Code.

Acquired immunodeficiency syndrome Research and Confidentiality Act, financial audits or program evaluations, Section 121085, Health and Safety Code.

Acquired immunodeficiency syndrome Research and Confidentiality Act, violations, Section 121100, Health and Safety Code.

Acquired immunodeficiency syndrome Research and Confidentiality Act, personally identifying research records not to be disclosed, Section 121075, Health and Safety Code.

Acquired immunodeficiency syndrome Research and Confidentiality Act, permittee disclosure, Section 121080, Health and Safety Code.

Administrative procedure, adjudicatory hearings, interpreters, Section 11513, this code.

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

Advance Health Care Directive Registry, exemption from disclosure for registration information provided to the Secretary of State, Section 7926.100, this code.

Comment. Section 7930.105 continues former Section 6276.02 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.02 included an entry for: “Acquired Immune Deficiency Syndrome, confidentiality of test results of person convicted of prostitution, Section 1202.6, Penal Code.” That entry is not included in Section 7930.105 because it is obsolete. Penal Code Section 1202.6 was repealed and added in 2017, and the new provision has nothing to do with confidentiality of AIDS test results. See 2017 Cal. Stat. ch. 537, § 17.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.110. From “Aeronautics Act” to “Avocado handler transaction records”

7930.110. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

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

Aiding disabled voters, Section 14282, Elections Code.

Air pollution data, confidentiality of trade secrets, Sections 7924.510 and 7924.700, this code, and Sections 42303.2 and 43206, Health and Safety Code.

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

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

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

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

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

Archaeological site information and reports maintained by state and local agencies, disclosure not required, Section 7927.005, this code.

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

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

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

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

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

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

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

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

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

Attorney, disciplinary proceedings, confidentiality before formal proceedings, Section 6086.1, Business and Professions Code.

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

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

Attorney work product confidentiality in administrative adjudication, Section 11507.6, this code.

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

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

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

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

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

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

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

Comment. Section 7930.110 continues former Section 6276.04 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.04 included an entry for: “Artificial insemination, donor not natural father, confidentiality of records, Section 7613, Family Code.” That entry is not included in Section 7930.110 because Family Code Section 7613 no longer says anything about confidentiality of records. *Compare* 2013 Cal. Stat. ch. 510, § 5, *with* 2013 Cal. Stat. ch. 566, § 1.

Former Section 6276.04 also included entries for “Auditor General, access to records for audit purposes, Sections 10527 and 10527.1” and “Auditor General, disclosure of audit records, Section 10525.” Those entries are not included in Section 7930.110 because they are obsolete. Sections 10525, 10527, and 10527.1 have been repealed. See 2011 Cal. Stat. ch. 328, § 12.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.115. From “Bank and Corporation Tax” to “Business and professions licensee exemption for social security number”

7930.115. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

Bank employees, confidentiality of criminal history information, Section 4990, Financial Code.

Bank reports, confidentiality of, Section 459, Financial Code.

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

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

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

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

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

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

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

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

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

Comment. Section 7930.115 continues former Section 6276.06 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.06 included an entry for: “Bank employees, confidentiality of criminal history information, Sections 777.5 and 4990, Financial Code.” That entry has been revised to refer only to Financial Code Section 4990. The reference to Financial Code Section 777.5 is obsolete because that section has been repealed. See 2008 Cal. Stat. ch. 125, § 53.

Former Section 6276.06 also included an entry for: “Bank reports, confidentiality of, Section 289, Financial Code.” That entry has been revised because Financial Code Section 289 was repealed and its substance moved to Financial Code Section 459. See 2011 Cal. Stat. ch. 243, § 1; *compare* 2008 Cal. Stat. ch. 501, § 9 *with* Fin. Code § 459. Section 7930.115 thus refers to Financial Code Section 459, instead of Financial Code Section 289.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.120. From “Cable television subscriber information” to “California Wine Grape Commission”

7930.120. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

California Salmon Council, confidentiality of fee transactions records, Section 76901.5, Food and Agricultural Code.

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

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

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

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

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

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

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

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

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

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

California Victim Compensation Board, disclosure not required of records relating to assistance requests under Article 1 (commencing with Section 13950) of Chapter 5 of Part 4 of Division 3 of Title 2 of this code, Section 7923.755, this code.

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

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

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

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

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

California Winegrape Growers Commission, confidentiality of proprietary information from producers and vintners, Section 74955, Food and Agricultural Code.

Comment. Section 7930.120 continues former Section 6276.08 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and

constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.125. From “Cancer registries” to “Community college employee”

7930.125. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Closed sessions, document assessing vulnerability of state or local agency to disruption by terrorist or other criminal acts, Section 7929.200, this code.

Closed sessions, meetings of local governments, pending litigation, Section 54956.9, this code.

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

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

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

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

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

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

Comment. Section 7930.125 continues former Section 6276.10 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Section 6276.10 includes an entry for: “Community care facilities, confidentiality of client information, Section 1557.5, Health and Safety Code.” There are two, almost identical versions of Section 1557.5 in the Health and Safety Code. Because the two sections are almost identical, it is not necessary to differentiate between them. Like existing Section 6276.10, proposed Section 7930.125 would simply refer to “Section 1557.5, Health and Safety Code.”

§ 7930.130. From “Conservatee” to “Customer list of telephone answering service”

7930.130. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Conservatee, confidentiality of the conservatee’s report, Section 1826, Probate Code.

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

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

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

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

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

Consumer fraud investigations, access to complaints and investigations, Section 26509, this code.

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

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

Controlled Substance Law violations, confidential information, Section 818.7, this code.

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

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

Coroner, inquests, subpoena duces tecum, Section 27491.8, this code.

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

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

County Employees' Retirement, confidential statements and records, Section 31532, this code.

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

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

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

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

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

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

Court files, access to, restricted for 60 days, Section 1708.85, Civil Code.

Court reporters, confidentiality of records and reporters, Section 68525, this code.

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

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

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

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

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

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

Crop reports, confidential, Section 7927.300, this code.

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

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

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

Comment. Section 7930.130 continues former Section 6276.12 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.12 included an entry for: “Contractor, license applicants, evidence of financial solvency, confidentiality of, Section 7067.5, Business and Professions Code.” That entry is not included in Section 7930.130 because it is obsolete. Business and Professions Code Section 7067.5 has been repealed. See 2015 Cal. Stat. ch. 656, § 8.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply

to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Section 6276.12 includes an entry for: “Controlled substance offenders, confidentiality of registration information, Section 11594, Health and Safety Code.” A recently-enacted bill (operative Jan. 1, 2020) repeals Health and Safety Code Section 11594 and adds a new provision with the same number. See 2019 Cal. Stat. ch. 580, §§ 7, 8 (AB 1261 (Jones-Sawyer)). The new provision includes a confidentiality requirement similar to the one in the repealed provision. Accordingly, proposed Section 7930.130 (the proposed recodification of Section 6276.12) includes the same entry for Health and Safety Code Section 11594 as in Section 6276.12.

Section 6276.12 also includes an entry for: “Criminal offender record information, access to, Sections 11076 and 13202, Penal Code.” A recently-enacted bill amends Penal Code Section 13202 to include a sunset clause, which would repeal the provision on July 1, 2020. That bill also adds a new version of Penal Code Section 13202 to the codes, with an operative date of July 1, 2020. See 2019 Cal. Stat. ch. 581, §§ 5, 6 (AB 1331 (Bonta)). Although the bill creates two versions of Penal Code Section 13202, they contain similar language regarding confidentiality and one of them would be repealed by its own terms before the operative date of this proposed recodification. Thus, proposed Section 7930.130 (like existing Section 6276.12) would simply refer to Penal Code Section 13202.

§ 7930.135. From “Dairy Council of California” to “Driving school and driving instructor licensee records”

7930.135. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Dairy Council of California, confidentiality of ballots, Section 64323, Food and Agricultural Code.

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

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

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

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

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

Department of Human Resources, confidentiality of pay data furnished to, Section 19826.5, this code.

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

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

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

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

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

Developmentally disabled person, confidentiality of patient records, state agencies, Section 4552.5, Welfare and Institutions Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Comment. Section 7930.135 continues former Section 6276.14 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.14 included an entry for: “Dairy Council of California, confidentiality of ballots, Section 64155, Food and Agricultural Code.” That entry has been revised because Food and Agricultural Code Section 64155 was amended in 2019 and no longer contains any language about confidentiality of ballots; that language was moved to a new code provision (Food and Agricultural Code Section 64323). See 2019 Cal. Stat. ch. 304, §§ 89, 118 (AB 590 (Mathis)). Section 7930.135 thus refers to Food and Agricultural Code Section 64323, instead of Food and Agricultural Code Section 64155.

Former Section 6276.14 also included an entry for: “Developmentally disabled person, confidentiality of patient records, state agencies, Section 4553, Welfare and Institutions Code.” That entry has been revised because Welfare and Institutions Code Section 4553 was repealed in 2002 and replaced by a new provision that has nothing to do with record disclosure (see 2002 Cal. Stat. ch. 676, § 21). The substance of the repealed provision was moved to Welfare and Institutions Code Section 4552.5 (*compare* 1977 Cal. Stat. ch. 1252, § 550 *with* Welf. & Inst. Code § 4552.5). Section 7930.135 thus refers to Welfare and Institutions Code Section 4552.5, instead of Welfare and Institutions Code Section 4553.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.140. From “Educational psychologist-patient” to “Executive Department”

7930.140. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

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

Electronic and appliance repair dealer, service contractor, financial data in applications, Section 7925.010, this code.

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

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

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

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

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

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

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

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

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

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

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

Equalization, State Board of, prohibition against divulging information, Section 15619, this code.

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

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

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

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

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

Executive Department, closed sessions and the record of topics discussed, Sections 11126 and 11126.1, this code.

Executive Department, investigations and hearings, confidential nature of information acquired, Section 11183, this code.

Comment. Section 7930.140 continues former Section 6276.16 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.145. From “Family Court” to “Fur dealer licensee”

7930.145. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Family court records, Section 1818, Family Code.

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

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

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

Financial institutions, issuance of securities, reports and records of state agencies, Section 7929.000, this code.

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

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

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

Firearms, centralized list of exempted federal firearms licensees, disclosure of information compiled from, Sections 28475 and 28480, Penal Code.

Firearms, centralized list of dealers and licensees, disclosure of information compiled from, Section 26715, Penal Code.

Firearm license applications, Sections 7923.800 and 7923.805, this code.

Firearm sale or transfer, confidentiality of records, Section 28060, Penal Code.

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

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

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

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

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

Franchise Tax Board, auditing, confidentiality of, Section 90005, this code.

Franchises, applications, and reports filed with Commissioner of Business Oversight, disclosure and withholding from public inspection, Section 31504, Corporations Code.

Comment. Section 7930.145 continues former Section 6276.18 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.19 included an entry for: “Firearms, centralized list of exempted federal firearms licensees, disclosure of information compiled from, Sections 24850 to 24890, inclusive, Penal Code.” That entry has been revised to refer to Penal Code Sections 28475 and 28480. This revision corrects a transposition error (Penal Code §§ 24850-24890 do not exist but Penal Code §§ 28450-28490 do). The revision also deletes irrelevant material that used to be combined with the pertinent material in a long code section (see former Penal Code § 12083 (2009 Cal. Stat. ch. 334, § 4), which was repealed in 2010 and recodified as Penal Code §§ 28450-28490).

Former Section 6276.19 also included an entry for: “Firearms, centralized list of dealers and licensees, disclosure of information compiled from, Sections 26700 to 26915, inclusive, Penal Code.” That entry has been revised to refer only to Penal Code Section 26715. This revision deletes irrelevant material that used to be combined with the pertinent material in a long code section (see former Penal Code § 12071 (2009 Cal. Stat. ch. 335, § 10), which was repealed in 2010 and recodified as Penal Code §§ 26700-26915).

Another entry in former Section 6276.19 was for: “Firearm sale or transfer, confidentiality of records, Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6, Penal Code.” That entry has been revised to refer only to Penal Code Section 28060. This revision deletes irrelevant material that used to be combined with the pertinent material in a long code section (see former Penal Code § 12082 (2008 Cal. Stat. ch. 699, § 20), which was repealed in 2010 and recodified as Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6 of the Penal Code).

Finally, former Section 6276.19 included an entry for: “Fur dealer licensee, confidentiality of records, Section 4041, Fish and Game Code.” That entry is not included in Section 7930.145 because it is obsolete. Fish and Game Code Section 4041 has been repealed. See 2019 Cal. Stat. ch. 216, § 11 (AB 273 (Gonzalez)).

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Proposed Section 7930.145 incorporates revisions of Section 6276.18 made by Senate Bill 251 (Committee on Banking & Financial Institutions), 2019 Cal. Stat. ch. 143, § 64.

§ 7930.150. From “Gambling Control Act” to “Guardianship”

7930.150. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Gambling Control Act, exemption from disclosure for records of the California Gambling Control Commission and the Department of Justice, Sections 19819 and 19821, Business and Professions Code.

Genetically Handicapped Persons Program, confidentiality of factor replacement therapy contracts, Section 125191, Health and Safety Code.

Governor, correspondence of and to Governor and Governor’s office, Section 7928.000, this code.

Governor, transfer of public records in control of, restrictions on public access, Sections 7928.005 and 7928.010, this code.

Grand jury, confidentiality of request for special counsel, Section 936.7, Penal Code.

Grand jury, confidentiality of transcription of indictment or accusation, Section 938.1, Penal Code.

Group Insurance, public employees, Section 53202.25, this code.

Guardianship, confidentiality of report regarding the suitability of the proposed guardian, Section 1543, Probate Code.

Guardianship, disclosure of report and recommendation concerning proposed guardianship of person or estate, Section 1513, Probate Code.

Comment. Section 7930.150 continues former Section 6276.22 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For

special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.155. From “Hazardous substance tax information” to “Housing authorities”

7930.155. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Hazardous substance tax information, prohibition against disclosure, Section 43651, Revenue and Taxation Code.

Hazardous waste control, business plans, public inspection, Section 25509, Health and Safety Code.

Hazardous waste control, notice of unlawful hazardous waste disposal, Section 25180.5, Health and Safety Code.

Hazardous waste control, trade secrets, disclosure of information, Sections 25512, 25512.1, and 25538, Health and Safety Code.

Hazardous waste control, trade secrets, procedures for release of information, Section 25358.2, Health and Safety Code.

Hazardous waste generator report, protection of trade secrets, Sections 25244.21 and 25244.23, Health and Safety Code.

Hazardous waste licenseholder disclosure statement, confidentiality of, Section 25186.5, Health and Safety Code.

Hazardous waste recycling, information clearing house, confidentiality of trade secrets, Section 25170, Health and Safety Code.

Hazardous waste recycling, list of specified hazardous wastes, trade secrets, Section 25175, Health and Safety Code.

Hazardous waste recycling, trade secrets, confidential nature, Sections 25173 and 25180.5, Health and Safety Code.

Healing arts licensees, central files, confidentiality, Section 800, Business and Professions Code.

Health authorities, special county, confidentiality of records, Sections 14087.35, 14087.36, and 14087.38, Welfare and Institutions Code.

Health care provider disciplinary proceeding, confidentiality of documents, Section 805.1, Business and Professions Code.

Health care service plans, review of quality of care, privileged communications, Sections 1370 and 1380, Health and Safety Code.

Health commissions, special county, confidentiality of peer review proceedings, rates of payment, and trade secrets, Section 14087.31, Welfare and Institutions Code.

Health facilities, patient's rights of confidentiality, subdivision (c) of Section 128745 and Sections 128735, 128736, 128737, 128755, and 128765, Health and Safety Code.

Health personnel, data collection by the Office of Statewide Health Planning and Development, confidentiality of information on individual licentiates, Section 127780, Health and Safety Code.

Health plan governed by a county board of supervisors, exemption from disclosure for records relating to provider rates or payments for a three-year period after execution of the provider contract, Sections 7926.205 and 54956.87, this code.

Hereditary Disorders Act, legislative finding and declaration, confidential information, Sections 124975 and 124980, Health and Safety Code.

Hereditary Disorders Act, rules, regulations, and standards, breach of confidentiality, Section 124980, Health and Safety Code.

HIV, disclosures to blood banks by department or county health officers, Section 1603.1, Health and Safety Code.

Home address of public employees and officers in Department of Motor Vehicles, records, confidentiality of, Sections 1808.2 and 1808.4, Vehicle Code.

Horse racing, horses, blood or urine test sample, confidentiality, Section 19577, Business and Professions Code.

Hospital district and municipal hospital records relating to contracts with insurers and service plans, Section 7926.210, this code.

Hospital final accreditation report, Section 7926.000, this code.

Housing authorities, confidentiality of rosters of tenants, Section 34283, Health and Safety Code.

Housing authorities, confidentiality of applications by prospective or current tenants, Section 34332, Health and Safety Code.

Comment. Section 7930.155 continues former Section 6276.24 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.24 included an entry for: “Hazardous waste control, business plans, public inspection, Section 25506, Health and Safety Code.” That entry has been revised because Health and Safety Code Section 25506 was repealed in 2013 (see 2013 Cal. Stat. § 419, § 2). The current version of Health and Safety Code Section 25506 has nothing to do with record disclosure. The substance of the repealed provision was moved (with revisions) to Health and Safety Code Section 25509 (*compare* 1988 Cal. Stat. ch. 1585, § 7 *with* Health & Safety Code § 25509). Section 7930.155 thus refers to Health and Safety Code Section 25509, instead of Health and Safety Code Section 25506.

Former Section 6276.24 also included an entry for: “Hazardous waste control, trade secrets, disclosure of information, Sections 25511 and 25538, Health and Safety Code.” That entry has been revised because Health and Safety Code Section 25511 was repealed in 2013 (see 2013 Cal. Stat. ch. 419, § 2). The current version of Health and Safety Code Section 25511 has nothing to do with record disclosure. The substance of the repealed provision was moved (with revisions) to Health and Safety Code Sections 25512 and 25512.1 (*compare* 1985 Cal. Stat. ch. 1167, § 1 *with* Health & Safety Code §§ 25512, 25512.1). Section 7930.155 thus refers to Health and Safety Code Section 25512 and 25512.1, instead of Health and Safety Code Section 25511.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

**§ 7930.160. From “Improper governmental activities reporting” to
“Investigative consumer reporting agency”**

7930.160. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Improper governmental activities reporting, confidentiality of identity of person providing information, Section 8547.5, this code.

Improper governmental activities reporting, disclosure of information, Section 8547.6, this code.

Industrial loan companies, confidentiality of financial information, Section 18496, Financial Code.

Industrial loan companies, confidentiality of investigation and examination reports, Section 18394, Financial Code.

Influenza vaccine, trade secret information and information relating to recipient of vaccine, Section 120160, Health and Safety Code.

In forma pauperis litigant, rules governing confidentiality of financial information, Section 68633, this code.

Infrastructure information, exemption from disclosure for information voluntarily submitted to the Office of Emergency Services, Section 7929.205, this code.

In-Home Supportive Services Program, exemption from disclosure for information regarding persons paid by the state to provide in-home supportive services, Section 7926.300, this code.

Initiative, referendum, recall, and other petitions, confidentiality of names of signers, Sections 7924.100, 7924.105, and 7924.110, this code.

Insurance claims analysis, confidentiality of information, Section 1875.16, Insurance Code.

Insurance Commissioner, confidential information, Sections 735.5, 1067.11, 1077.3, and 12919, Insurance Code.

Insurance Commissioner, informal conciliation of complaints, confidential communications, Section 1858.02, Insurance Code.

Insurance Commissioner, information from examination or investigation, confidentiality of, Sections 1215.8, 1433, and 1759.3, Insurance Code.

Insurance Commissioner, writings filed with nondisclosure, Section 855, Insurance Code.

Insurance fraud reporting, information acquired not part of public record, Section 1873.1, Insurance Code.

Insurance licensee, confidential information, Section 1666.5, Insurance Code.

Insurer application information, confidentiality of, Section 925.3, Insurance Code.

Insurer financial analysis ratios and examination synopses, confidentiality of, Section 933, Insurance Code.

Department of Resources Recycling and Recovery information, prohibition against disclosure, Section 45982, Revenue and Taxation Code.

International wills, confidentiality of registration information filed with the Secretary of State, Section 6389, Probate Code.

Intervention in regulatory and ratemaking proceedings, audit of customer seeking and award, Section 1804, Public Utilities Code.

Investigation and security records, exemption from disclosure for records of the Attorney General, the Department of Justice, the Office of Emergency Services, and state and local police agencies, Sections 7923.600 to 7923.630, inclusive, this code.

Investigative consumer reporting agency, limitations on furnishing an investigative consumer report, Section 1786.12, Civil Code.

Comment. Section 7930.160 continues former Section 6276.26 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.26 included an entry for: “Influenza vaccine, trade secret information and information relating to recipient of vaccine, Section 120155, Health and Safety Code.” That entry has been revised because the version of Health and Safety Code Section 120155 relating to trade secrets and record disclosure (2007 Cal. Stat. ch. 130, § 174) was amended and renumbered as Health and Safety Code Section 120160 (see 2015 Cal. Stat. ch. 303, § 347). Section 7930.160 thus refers to

Health and Safety Code Section 120160, instead of Health and Safety Code Section 120155.

Former Section 6276.26 also included an entry for: “In forma pauperis litigant, rules governing confidentiality of financial information, Section 68511.3.” That entry has been revised because Section 68511.3 was repealed (see 2008 Cal. Stat. ch. 462, § 1). Similar (but not identical) material relating to record disclosure is now located in Section 68633 (*compare* former Section 68511.3(a)(4)-(5) & (c)(1) (2006 Cal. Stat. ch. 538, § 326) *with* Section 68633(f)). Proposed Section 7930.160 would thus refer to Section 68633, instead of Section 68511.3.

Another entry in former Section 6276.26 was for: “Insurance Commissioner, information from examination or investigation, confidentiality of, Sections 1215.7, 1433, and 1759.3, Insurance Code.” That entry has been revised because the version of Insurance Code Section 1215.7 relating to record disclosure (1969 Cal. Stat. ch. 1275, § 1) was amended and renumbered as Insurance Code Section 1215.8 (see 2012 Cal Stat. ch. 282, § 8). Proposed Section 7930.160 would thus refer to Insurance Code Section 1215.8, instead of Insurance Code Section 1215.7.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.165. From “Joint Legislative Ethics Committee” to “Los Angeles County Tourism Marketing Commission”

7930.165. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Joint Legislative Ethics Committee, confidentiality of reports and records, Section 8953, this code.

Judicial candidates, confidentiality of communications concerning, Section 12011.5, this code.

Judicial proceedings, confidentiality of employer records of employee absences, Section 230.2, Labor Code.

Jurors’ lists, lists of registered voters and licensed drivers as source for, Section 197, Code of Civil Procedure.

Juvenile court proceedings to adjudge a person a dependent child of court, sealing records of, Section 389, Welfare and Institutions Code.

Juvenile criminal records, dissemination to schools, Section 828.1, Welfare and Institutions Code.

Juvenile delinquents, notification of chief of police or sheriff of escape of minor from secure detention facility, Section 1155, Welfare and Institutions Code.

Labor dispute, investigation and mediation records, confidentiality of, Section 3601, this code.

Lanterman-Petris-Short Act, mental health services recipients, confidentiality of information and records, mental health advocate, Sections 5540, 5541, 5542, and 5550, Welfare and Institutions Code.

Law enforcement vehicles, registration disclosure, Section 5003, Vehicle Code.

Legislative Counsel records, Section 7928.100, this code.

Library circulation records and other materials, Sections 7925.000 and 7927.105, this code.

Life and disability insurers, actuarial information, confidentiality of, Section 10489.15, Insurance Code.

Litigation, confidentiality of settlement information, Section 68513, this code.

Local agency legislative body, closed sessions, disclosure of materials, Section 54956.9, this code.

Local government employees, confidentiality of records and claims relating to group insurance, Section 53202.25, this code.

Local summary criminal history information, confidentiality of, Sections 13300 and 13305, Penal Code.

Local agency legislative body, closed session, nondisclosure of minute book, Section 54957.2, this code.

Local agency legislative body, meeting, disclosure of agenda, Section 54957.5, this code.

Long-term health facilities, confidentiality of complaints against, Section 1419, Health and Safety Code.

Long-term health facilities, confidentiality of records retained by State Department of Public Health, Section 1439, Health and Safety Code.

Los Angeles County Tourism Marketing Commission, confidentiality of information obtained from businesses to determine their assessment, Section 13995.108, this code.

Comment. Section 7930.165 continues former Section 6276.28 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.28 included an entry for: “Labor dispute, investigation and mediation records, confidentiality of, Section 65, Labor Code.” That entry has been revised because Labor Code Section 65 was repealed (see 2012 Cal. Stat. ch. 46, § 78). The substance of former Labor Code Section 65 was moved to Section 3601 of this code (*compare* former Labor Code Section 65 (1997 Cal. Stat. ch. 772, § 11) *with* Section 3601). Proposed Section 6278.28 would thus refer to Section 3601, instead of Labor Code Section 65.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

**§ 7930.170. From “Managed health care plans” to
“Multijurisdictional drug law enforcement agency”**

7930.170. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Managed Risk Medical Insurance Board, negotiations with entities contracting or seeking to contract with the board, Sections 7926.225 and 7926.230, this code.

Mandated blood testing and confidentiality to protect public health, prohibition against compelling identification of test subjects, Section 120975, Health and Safety Code.

Mandated blood testing and confidentiality to protect public health, unauthorized disclosures of identification of test subjects, Sections 1603.1, 1603.3, and 121022, Health and Safety Code.

Mandated blood testing and confidentiality to protect public health, disclosure to patient's spouse, sexual partner, needle sharer, or county health officer, Section 121015, Health and Safety Code.

Manufactured home, mobilehome, floating home, confidentiality of home address of registered owner, Section 18081, Health and Safety Code.

Marital confidential communications, Sections 980, 981, 982, 983, 984, 985, 986, and 987, Evidence Code.

Market reports, confidential, Section 7927.300, this code.

Marketing of commodities, confidentiality of financial information, Section 58781, Food and Agricultural Code.

Marketing orders, confidentiality of processors' or distributors' information, Section 59202, Food and Agricultural Code.

Marriage, confidential, certificate, Section 511, Family Code.

Medi-Cal Benefits Program, confidentiality of information, Section 14100.2, Welfare and Institutions Code.

Medi-Cal Benefits Program, request of department for records or information, Section 14124.89, Welfare and Institutions Code.

Medi-Cal Fraud Bureau, confidentiality of complaints, Section 12528, this code.

Medi-Cal managed care program, exemption from disclosure for financial and utilization data submitted by Medi-Cal managed care health plans to establish rates, Section 14301.1, Welfare and Institutions Code.

Medi-Cal program, exemption from disclosure for best price contracts between the State Department of Health Care Services and drug manufacturers, Section 14105.33, Welfare and Institutions Code.

Medical information, disclosure by provider unless prohibited by patient in writing, Section 56.16, Civil Code.

Medical information, types of information not subject to patient prohibition of disclosure, Section 56.30, Civil Code.

Medical and other hospital committees and peer review bodies, confidentiality of records, Section 1157, Evidence Code.

Medical or dental licensee, action for revocation or suspension due to illness, report, confidentiality of, Section 828, Business and Professions Code.

Medical or dental licensee, disciplinary action, denial or termination of staff privileges, report, confidentiality of, Sections 805, 805.1, and 805.5, Business and Professions Code.

Meetings of state agencies, disclosure of agenda, Section 11125.1, this code.

Mentally abnormal sex offender committed to state hospital, confidentiality of records, Section 4135, Welfare and Institutions Code.

Mentally disordered and developmentally disabled offenders, access to criminal histories of, Section 1620, Penal Code.

Mentally disordered persons, court-ordered evaluation, confidentiality of reports, Section 5202, Welfare and Institutions Code.

Mentally disordered or mentally ill person, confidentiality of written consent to detainment, Section 5326.4, Welfare and Institutions Code.

Mentally disordered or mentally ill person, voluntarily or involuntarily detained and receiving services, confidentiality of records and information, Sections 5328, 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9, Welfare and Institutions Code.

Mentally disordered or mentally ill person, weapons restrictions, confidentiality of information about, Section 8103, Welfare and Institutions Code.

Milk marketing, confidentiality of records, Section 61443, Food and Agricultural Code.

Milk product certification, confidentiality of, Section 62121, Food and Agricultural Code.

Milk, market milk, confidential records and reports, Section 62243, Food and Agricultural Code.

Milk product registration, confidentiality of information, Section 38946, Food and Agricultural Code.

Milk equalization pool plan, confidentiality of producers' voting, Section 62716, Food and Agricultural Code.

Mining report, confidentiality of report containing information relating to mineral production, reserves, or rate of depletion of mining operation, Section 2207, Public Resources Code.

Minor, criminal proceeding testimony closed to public, Section 859.1, Penal Code.

Minors, material depicting sexual conduct, records of suppliers to be kept and made available to law enforcement, Section 1309.5, Labor Code.

Misdemeanor and felony reports by police chiefs and sheriffs to Department of Justice, confidentiality of, Sections 11107 and 11107.5, Penal Code.

Monetary instrument transaction records, confidentiality of, Section 14167, Penal Code.

Missing persons' information, disclosure of, Sections 14204 and 14205, Penal Code.

Morbidity and mortality studies, confidentiality of records, Section 100330, Health and Safety Code.

Motor vehicle accident reports, disclosure, Sections 16005, 20012, and 20014, Vehicle Code.

Motor vehicles, department of, public records, exceptions, Sections 1808 to 1808.7, inclusive, Vehicle Code.

Motor vehicle insurance fraud reporting, confidentiality of information acquired, Section 1874.3, Insurance Code.

Motor vehicle liability insurer, data reported to Department of Insurance, confidentiality of, Section 11628, Insurance Code.

Multijurisdictional drug law enforcement agency, closed sessions to discuss criminal investigation, Section 54957.8, this code.

Comment. Section 7930.170 continues former Section 6276.30 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.30 included an entry for: “Managed care health plans, confidentiality of proprietary information, Section 14091.3 of the Welfare and Institutions Code.” That entry is not included in Section 7930.170 because it is obsolete. Welfare and Institutions Code Section 14091.3 (2012 Cal. Stat. ch. 23, § 81) was repealed by its own terms on January 1, 2014.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Existing Section 6276.30 includes an entry for: “Mentally disordered or mentally ill person, weapons restrictions, confidentiality of information about, Section 8103 of the Welfare and Institutions Code.” At present, there are two versions of Welfare and Institutions Code Section 8103. However, one version (2018 Cal. Stat. ch. 861, § 1) will sunset by its own terms on January 1, 2020, before this proposed recodification is introduced in the Legislature; the other version (2018 Cal. Stat. ch. 861, § 2) will become operative at that time. Moreover, both versions contain the same language regarding record disclosure (see subdivision (e)(3)). Consequently, proposed Section 7930.170, like existing Section 6276.30, would simply refer to Welfare and Institutions Code Section 8103.

§ 7930.175. From “Narcotic addict outpatient revocation proceeding” to “Osteopathic physician and surgeon”

7930.175. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Narcotic and drug abuse patients, confidentiality of records, Section 11845.5, Health and Safety Code.

Native American graves, cemeteries and sacred places, records of, Section 7927.000, this code.

Notary public, confidentiality of application for appointment and commission, Section 8201.5, this code.

Nurse, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 2770.12, Business and Professions Code.

Obscene matter, defense of scientific or other purpose, confidentiality of recipients, Section 311.8, Penal Code.

Occupational safety and health investigations, confidentiality of complaints and complainants, Section 6309, Labor Code.

Occupational safety and health investigations, confidentiality of trade secrets, Section 6322, Labor Code.

Official information acquired in confidence by public employee, disclosure of, Sections 1040 and 1041, Evidence Code.

Oil and gas, confidentiality of proposals for the drilling of a well, Section 3724.4, Public Resources Code.

Oil and gas, disclosure of onshore and offshore exploratory well records, Section 3234, Public Resources Code.

Oil and gas, disclosure of well records, Section 3752, Public Resources Code.

Oil and gas leases, surveys for permits, confidentiality of information, Section 6826, Public Resources Code.

Oil spill feepayer information, prohibition against disclosure, Section 46751, Revenue and Taxation Code.

Older adults receiving county services, providing information between county agencies, confidentiality of, Section 9401, Welfare and Institutions Code.

Organic food certification organization records, release of, Section 110845, Health and Safety Code.

Osteopathic physician and surgeon, rehabilitation and diversion records, confidentiality of, Section 2369, Business and Professions Code.

Comment. Section 7930.175 continues former Section 6276.32 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.32 included an entry for: “Narcotic addict outpatient revocation proceeding, confidentiality of reports, Section 3152.5, Welfare and Institutions Code.” That entry is not included in Section 7930.175 because it is obsolete. Welfare and Institutions Code Section 3152.5 (1978 Cal. Stat. ch. 856, § 5) was repealed by the terms

of former Welfare and Institutions Code Section 3202 (see 2012 Cal. Stat. ch. 41, § 119).

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.180. From “Parole revocation proceedings” to “Postmortem or autopsy photos”

7930.180. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Parole revocation proceedings, confidentiality of information in reports, Section 3063.5, Penal Code.

Passenger fishing boat licenses, records, Section 7923, Fish and Game Code.

Paternity, acknowledgment, confidentiality of records, Section 102760, Health and Safety Code.

Patient-physician confidential communication, Sections 992 and 994, Evidence Code.

Patient records, confidentiality of, Section 123135, Health and Safety Code.

Payroll records, confidentiality of, Section 1776, Labor Code.

Peace officer personnel records, confidentiality of, Sections 832.7 and 832.8, Penal Code.

Penitential communication between penitent and clergy, Sections 1032 and 1033, Evidence Code.

Personal Care Services Program, exemption from disclosure for information regarding persons paid by the state to provide personal care services, Section 7926.300, this code.

Personal Income Tax, disclosure of information, Article 2 (commencing with Section 19542) of Chapter 7 of Part 10.2 of Division 2, Revenue and Taxation Code.

Personal information, Information Practices Act, prohibitions against disclosure by state agencies, Sections 1798.24 and 1798.75, Civil Code.

Personal information, subpoena of records containing, Section 1985.4, Code of Civil Procedure.

Personal representative, confidentiality of personal representative's birth date and driver's license number, Section 8404, Probate Code.

Persons formerly classified as mentally abnormal sex offenders committed to a state hospital, confidentiality of records, Section 4135, Welfare and Institutions Code.

Persons with mental health disorders, court-ordered evaluation, confidentiality of reports, Section 5202, Welfare and Institutions Code.

Persons with mental health disorders, confidentiality of written consent to detainment, Section 5326.4, Welfare and Institutions Code.

Persons with mental health disorders voluntarily detained and receiving services, confidentiality of records and information, Sections 5328, 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9, Welfare and Institutions Code.

Persons with mental health disorders, weapons restrictions, confidentiality of information about, Section 8103, Welfare and Institutions Code.

Petition signatures, Section 18650, Elections Code.

Petroleum supply and pricing, confidential information, Sections 25364 and 25366, Public Resources Code.

Pharmacist, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 4372, Business and Professions Code.

Physical therapist or assistant, records of dangerous drug or alcohol diversion and rehabilitation, confidentiality of, Section 2667, Business and Professions Code.

Physical or mental condition or conviction of controlled substance offense, records in Department of Motor Vehicles, confidentiality of, Section 1808.5, Vehicle Code.

Physician assistant, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 3534.7, Business and Professions Code.

Physician competency examination, confidentiality of reports, Section 2294, Business and Professions Code.

Physicians and surgeons, confidentiality of reports of patients with a lapse of consciousness disorder, Section 103900, Health and Safety Code.

Physician Services Account, confidentiality of patient names in claims, Section 16956, Welfare and Institutions Code.

Pilots, confidentiality of personal information, Section 1157.1, Harbors and Navigation Code.

Pollution Control Financing Authority, financial data submitted to, Section 7924.505, this code.

Postmortem or autopsy photos, Section 129, Code of Civil Procedure.

Comment. Section 7930.180 continues former Section 6276.34 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.34 included an entry for: “Payment instrument licensee records, inspection of, Section 33206, Financial Code.” That entry is not included in Section 7930.180 because it is obsolete. Financial Code Section 33206 (1996 Cal. Stat. ch. 1064, § 712) has been repealed. See 2010 Cal. Stat. ch. 612, § 4.

Former Section 6276.34 also included an entry for: “Physician and surgeon, rehabilitation and diversion records, confidentiality of, Section 2355, Business and Professions Code.” That entry is not included in Section 7930.180 because it is obsolete. Business and Professions Code Section 2355 (2000 Cal. Stat. ch. 836, § 12) has been repealed. See 2005 Cal. Stat. ch. 674, § 16 (sunset clause, operative Jan. 1, 2009).

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

<p>Note. Existing Section 6276.34 includes an entry for: “Persons with mental health disorders, weapons restrictions, confidentiality of</p>

information about, Section 8103, Welfare and Institutions Code.” At present, there are two versions of Welfare and Institutions Code Section 8103. However, one version (2018 Cal. Stat. ch. 861, § 1) will sunset by its own terms on January 1, 2020, before this proposed recodification is introduced in the Legislature; the other version (2018 Cal. Stat. ch. 861, § 2) will become operative at that time. Moreover, both versions contain the same language regarding record disclosure (see subdivision (e)(3)). Consequently, proposed Section 7930.180, like existing Section 6276.34, would simply refer to Welfare and Institutions Code Section 8103.

§ 7930.185. From “Pregnancy tests by local public health agencies” to “Pupil records”

7930.185. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Pregnancy tests by local public health agencies, confidentiality of, Section 123380, Health and Safety Code.

Pregnant women, confidentiality of blood tests, Section 125105, Health and Safety Code.

Prehospital emergency medical care, release of information, Sections 1797.188 and 1797.189, Health and Safety Code.

Prenatal syphilis tests, confidentiality of, Section 120705, Health and Safety Code.

Prescription drug discounts, confidentiality of corporate proprietary information, Section 130506, Health and Safety Code.

Prisoners, behavioral research on, confidential personal information, Section 3515, Penal Code.

Prisoners, confidentiality of blood tests, Section 7530, Penal Code.

Prisoners, medical testing, confidentiality of records, Sections 7517 and 7540, Penal Code.

Prisoners, transfer from county facility for mental treatment and evaluation, confidentiality of written reasons, Section 4011.6, Penal Code.

Private industry wage data collected by public entity, confidentiality of, Section 7927.600, this code.

Private railroad car tax, confidentiality of information, Section 11655, Revenue and Taxation Code.

Probate referee, disclosure of materials, Section 8908, Probate Code.

Probation officer reports, inspection of, Section 1203.05, Penal Code.

Produce dealer, confidentiality of financial statements, Section 56254, Food and Agricultural Code.

Products liability insurers, transmission of information, Section 1857.9, Insurance Code.

Professional corporations, financial statements, confidentiality of, Section 13406, Corporations Code.

Property on loan to museum, notice of intent to preserve an interest in, not subject to disclosure, Section 1899.5, Civil Code.

Property taxation, confidentiality of change of ownership, Section 481, Revenue and Taxation Code.

Property taxation, confidentiality of exemption claims, Sections 63.1, 69.5, and 408.2, Revenue and Taxation Code.

Property taxation, confidentiality of property information, Section 15641, Government Code and Section 833, Revenue and Taxation Code.

Proprietary information, availability only to the director and other persons authorized by the operator and the owner, Section 2778, Public Resources Code.

Psychologist and client, confidential relations and communications, Section 2918, Business and Professions Code.

Psychotherapist-patient confidential communication, Sections 1012 and 1014, Evidence Code.

Public employees' home addresses and telephone numbers, confidentiality of, Section 7928.300, this code.

Public Employees' Medical and Hospital Care Act, confidentiality of data relating to health care services rendered by participating hospitals to members and annuitants, Section 22854.5, this code.

Public Employees' Retirement System, confidentiality of data filed by member or beneficiary with board of administration, Section 20230, this code.

Public investment funds, exemption from disclosure for records regarding alternative investments, Section 7928.710, this code.

Public school employees organization, confidentiality of proof of majority support submitted to Public Employment Relations Board, Sections 3544, 3544.1, and 3544.5, this code.

Public social services, confidentiality of digest of decisions, Section 10964, Welfare and Institutions Code.

Public social services, confidentiality of information regarding child abuse or elder or dependent persons abuse, Section 10850.1, Welfare and Institutions Code.

Public social services, confidentiality of information regarding eligibility, Section 10850.2, Welfare and Institutions Code.

Public social services, confidentiality of records, Section 10850, Welfare and Institutions Code.

Public social services, disclosure of information to law enforcement agencies, Section 10850.3, Welfare and Institutions Code.

Public social services, disclosure of information to law enforcement agencies regarding deceased applicant or recipient, Section 10850.7, Welfare and Institutions Code.

Public utilities, confidentiality of information, Section 583, Public Utilities Code.

Pupil, confidentiality of personal information, Section 45345, Education Code.

Pupil drug and alcohol use questionnaires, confidentiality of, Section 11605, Health and Safety Code.

Pupil, expulsion hearing, disclosure of testimony of witness and closed session of district board, Section 48918, Education Code.

Pupil, personal information disclosed to school counselor, confidentiality of, Section 49602, Education Code.

Pupil record contents, records of administrative hearing to change contents, confidentiality of, Section 49070, Education Code.

Pupil records, access authorized for specified parties, Section 49076, Education Code.

Pupil records, disclosure in hearing to dismiss or suspend school employee, Section 44944.3, Education Code.

Pupil records, release of directory information to private entities, Sections 49073 and 49073.5, Education Code.

Comment. Section 7930.185 continues former Section 6276.36 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.36 included an entry for: “Public Employees’ Retirement System, confidentiality of data filed by member or beneficiary with board of administration, Section 20134.” That entry has been revised because Section 20134 was repealed and its substance moved to Section 20230. See 1995 Cal. Stat. ch. 379, § 1; *compare* 1985 Cal. Stat. ch. 1508, § 1 *with* Section 20230. Section 7930.185 would thus refer to Section 20230, instead of Section 20134.

Former Section 6276.36 also included an entry for: “Pupil records, disclosure in hearing to dismiss or suspend school employee, Section 44944.1, Education Code.” That entry has been revised because Section 44944.1 was repealed and added, and the new provision does not address record disclosure (see 2014 Cal. Stat. ch. 55, §§ 17, 18). The substance of the repealed provision has been moved to Education Code Section 44944.3 (*compare* 1985 Cal. Stat. ch. 324, § 3 (former Educ. Code § 44944.1) *with* Educ. Code § 44944.3). Proposed Section 7930.135 would thus refer to Education Code Section 44944.3, instead of Education Code Section 44944.1.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.190. From “Radioactive materials” to “Reward by Governor”

7930.190. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Radioactive materials, dissemination of information about transportation of, Section 33002, Vehicle Code.

Railroad infrastructure protection program, disclosure not required for risk assessments filed with the Public Utilities Commission, the Director of Emergency Services, or the Office of Emergency Services, Section 7929.215, this code.

Real estate broker, annual report to Bureau of Real Estate of financial information, confidentiality of, Section 10232.2, Business and Professions Code.

Real property, acquisition by state or local government, information relating to feasibility, Section 7928.705, this code.

Real property, change in ownership statement, confidentiality of, Section 27280, this code.

Records described in Section 1620, Penal Code.

Records of contract purchasers, inspection by public prohibited, Section 85, Military and Veterans Code.

Records of persons committed to a state hospital pursuant to Section 4135, Welfare and Institutions Code.

Registered public obligations, inspection of records of security interests in, Section 5060, this code.

Registration of exempt vehicles, nondisclosure of name of person involved in alleged violation, Section 5003, Vehicle Code.

Rehabilitation, Department of, confidential information, Section 19016, Welfare and Institutions Code.

Reinsurance intermediary-broker license information, confidentiality of, Section 1781.3, Insurance Code.

Relocation assistance, confidential records submitted to a public entity by a business or farm operation, Section 7262, this code.

Rent control ordinance, confidentiality of information concerning accommodations sought to be withdrawn from, Section 7060.4, this code.

Report of probation officer, inspection, copies, Section 1203.05, Penal Code.

Repossession agency licensee application, confidentiality of information, Sections 7503, 7504, and 7506.5, Business and Professions Code.

Reproductive health facilities, disclosure not required for personal information regarding employees, volunteers, board members, owners, partners, officers, and contractors of a reproductive health services facility who have provided requisite notification, Sections 7926.400 to 7926.430, inclusive, this code.

Residence address in any record of Department of Housing and Community Development, confidentiality of, Section 7927.415, this code.

Residence address in any record of Department of Motor Vehicles, confidentiality of, Section 7927.405, this code, and Section 1808.21, Vehicle Code.

Residence and mailing addresses in records of Department of Motor Vehicles, confidentiality of, Section 1810.7, Vehicle Code.

Residential care facilities, confidentiality of resident information, Section 1568.08, Health and Safety Code.

Residential care facilities for the elderly, confidentiality of client information, Section 1569.315, Health and Safety Code.

Resource families, identifying information, Section 16519.55, Welfare and Institutions Code.

Respiratory care practitioner, professional competency examination reports, confidentiality of, Section 3756, Business and Professions Code.

Restraint of trade, civil action by district attorney, confidential memorandum, Section 16750, Business and Professions Code.

Reward by Governor for information leading to arrest and conviction, confidentiality of person supplying information, Section 1547, Penal Code.

Comment. Section 7930.190 continues former Section 6276.38. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

The last entry in former Section 6276.38 was for: “Safe surrender site, confidentiality of information pertaining to a parent or individual surrendering a child, Section 1255.7, Health and Safety Code.” That entry is not included in Section 7930.190. Instead, it is included in Section 7930.195, together with other entries that begin with “S.”

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Existing Section 6276.38 includes an entry for: “Residential care facilities for the elderly, confidentiality of client information, Section 1569.315, Health and Safety Code.” There are two versions of Section 1569.315 in the Health and Safety Code (1985 Cal. Stat. ch. 869, § 4; 1985 Cal. Stat. ch. 1096, § 5).

Both versions require a residential care facility for the elderly to keep and protect “the privacy and confidentiality of” certain records. Most of the differences between the versions are stylistic, but only the first version applies to “the ... address ... of the client’s physician”

Like existing Section 6276.38, proposed Section 7930.190 would simply refer to “Section 1569.315, Health and Safety Code.”

§ 7930.195. From “Safe surrender site” to “Social security numbers within records of local agencies”

7930.195. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Safe surrender site, confidentiality of information pertaining to a parent or individual surrendering a child, Section 1255.7, Health and Safety Code.

Sales and use tax, disclosure of information, Section 7056, Revenue and Taxation Code.

Santa Barbara Regional Health Authority, exemption from disclosure for records maintained by the authority regarding negotiated rates for the California Medical Assistance Program, Section 14499.6, Welfare and Institutions Code.

Savings association employees, disclosure of criminal history information, Section 6525, Financial Code.

Savings associations, inspection of records by shareholders, Section 6050, Financial Code.

School district governing board, disciplinary action, disclosure of pupil information, Section 35146, Education Code.

School employee, merit system examination records, confidentiality of, Section 45274, Education Code.

School employee, notice and reasons for hearing on nonreemployment of employee, confidentiality of, Sections 44948.5 and 44949, Education Code.

School meals for needy pupils, confidentiality of records, Section 49558, Education Code.

Sealed records, arrest for misdemeanor, Section 851.7, Penal Code.

Sealed records, misdemeanor convictions, Section 1203.45, Penal Code.

Sealing and destruction of arrest records, determination of innocence, Section 851.8, Penal Code.

Search warrants, special master, Section 1524, Penal Code.

Sex change, confidentiality of birth certificate, Section 103440, Health and Safety Code.

Sex offenders, registration form, Section 290.021, Penal Code.

Sexual assault forms, confidentiality of, Section 13823.5, Penal Code.

Sexual assault counselor and victim, confidential communication, Sections 1035.2, 1035.4, and 1035.8, Evidence Code.

Shorthand reporter's complaint, Section 8010, Business and Professions Code.

Small family day care homes, identifying information, Section 1596.86, Health and Safety Code.

Social security number, applicant for driver's license or identification card, nondisclosure of, Section 1653.5, Vehicle Code, and Section 7922.200, this code.

Social security number, official record or official filing, nondisclosure of, Section 9526.5, Commercial Code, and Sections 7922.205 and 7922.210, this code.

Social Security Number Truncation Program, Article 3.5 (commencing with Section 27300) of Chapter 6 of Part 3 of Division 2 of Title 3, this code.

Social security numbers within records of local agencies, nondisclosure of, Section 7922.200, this code.

Comment. Section 7930.195 continues former Section 6276.40. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.38 consisted of entries beginning with “R,” plus an entry for: “Safe surrender site, confidentiality of information pertaining to a parent or individual surrendering a child, Section 1255.7, Health and Safety Code.” The quoted entry belongs with other entries that begin with “S,” not with entries that begin with “R.” Thus, the quoted entry is recodified here in Section 7930.195, not in Section 7930.190.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

Note. Existing Section 6276.40 includes an entry for: “Social security number, applicant for driver’s license or identification card, nondisclosure of, Section 1653.5, Vehicle Code” At present, there are two versions of Vehicle Code Section 1653.5, with different rules governing when they are operative: (1) 2014 Cal. Stat. ch. 452, § 2, and (2) 2014 Cal. Stat. ch. 71, § 168. Both versions restrict disclosure of the social security number of an applicant for a driver’s license or identification card. For that reason, and because only one version will be operative at a time, proposed Section 7930.195, like existing Section 6276.40, would simply refer to “Section 1653.5, Vehicle Code”

§ 7930.200. From “State agency activities relating to unrepresented employees” to “Sturgeon egg processors”

7930.200. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

State agency activities relating to unrepresented employees, Section 7928.405, this code.

State agency activities relating to providers of health care, Section 7927.500, this code.

State Auditor, access to barred records, Section 8545.2, this code.

State Auditor, confidentiality of records, Sections 8545, 8545.1, and 8545.3, this code.

State civil service employee, confidentiality of appeal to state personnel board, Section 18952, this code.

State civil service employees, confidentiality of reports, Section 18573, this code.

State civil service examination, confidentiality of application and examination materials, Section 18934, this code.

State Compensation Insurance Fund, exemption from disclosure for various records maintained by the State Compensation Insurance Fund, Sections 7929.400 to 7929.430, inclusive, this code.

State Contract Act, bids, questionnaires and financial statements, Section 10165, Public Contract Code.

State Contract Act, bids, sealing, opening, and reading bids, Section 10304, Public Contract Code.

State Energy Resources Conservation and Development Commission, confidentiality of proprietary information submitted to, Section 25223, Public Resources Code.

State hospital patients, information and records in possession of Superintendent of Public Instruction, confidentiality of, Section 56863, Education Code.

State Long-Term Care Ombudsman, access to government agency records, Section 9723, Welfare and Institutions Code.

State Long-Term Care Ombudsman office, confidentiality of records and files, Section 9725, Welfare and Institutions Code.

State Long-Term Care Ombudsman office, disclosure of information or communications, Section 9715, Welfare and Institutions Code.

State Lottery Evaluation Report, disclosure, Section 8880.46, this code.

State prisoners, exemption from disclosure for surveys by the California Research Bureau of children of female prisoners, Section 7443, Penal Code.

State summary criminal history information, confidentiality of information, Sections 11105, 11105.1, 11105.3, and 11105.4, Penal Code.

State Teachers' Retirement System, confidentiality of information filed with the system by a member, participant, or beneficiary, Section 22306, Education Code.

Sterilization of disabled, confidentiality of evaluation report, Section 1955, Probate Code.

Strawberry marketing information, confidentiality of, Section 63124, Food and Agricultural Code.

Structural pest control licensee records relating to pesticide use, confidentiality of, Section 15205, Food and Agricultural Code.

Student driver, records of physical or mental condition, confidentiality of, Section 12661, Vehicle Code.

Student, community college, information received by school counselor, confidentiality of, Section 72621, Education Code.

Student, community college, records, limitations on release, Section 76243, Education Code.

Student, community college, record contents, records of administrative hearing to change contents, confidentiality of, Section 76232, Education Code.

Student, sexual assault on private higher education institution campus, confidentiality of information, Section 94385, Education Code.

Student, sexual assault on public college or university, confidentiality of information, Section 67385, Education Code.

Sturgeon egg processors, records, Section 10004, Fish and Game Code.

Comment. Section 7930.200 continues former Section 6276.42 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is

continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.42 included an entry for: “State Teachers’ Retirement System, confidentiality of information filed with the system by a member, participant, or beneficiary, Sections 22306 and 26215, Education Code.” That entry has been revised to refer only to Education Code Section 22306. The reference to Education Code Section 26215 is obsolete because that section was repealed as redundant. See 2017 Cal. Stat. ch. 298, § 11; Senate Committee on Public Employment & Retirement Analysis of AB 1325 (July 10, 2017), p. 5.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.205. From “Taxpayer information” to “Trust companies”

7930.205. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Taxpayer information, confidentiality, local taxes, Section 7925.000, this code.

Tax preparer, disclosure of information obtained in business of preparing tax returns, Section 17530.5, Business and Professions Code.

Teacher, credential holder or applicant, information provided to Commission on Teacher Credentialing, confidentiality of, Section 44341, Education Code.

Teacher, certified school personnel examination results, confidentiality of, Section 44289, Education Code.

Telephone answering service customer list, trade secret, Section 16606, Business and Professions Code.

Timber yield tax, disclosure to county assessor, Section 38706, Revenue and Taxation Code.

Timber yield tax, disclosure of information, Section 38705, Revenue and Taxation Code.

Title insurers, confidentiality of notice of noncompliance, Section 12414.14, Insurance Code.

Tobacco products, exemption from disclosure for distribution information provided to the State Department of Public Health, Section 22954, Business and Professions Code.

Tow truck driver, information in records of the Department of the California Highway Patrol, Department of Motor Vehicles, or other agencies, confidentiality of, Sections 2431 and 2432.3, Vehicle Code.

Toxic Substances Control, Department of, inspection of records of, Section 25152.5, Health and Safety Code.

Trade secrets, Section 1060, Evidence Code.

Trade secrets, confidentiality of, occupational safety and health inspections, Section 6322, Labor Code.

Trade secrets, disclosure of public records, Section 3426.7, Civil Code.

Trade secrets, food, drugs, cosmetics, nondisclosure, Sections 110165 and 110370, Health and Safety Code.

Trade secrets, protection by Director of Pesticide Regulation, Sections 7924.300 to 7924.335, inclusive, this code.

Trade secrets and proprietary information relating to pesticides, confidentiality of, Sections 14022 and 14023, Food and Agricultural Code.

Trade secrets, protection by Director of Industrial Relations, Section 6396, Labor Code.

Trade secrets relating to hazardous substances, disclosure of, Sections 25358.2 and 25358.7, Health and Safety Code.

Traffic violator school licensee records, confidentiality of, Section 11212, Vehicle Code.

Traffic offense, dismissed for participation in driving school or program, record of, confidentiality of, Section 1808.7, Vehicle Code.

Transit districts, questionnaire and financial statement information in bids, Section 99154, Public Utilities Code.

Tribal-state gaming compacts, exemption from disclosure for records of an Indian tribe relating to securitization of annual payments, Section 63048.63, this code.

Trust companies, disclosure of private trust confidential information, Section 1602, Financial Code.

Comment. Section 7930.205 continues former Section 6276.44 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.44 included an entry for: “Trust companies, disclosure of private trust confidential information, Section 1582, Financial Code.” That entry has been revised because Financial Code Section 1582 was repealed in 2011 and replaced by a new provision that has nothing to do with disclosure of private trust confidential information (see 2011 Cal. Stat. ch. 243, §§ 1, 3). The substance of the repealed provision was moved to Financial Code Section 1602 (*compare* former Fin. Code § 1582 (1996 Cal. Stat. ch. 1064, § 212) *with* Fin. Code § 1602). Section 7930.205 thus refers to Financial Code Section 1602, instead of Financial Code Section 1582.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.210. From “Unclaimed property” to “Voting”

7930.210. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Unclaimed property, Controller records of, disclosure, Section 1582, Code of Civil Procedure.

Unemployment compensation, disclosure of confidential information, Section 2111, Unemployment Insurance Code.

Unemployment compensation, information obtained in administration of code, Section 1094, Unemployment Insurance Code.

Unemployment fund contributions, publication of annual tax paid, Section 989, Unemployment Insurance Code.

University of California, exemption from disclosure for information submitted by bidders for award of best value contracts, Section 10506.6, Public Contract Code.

Unsafe working condition, confidentiality of complainant, Section 6309, Labor Code.

Use fuel tax information, disclosure prohibited, Section 9255, Revenue and Taxation Code.

Utility systems development, confidential information, Section 7927.300, this code.

Utility user tax return and payment records, exemption from disclosure, Section 7284.6, Revenue and Taxation Code.

Vehicle registration, confidentiality of information, Section 4750.4, Vehicle Code.

Vehicle accident reports, disclosure of, Sections 16005, 20012, and 20014, Vehicle Code and Section 27177, Streets and Highways Code.

Vehicular offense, record of, confidentiality five years after conviction, Section 1807.5, Vehicle Code.

Veterans Affairs, Department of, confidentiality of records of contract purchasers, Section 85, Military and Veterans Code.

Veterinarian or animal health technician, alcohol or dangerous drugs diversion and rehabilitation records, confidentiality of, Section 4871, Business and Professions Code.

Victims' Legal Resource Center, confidentiality of information and records retained, Section 13897.2, Penal Code.

Voter, affidavit or registration, confidentiality of information contained in, Section 7924.000, this code.

Voter, registration by confidential affidavit, Section 2194, Elections Code.

Voting, secrecy, Section 1050, Evidence Code.

Comment. Section 7930.210 continues former Section 6276.46 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

The last entry in former Section 6276.46 was for: “Wards and dependent children, inspection of juvenile court documents, Section 827, Welfare and Institutions Code.” That entry is not included in Section 7930.210. Instead, it is included in Section 7930.215, together with other entries that begin with “W.”

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act (“CPRA”) that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

§ 7930.215. From “Wards and dependent children” to “Youth Authority”

7930.215. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Wards and dependent children, inspection of juvenile court documents, Section 827, Welfare and Institutions Code.

Wards, petition for sealing records, Section 781, Welfare and Institutions Code.

Winegrowers of California Commission, confidentiality of producers’ or vintners’ proprietary information, Sections 74655 and 74955, Food and Agricultural Code.

Workers’ Compensation Appeals Board, injury or illness report, confidentiality of, Section 6412, Labor Code.

Workers’ compensation insurance, dividend payment to policyholder, confidentiality of information, Section 11739, Insurance Code.

Workers’ compensation insurance fraud reporting, confidentiality of information, Section 1877.4, Insurance Code.

Workers’ compensation insurer or rating organization, confidentiality of notice of noncompliance, Section 11754, Insurance Code.

Workers’ compensation insurer, rating information, confidentiality of, Section 11752.7, Insurance Code.

Workers’ compensation, notice to correct noncompliance, Section 11754, Insurance Code.

Workers' compensation, release of information to other governmental agencies, Section 11752.5, Insurance Code.

Workers' compensation, self-insured employers, confidentiality of financial information, Section 3742, Labor Code.

Workplace inspection photographs, confidentiality of, Section 6314, Labor Code.

Youth Authority, parole revocation proceedings, confidentiality of, Section 1767.6, Welfare and Institutions Code.

Youth Authority, release of information in possession of Youth Authority for offenses under Sections 676, 1764.1, and 1764.2, Welfare and Institutions Code.

Comment. Section 7930.215 continues former Section 6276.48 without substantive change. For the source of the introductory clause, see the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

Former Section 6276.46 consisted of entries beginning with "U" and "V," plus an entry for: "Wards and dependent children, inspection of juvenile court documents, Section 827, Welfare and Institutions Code." The quoted entry belongs with other entries that begin with "W," not with entries that begin with "U" or "V." Thus, the quoted entry is recodified here in Section 7930.215, not in Section 7930.210.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index). For special rules in the California Public Records Act ("CPRA") that apply to specific types of public records, see Sections 7923.600-7929.610. For the CPRA catch-all exemption, see Section 7922.000.

UNCODIFIED

Legislative findings

SEC. _____. This act would recodify the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) in a more user-friendly manner without changing its substance, and make conforming revisions. Consistent with subdivision (b) of Section 3

of Article I of the California Constitution, the Legislature finds and declares:

(a) This act continues the existing substantive balance between the public's right of access to information concerning the conduct of public business and competing interests. This act does not impose any new limitation on the public's right of access, which would require findings demonstrating the interest protected by the new limitation and the need for protecting that interest.

(b) By making the California Public Records Act more user-friendly, this act furthers the public's right of access to information concerning the conduct of public business.

Operative date

SEC. _____. This act becomes operative on January 1, 2022.

DISPOSITION OF FORMER LAW

Note. This table shows the proposed disposition of the following provisions of the California Public Records Act (Gov’t Code §§ 6250-6276.48), as that law will exist on January 1, 2020. Unless otherwise indicated, all statutory references are to the Government Code.

Existing Provision(s)	Proposed Provision(s)
6250-6276.48	7920.000-7930.215
6250	7921.000
6251	7920.000
6252(a)	7920.510
6252(b)	7920.515
6252(c)	7920.520
6252(d)	7920.525(a)
6252(e)	7920.530
6252(f)	7920.540
6252(g)	7920.545
6252.5	7921.305
6252.6	7927.420
6252.7	7921.310
6253(a)	7922.525
6253(a) 1st sent	7922.525(a)
6253(a) 2d sent	7922.525(b)
6253(b)	7922.530(a)
6253(c)	7922.535
6253(c) 1st, 4th sent	7922.535(a)
6253(c) 2d, 3d sent	7922.535(b)
6253(c) 5th sent	7922.535(c)
6253(d) 1st sent	7922.500
6253(d)(1)	7922.530(b)
6253(d)(2)	7922.530(c)
6253(d)(3)	7922.540(b)
6253(e)	7922.505
6253(f) 1st sent	7922.545(a)
6253(f) 2d sent	7922.545(b)
6253.1(a)-(c)	7922.600
6253.1(d)	7922.605
6253.2	7926.300
6253.21	7927.305
6253.3	7921.005

Existing Provision(s)	Proposed Provision(s)
6253.31	7928.700
6253.4(a) 1st ¶	7922.630
6253.4(a) 2d ¶	7922.635
6253.4(b)	7922.640
6253.5	7924.100-7924.110
6253.5(a) 1st sent	7924.110(a)-(b)
6253.5(a) 2d sent	7924.110(c)
6253.5(b)	7924.110(d)
6253.5(c)	7924.100
6253.5(d)	7924.105
6253.6	7924.005
6253.8(a)-(e)	7924.900
6253.8(f)	not cont'd
6253.9	7922.570-7922.580
6253.9 intro cl 1st part	7922.570(a)
6253.9 intro cl 2d part	7922.570(b)
6253.9(a)(1)	7922.570(b)
6253.9(a)(2) 1st sent	7922.570(b)
6253.9(a)(2) 2d sent	7922.575(a)
6253.9(b)	7922.575(b)
6253.9(c)	7922.580(a)
6253.9(d)	7922.570(c)
6253.9(e)	7922.580(b)
6253.9(f)	7922.580(c)
6253.9(g)	7922.580(d)
6253.10	7922.680
6254(a)	7927.500
6254(b)	7927.200
6254(c)	7927.700
6254(d)	7929.000
6254(e)	7927.300
6254(f)	7923.600-7923.625
6254(f) 1st sent	7923.600(a)
6254(f) 2d sent	7923.605(a)
6254(f) 3d sent	7923.605(b)
6254(f) 2d ¶	7923.600(b)
6254(f) 3d ¶	7923.610, 7923.615(a), 7923.620(a)
6254(f)(1)	7923.610
6254(f)(2)(A) 1st sent	7923.615(a)
6254(f)(2)(A) 2d, 3d sent	7923.615(b)
6254(f)(2)(B)	7923.615(c)

Existing Provision(s)	Proposed Provision(s)
6254(f)(3) 1st, 2d sent.....	7923.620(a)
6254(f)(3) 3d sent	7923.620(b)
6254(f)(3) 4th sent	7923.620(c)
6254(f)(4).....	7923.625
6254(g).....	7929.605
6254(h).....	7928.705
6254(i).....	7925.000
6254(j).....	7927.100
6254(k).....	7927.705
6254 (l)	7928.000
6254(m).....	7928.100
6254(n).....	7925.005
6254(o).....	7924.505
6254(p)(1)	7928.405
6254(p)(2)	7928.410
6254(q)(1)	7926.220(a)
6254(q)(2)	7926.220(b)
6254(q)(3)	7926.220(c)
6254(q)(4)	7926.220(d)
6254(r)	7927.000
6254(s)	7926.000
6254(t).....	7926.210
6254(u)(1)	7923.800
6254(u)(2)-(3)	7923.805
6254(v)(1)	7926.225(a)
6254(v)(2)	7926.225(b)
6254(v)(3)	7926.225(c)
6254(v)(4)	7926.225(d)
6254(w).....	7926.235
6254(w)(1)	7926.235(a)
6254(w)(2)	7926.235(b)
6254(w)(3)	7926.235(c)
6254(x).....	7925.010
6254(y)(1)	7926.230(a)
6254(y)(2)	7926.230(b)
6254(y)(3)	7926.230(c)
6254(y)(4)	7926.230(d)
6254(y)(5)	7926.230(e)
6254(z)	7923.700
6254(aa)	7929.200
6254(ab)	7929.205
6254(ab) 1st sent.....	7929.205(b)

Existing Provision(s)	Proposed Provision(s)
6254(ab) 2d sent	7929.205(a)
6254(ab) 3d sent	7929.205(c)
6254(ac)	7926.100
6254(ad)	7929.400-7929.430
6254(ad)(1)	7929.400
6254(ad)(2)	7929.405
6254(ad)(3)	7929.410
6254(ad)(4)	7929.415
6254(ad)(5)	7929.420
6254(ad)(6)	7929.425
6254(ad)(7)	7929.430
6254 next-to-last ¶	7921.500
6254 last ¶ (unlabeled)	7926.200
6254.1(a)	7927.415
6254.1(b)	7927.405
6254.1(c)	7929.600
6254.2	7924.300-7924.335
6254.2(a)	7924.300
6254.2(b)	7924.305(a)
6254.2(c)	7924.305(b)
6254.2(d)	7924.305(c)
6254.2(e)	7924.305(d)
6254.2(f)	7924.305(f)
6254.2(g)	7924.335
6254.2(h)	7924.310(a)-(b)
6254.2(i)	7924.315
6254.2(j)	7924.320
6254.2(k)	7924.310(c)
6254.2(l)	7924.330
6254.2(m)	7924.305(e)
6254.2(n)	7924.325
6254.3	7928.300
6254.4	7924.000
6254.4.5	7923.750
6254.5	7921.505
6254.5 1st sent	7921.505(b)
6254.5 2d sent	7921.505(a)
6254.5(a)-(i)	7921.505(c)
6254.6	7927.600
6254.7 (except (c))	7924.510
6254.7(a)	7924.510(a)
6254.7(b)	7924.510(b)

Existing Provision(s)	Proposed Provision(s)
6254.7(c)	7924.700
6254.7(d) 1st sent.....	7924.510(c)
6254.7(d) 2d sent	7924.510(f)
6254.7(e)	7924.510(d)
6254.7(f)	7924.510(e)
6254.8	7928.400
6254.9	7922.585
6254.10	7927.005
6254.11	7924.500
6254.12	7929.005
6254.13	7929.610
6254.14(a)	7926.215
6254.14(a)(1)	7926.215(a)
6254.14(a)(2)	7926.215(b)
6254.14(a)(3)	7926.215(c)
6254.14(a)(4)	7926.215(d)
6254.14(a)(5)	7926.215(e)
6254.14(b)	7926.220(d), 7926.225(d), 7926.230(d)
6254.15	7927.605
6254.16	7927.410
6254.17	7923.755
6254.18	7926.400-7926.430
6254.18(a)	7926.405
6254.18(b).....	7926.400
6254.18(b)(1)	7926.400(a)
6254.18(b)(2)	7926.400(b)
6254.18(b)(3)	7926.400(c)
6254.18(b)(4)	7926.400(d)
6254.18(c)	7926.410
6254.18(d).....	7926.415
6254.18(d) 1st sent.....	7926.415(a)
6254.18(d) 2d sent	7926.415(c)
6254.18(d) 3d sent	7926.415(b)
6254.18(e)	7926.420
6254.18(f)	7926.425
6254.18(g).....	7926.430
6254.19	7929.210
6254.20	7927.400
6254.21 (except (f))	7928.200-7928.230
6254.21(a)	7928.205
6254.21(b).....	7928.210

Existing Provision(s)	Proposed Provision(s)
6254.21(c)	7928.215-7928.225
6254.21(c)(1)	7928.215
6254.21(c)(1)(A)	7928.215(b)
6254.21(c)(1)(B)	7928.215(c)
6254.21(c)(1)(C)	7928.215(d)
6254.21(c)(1)(D)	7928.215(e)
6254.21(c)(1)(E)	7928.215(a)
6254.21(c)(2)	7928.225
6254.21(c)(3)	7928.220
6254.21(d)	7928.230
6254.21(e)	7928.200(b)
6254.21(f)	7920.500
6254.21(g)	7928.200(a)
6254.22	7926.205
6254.22 1st sent	7926.205(a)
6254.22 2d sent	7926.205(b)
6254.22 3d & 4th sent	7926.205(c)
6254.23	7929.215
6254.24	7920.535
6254.25	7927.205
6254.26	7928.710
6254.26(a)	7928.710(b)
6254.26(b)	7928.710(c)
6254.26(c)	7928.710(a)
6254.27	7922.205
6254.28	7922.210
6254.29	7922.200
6254.30	7923.655
6254.30 1st sent	7923.655(a)
6254.30 2d sent	7923.655(b)
6254.33	7928.715
6254.35	7929.010
6255(a)	7922.000
6255(b)	7922.540(a)
6257.5	7921.300
6258 1st sent	7923.000
6258 2d sent	7923.005
6259 (except (c) 1st sent intro cl)	7923.100-
.....	7923.500
6259(a) 1st sent	7923.100
6259(a) 2d sent	7923.105
6259(b)	7923.110

Existing Provision(s)	Proposed Provision(s)
6259(c) 1st sent intro cl	not cont'd
6259(c) remainder	7923.500
6259(d)	7923.115(a)-(b)
6259(e)	7923.115(c)
6260	7920.200
6261	7928.720
6262	7923.650
6263	7921.700
6264	7921.705
6265	7921.710
6267	7927.105
6268	7928.005, 7928.010
6268(a)	7928.005
6268(b)	7928.010(a)
6268(c)	7928.010(b)
6268.5	7928.015
6270	7921.010
6270.5	7922.700-7922.725
6270.5(a) 1st sent	7922.710(a)
6270.5(a) 2d sent	7922.715(a)
6270.5(a) 3d sent	7922.715(b)
6270.5(a) 4th sent	7922.720(a), (b)
6270.5(b)	7922.725(a)
6270.5(c)(1)	7922.700(a)
6270.5(c)(2)	7922.705
6270.5(c)(3)	7922.700(b)
6270.5(d)	7922.725(b)
6270.5(e)	7922.720(c)
6270.5(f)	7922.710(b)
6270.6	7928.800
6270.7	7926.500
6275-6276.48	7930.000-7930.215
6275	7930.000
6276	7930.005
6276.01	7930.100
6276.02	7930.105
6276.04	7930.110
6276.06	7930.115
6276.08	7930.120
6276.10	7930.125
6276.12	7930.130
6276.14	7930.135

Existing Provision(s)	Proposed Provision(s)
6276.16	7930.140
6276.18	7930.145
6276.22	7930.150
6276.24	7930.155
6276.26	7930.160
6276.28	7930.165
6276.30	7930.170
6276.32	7930.175
6276.34	7930.180
6276.36	7930.185
6276.38	7930.190
6276.40	7930.195
6276.42	7930.200
6276.44	7930.205
6276.46	7930.210
6276.48	7930.215

DERIVATION OF NEW LAW

Note. This table shows the derivation of each proposed provision in this recommendation. Unless otherwise indicated, all statutory references are to the Government Code.

Proposed Provision(s)	Existing Provision(s)
7920.000	6251
7920.005	new
7920.100	new
7920.105	new
7920.110	new
7920.115	new
7920.120	new
7920.200	6260
7920.500	6254.21(f)
7920.505	new
7920.510	6252(a)
7920.515	6252(b)
7920.520	6252(c)
7920.525(a)	6252(d)
7920.525(b)	new
7920.530	6252(e)
7920.535	6254.24
7920.540	6252(f)
7920.545	6252(g)
7921.000	6250
7921.005	6253.3
7921.010	6270
7921.300	6257.5
7921.305	6252.5
7921.310	6252.7
7921.500	6254 next-to-last ¶
7921.505	6254.5
7921.505(a)	6254.5 2d sent
7921.505(b)	6254.5 1st sent
7921.505(c)	6254.5(a)-(i)
7921.700	6263
7921.705	6264
7921.710	6265
7922.000	6255(a)

Proposed Provision(s)	Existing Provision(s)
7922.200	6254.29
7922.205	6254.27
7922.210	6254.28
7922.500	6253(d) 1st sent
7922.505	6253(e)
7922.525	6253(a)
7922.525(a)	6253(a) 1st sent
7922.525(b)	6253(a) 2d sent
7922.530(a)	6253(b)
7922.530(b)	6253(d)(1)
7922.530(c)	6253(d)(2)
7922.535	6253(c)
7922.535(a)	6253(c) 1st, 4th sent
7922.535(b)	6253(c) 2d, 3d sent
7922.535(c)	6253(c) 5th sent
7922.540(a)	6255(b)
7922.540(b)	6253(d)(3)
7922.540(c)	new
7922.545	6253(f)
7922.545(a)	6253(f) 1st sent
7922.545(b)	6253(f) 2d sent
7922.570-7922.580	6253.9
7922.570(a)	6253.9 intro cl 1st part
7922.570(b)	6253.9 intro cl 2d part, (a)(1), (a)(2) 1st sent
7922.570(c)	6253.9(d)
7922.575(a)	6253.9(a)(2) 2d sent
7922.575(b)	6253.9(b)
7922.580(a)	6253.9(c)
7922.580(b)	6253.9(e)
7922.580(c)	6253.9(f)
7922.580(d)	6253.9(g)
7922.585	6254.9
7922.600	6253.1(a)-(c)
7922.605	6253.1(d)
7922.630	6253.4(a) 1st ¶
7922.635	6253.4(a) 2d ¶
7922.640	6253.4(b)
7922.680	6253.10
7922.700-7922.725	6270.5
7922.700(a)	6270.5(c)(1)
7922.700(b)	6270.5(c)(3)

Proposed Provision(s)	Existing Provision(s)
7922.705	6270.5(c)(2)
7922.710(a)	6270.5(a) 1st sent
7922.710(b)	6270.5(f)
7922.715(a)	6270.5(a) 2d sent
7922.715(b)	6270.5(a) 3d sent
7922.720(a), (b)	6270.5(a) 4th sent
7922.720(c)	6270.5(e)
7922.725(a)	6270.5(b)
7922.725(b)	6270.5(d)
7923.000	6258 1st sent
7923.005	6258 2d sent
7923.100-7923.500	6259 (except (c) 1st sent intro cl)
7923.100	6259(a) 1st sent
7923.105	6259(a) 2d sent
7923.110	6259(b)
7923.115(a)-(b)	6259(d)
7923.115(c)	6259(e)
7923.500	6259(c) (except obsolete intro cl)
7923.600-7923.625	6254(f)
7923.600(a)	6254(f) 1st sent
7923.600(b)	6254(f) 2d ¶
7923.605(a)	6254(f) 2d sent
7923.605(b)	6254(f) 3d sent
7923.610	6254(f) 3d ¶ (re 6254(f)(1)), 6254(f)(1)
7923.615(a)	6254(f) 3d ¶ (re 6254(f)(2)), 6254(f)(2(A) 1st sent
7923.615(b)	6254(f)(2(A) 2d, 3d sent
7923.615(c)	6254(f)(2(B)
7923.620(a)	6254(f) 3d ¶ (re 6254(f)(3)), 6254(f)(3) 1st, 2d sent
7923.620(b)	6254(f)(3) 3d sent
7923.620(c)	6254(f)(3) 4th sent
7923.625	6254(f)(4)
7923.630	new
7923.650	6262
7923.655	6254.30
7923.655(a)	6254.30 1st sent
7923.655(b)	6254.30 2d sent
7923.700	6254(z)
7923.750	6254.4.5

Proposed Provision(s)	Existing Provision(s)
7923.755	6254.17
7923.800-7923.805	6254(u)
7923.800	6254(u)(1)
7923.805	6254(u)(2)-(3)
7924.000	6254.4
7924.005	6253.6
7924.100	6253.5(c)
7924.105	6253.5(d)
7924.110(a)-(b)	6253.5(a) 1st sent
7924.110(c)	6253.5(a) 2d sent
7924.110(d)	6253.5(b)
7924.300-7924.335	6254.2
7924.300	6254.2(a)
7924.305(a)	6254.2(b)
7924.305(b)	6254.2(c)
7924.305(c)	6254.2(d)
7924.305(d)	6254.2(e)
7924.305(e)	6254.2(m)
7924.305(f)	6254.2(f)
7924.310(a)-(b)	6254.2(h)
7924.310(c)	6254.2(k)
7924.315	6254.2(i)
7924.320	6254.2(j)
7924.325	6254.2(n)
7924.330	6254.2(l)
7924.335	6254.2(g)
7924.500	6254.11
7924.505	6254(o)
7924.510	6254.7 (except (c))
7924.510(a)	6254.7(a)
7924.510(b)	6254.7(b)
7924.510(c)	6254.7(d) 1st sent
7924.510(d)	6254.7(e)
7924.510(e)	6254.7(f)
7924.510(f)	6254.7(d) 2d sent
7924.700	6254.7(c)
7924.900	6253.8(a)-(e)
7925.000	6254(i)
7925.005	6254(n)
7925.010	6254(x)
7926.000	6254(s)
7926.100	6254(ac)

Proposed Provision(s)	Existing Provision(s)
7926.200	6254 last ¶ (unlabeled)
7926.205	6254.22
7926.205(a)	6254.22 1st sent
7926.205(b)	6254.22 2d sent
7926.205(c)	6254.22 3d & 4th sent
7926.210	6254(t)
7926.215	6254.14(a)
7926.215(a)	6254.14(a)(1)
7926.215(b)	6254.14(a)(2)
7926.215(c)	6254.14(a)(3)
7926.215(d)	6254.14(a)(4)
7926.215(e)	6254.14(a)(5)
7926.220(a)	6254(q)(1)
7926.220(b)	6254(q)(2)
7926.220(c)	6254(q)(3)
7926.220(d)	6254(q)(4), 6254.14(b) (re 6254(q))
7926.225(a)	6254(v)(1)
7926.225(b)	6254(v)(2)
7926.225(c)	6254(v)(3)
7926.225(d)	6254(v)(4), 6254.14(b) (re 6254(v))
7926.230(a)	6254(y)(1)
7926.230(b)	6254(y)(2)
7926.230(c)	6254(y)(3)
7926.230(d)	6254(y)(4), 6254.14(b)(re 6254(y))
7926.230(e)	6254(y)(5)
7926.235	6254(w)
7926.235(a)	6254(w)(1)
7926.235(b)	6254(w)(2)
7926.235(c)	6254(w)(3)
7926.300	6253.2
7926.400-7926.430	6254.18
7926.400	6254.18(b)
7926.400(a)	6254.18(b)(1)
7926.400(b)	6254.18(b)(2)
7926.400(c)	6254.18(b)(3)
7926.400(d)	6254.18(b)(4)
7926.405	6254.18(a)
7926.410	6254.18(c)
7926.415	6254.18(d)

Proposed Provision(s)	Existing Provision(s)
7926.415(a)	6254.18(d) 1st sent
7926.415(b)	6254.18(d) 3d sent
7926.415(c)	6254.18(d) 2d sent
7926.420	6254.18(e)
7926.425	6254.18(f)
7926.430	6254.18(g)
7926.500	6270.7
7927.000	6254(r)
7927.005	6254.10
7927.100	6254(j)
7927.105	6267
7927.200	6254(b)
7927.205	6254.25
7927.300	6254(e)
7927.305	6253.21
7927.400	6254.20
7927.405	6254.1(b)
7927.410	6254.16
7927.415	6254.1(a)
7927.420	6252.6
7927.500	6254(a)
7927.600	6254.6
7927.605	6254.15
7927.700	6254(c)
7927.705	6254(k)
7928.000	6254 (l)
7928.005-7928.010	6268
7928.005	6268(a)
7928.010(a)	6268(b)
7928.010(b)	6268(c)
7928.015	6268.5
7928.100	6254(m)
7928.200-7928.230	6254.21 (except (f))
7928.200(a)	6254.21(g)
7928.200(b)	6254.21(e)
7928.205	6254.21(a)
7928.210	6254.21(b)
7928.215-7928.225	6254.21(c)
7928.215	6254.21(c)(1)
7928.215(a)	6254.21(c)(1)(E)
7928.215(b)	6254.21(c)(1)(A)
7928.215(c)	6254.21(c)(1)(B)

Proposed Provision(s)	Existing Provision(s)
7928.215(d)	6254.21(c)(1)(C)
7928.215(e)	6254.21(c)(1)(D)
7928.220	6254.21(c)(3)
7928.225	6254.21(c)(2)
7928.230	6254.21(d)
7928.300	6254.3
7928.400	6254.8
7928.405	6254(p)(1)
7928.410	6254(p)(2)
7928.700	6253.31
7928.705	6254(h)
7928.710(a)	6254.26(c)
7928.710(b)	6254.26(a)
7928.710(c)	6254.26(b)
7928.715	6254.33
7928.720	6261
7928.800	6270.6
7929.000	6254(d)
7929.005	6254.12
7929.010	6254.35
7929.200	6254(aa)
7929.205	6254(ab)
7929.205(a)	6254(ab) 2d sent
7929.205(b)	6254(ab) 1st sent
7929.205(c)	6254(ab) 3d sent
7929.210	6254.19
7929.215	6254.23
7929.400-7929.430	6254(ad)
7929.400	6254(ad)(1)
7929.405	6254(ad)(2)
7929.410	6254(ad)(3)
7929.415	6254(ad)(4)
7929.420	6254(ad)(5)
7929.425	6254(ad)(6)
7929.430	6254(ad)(7)
7929.600	6254.1(c)
7929.605	6254(g)
7929.610	6254.13
7930.000-7930.215	6275-6276.48
7930.000	6275
7930.005	6276
7930.100	6276.01

Proposed Provision(s)	Existing Provision(s)
7930.105	6276.02
7930.110	6276.04
7930.115	6276.06
7930.120	6276.08
7930.125	6276.10
7930.130	6276.12
7930.135	6276.14
7930.140	6276.16
7930.145	6276.18
7930.150	6276.22
7930.155	6276.24
7930.160	6276.26
7930.165	6276.28
7930.170	6276.30
7930.175	6276.32
7930.180	6276.34
7930.185	6276.36
7930.190	6276.38
7930.195	6276.40
7930.200	6276.42
7930.205	6276.44
7930.210	6276.46
7930.215	6276.48

APPENDIX A. CORRECTED CROSS-REFERENCES

In reorganizing the CPRA, the Commission identified some provisions that contain one or more incomplete or incorrect cross-references. Where the proper cross-reference is obvious, the Commission corrected the cross-reference in its proposed legislation. That approach seems more sensible than proposing to perpetuate a plainly incorrect cross-reference.

Those instances are described in detail below.

- Section 6252(a), defining “local agency,” cross-refers to “subdivisions (c) *and* (d) of Section 54952.”¹ It seems improbable, however, that the Legislature intended to require an entity to satisfy the requirements of *both* subdivisions to qualify as a “local agency” under Section 6252(a) for purposes of the CPRA. Proposed Section 7920.510 (continuing the substance of Section 6252(a)) would correct this problem by referring instead to “subdivision (c) *or* (d) of Section 54952.”²
- Section 6253.2 cross-refers to Welfare and Institutions Code Section 12302.25. The 2018 maintenance of the codes bill amended Section 6253.2 to cross-refer to Welfare and Institutions Code Section 12302.25 instead of Section 12302.5,³ but that amendment was chaptered out by another bill.⁴ Proposed Section 7926.300 would incorporate the cross-reference correction

1. Emphasis added.

2. For further discussion of this point, see CLRC Staff Memorandum 2017-49, pp. 6-8.

3. See 2018 Cal. Stat. ch. 92, § 87 (SB 1289 (Committee on Judiciary)).

4. See Section 9605 (bill conflict rules); 2018 Cal. Stat. ch. 35, § 4 (AB 1811 (Committee on Budget)); 2018 Cal. Stat. ch. 92, § 246 (subordination clause in SB 1289 (Committee on Judiciary)).

that the Legislature approved in the 2018 maintenance of the codes bill.

- In two places, Section 6253.5 cross-refers to “Article 1 (commencing with Section 35700) of Chapter 4 of the Education Code.” Those cross-references are incomplete; they do not indicate that Part 21 is located in Division 3 of Title 2 of the Education Code. Proposed Sections 7924.105 (continuing the substance of Section 6253.5(d)) and 7924.110 (continuing the substance of Section 6253.5(a)-(b)) would correct that problem.
- In two places, Section 6253.5 cross-refers to “Part 46 (commencing with Section 74000) of the Education Code.” Those cross-references are incomplete; they do not indicate that Part 46 is located in Division 7 of Title 3 of the Education Code. Proposed Sections 7924.105 (continuing the substance of Section 6253.5(d)) and 7924.110 (continuing the substance of Section 6253.5(a)-(b)) would correct that problem.
- Section 6254(f) contains two cross-references to Penal Code Section 288a. In 2018, Penal Code Section 288a was renumbered as Penal Code Section 287.⁵ Proposed Sections 7923.615 and 7923.620 would continue the part of Section 6254(f) in question, with revisions to reflect the renumbering of Penal Code Section 288a.
- Paragraphs (1) and (2) of Section 6254(v) cross-refer to “Part 6.6 (commencing with Section 12739.5), or Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code.” Those parts of the Insurance Code have been repealed.⁶ Proposed Section 7926.225(a)-(b)

5. See 2018 Cal. Stat. ch. 423, § 49 (SB 1494 (Committee on Public Safety)).

6. See 2010 Cal. Stat. ch. 31, § 5; 2010 Cal. Stat. ch. 32, § 3.

(continuing the substance of Section 6254(v)(1)-(2)) would update the problematic cross-references by referring to “*former* Part 6.6 (commencing with Section 12739.5), or *former* Part 6.7 (commencing with Section 12739.70) of Division 2 of the Insurance Code.”⁷

- Section 6254(ad)(1) cross-refers to “Chapter 1 (commencing with Section 3200) of Division 4 of the Labor Code.” That cross-reference is incomplete; it does not indicate that the chapter in question is located in Part 1 of the specified division. Proposed Section 7929.400 (continuing the substance of Section 6254(ad)(1) would correct that problem.
- Section 6254.4(c) refers to “the federal Help America Vote Act of 2002 (42 U.S.C. Sec. 15301 et seq.) ...” However, the content of the federal Help America Vote Act was transferred to a new title of the federal code in 2012 (52 U.S.C. § 20901). Proposed Section 7924.000(b) (continuing the substance of 6254.4(c)) would update the cross-reference to reflect the relocation.
- Section 6254.7(d) cross-refers to “Chapter 3 (commencing with Section 99150) of Part 65 of the Education Code.” That cross-reference is incomplete; it does not indicate that Part 65 is located in Division 14 of Title 3 of the Education Code. Proposed Section 7924.510(c) (continuing the substance of the first sentence of Section 6254.7(d)) would correct that problem.
- Section 6254.18(f) says: “Within 90 days of separation of an employee, contractor, volunteer, board member, or officer of the reproductive health service facility who has *provided notice to*

7. Emphasis added.

a public agency pursuant to subdivision (c), the facility shall provide notice of the separation to the relevant agency or agencies.⁸ The notification requirement is currently located in subdivision (d), not in subdivision (c). Proposed Section 7926.425 would correct that problem by cross-referring to the provision that would continue the substance of subdivision (d) of Section 6254.18 (proposed Section 7926.415), instead of the provision that would continue the substance of subdivision (c).

- In defining “public safety official,” Section 6254.24(b) refers to a “public officer or other person listed in Sections 1808.2 *and* 1808.6 of the Vehicle Code.”⁹ Given the content of Sections 1808.2 and 1808.6, however, it seems improbable that the Legislature intended to require a person to be listed in *both* of those provisions to qualify as a “public safety official” within the meaning of Section 6254.24. Proposed Section 7920.535(b) (continuing the substance of Section 6254.24(b)) would correct that problem by referring to “Section 1808.2 *or* 1808.6 of the Vehicle Code.”¹⁰
- Section 6254.24(g) includes as a “public safety official” an employee “who supervises inmates in a city police department, a county sheriff’s office, the Department of California Highway Patrol, federal, state, or a local detention facility, *and* a local juvenile hall, camp, ranch, or home”¹¹ It seems improbable that the Legislature intended this provision to include as a “public safety

8. Emphasis added.

9. Emphasis added.

10. For further discussion of this point, see CLRC Staff Memorandum 2017-49, pp. 8-9.

11. Emphasis added.

official” only an employee who supervises inmates in one of the enumerated facilities for adults *and* in one of the enumerated facilities for juveniles. Thus, proposed Section 7920.535(g) (continuing the substance of Section 6254.24(g)) would refer instead to an employee “who supervises inmates in a city police department, a county sheriff’s office, the Department of California Highway Patrol, federal, state, or a local detention facility, *or* a local juvenile hall, camp, ranch, or home¹²

- Section 6254.25 cross-refers to “subdivision (q) of Section 11126.” However, Section 11126 no longer has a subdivision (q); the material in question was relocated to subdivision (e) in 1996.¹³ Proposed Section 7927.205 (continuing the substance of Section 6254.25) would correct the erroneous cross-reference to “subdivision (q) of Section 11126.”
- The second sentence of Section 6268(c) says: “Records or writings shall not be transferred pursuant to *this paragraph* unless the institution receiving them agrees to maintain, and does maintain, the materials according to commonly accepted archival standards.”¹⁴ Section 6268(c) is not divided into paragraphs; the entire subdivision consists of a single paragraph, making the quoted

12. Emphasis added.

13. See 1996 Cal. Stat. ch. 1041, § 5.

Additionally, the cross-referenced provision (Section 11126) appears to contain an inadvertent drafting error; some paragraph relabeling and related revisions seem necessary. The Commission’s recommendation on *California Public Records Act Clean-Up: Conforming Revisions*, 46 Cal. L. Revision Comm’n Reports 563 (2019), includes a technical amendment of Section 11126 to accomplish the necessary clean-up. For further discussion of this point, see CLRC Staff Memorandum 2017-50, pp. 11-16.

14. Emphasis added.

reference to “this paragraph” (as opposed to “this subdivision”) slightly confusing.

Examination of the legislative history clarifies the situation. The material now labeled as subdivision (c) of Section 6268 used to be in an unlabeled paragraph of that section.¹⁵ The quoted reference to “this paragraph” was thus meant to refer to the entirety of what is now subdivision (c). Accordingly, proposed Section 7928.010(b)(2) (continuing the quoted sentence) would refer to the material continuing subdivision (c) — i.e., proposed Section 7928.010(b) or “this subdivision.”

- Sections 6276.01 to 6276.48 comprise an alphabetical list of CPRA exemptions located throughout the codes. Some of the entries in that list are obsolete and require revisions. For discussion of the obsolete entries and revisions made, see the Comments to proposed Sections 7930.100 to 7930.215.

15. See 1988 Cal. Stat. ch. 503, § 1.

APPENDIX B. MINOR CLEAN-UP ISSUES FOR POSSIBLE FUTURE LEGISLATIVE ATTENTION

In conducting this strictly nonsubstantive study, the Commission identified some minor problems in the CPRA, which it probably could not address without potentially raising concerns about the possibility of a substantive change. Those issues are listed here.

As far as the Commission is aware, this list consists of relatively noncontroversial clean-up issues, not issues involving substantial controversy. If any of the issues listed below appears likely to involve substantial controversy, please notify the Commission.

- Consider whether to clarify the usage of the term “local agency” in Section 6252.7 and its continuation (proposed Section 7921.310).¹
- Consider whether Section 6254(j) (proposed Section 7927.100) and Section 6267 (proposed Section 7927.105) are redundant to some extent and, if so, how to eliminate such redundancy.²
- Consider whether the second sentence of Section 6254.2(b) (the second sentence of proposed Section 7924.305) should be relocated to the chapter on pesticides within the Food and Agricultural Code³ and, if so, where it should be placed within that chapter.⁴

1. For further discussion of this issue, see CLRC Staff Memorandum 2017-60, pp. 1-3.

2. For further discussion of this issue, see CLRC Staff Memorandum 2019-47, pp. 52-55.

3. Chapter 2 of Division 7 (Food & Agric. §§ 12751-13192).

4. For further discussion of this issue, see CLRC Staff Memorandum 2019-47, pp. 42-44.

- Consider whether to simplify the description in the first sentence of Section 6254.5 (proposed Section 7921.505(a)) of which exemptions are waived.⁵
- Consider whether to revise the descriptions in subdivisions (g) and (i) of Section 6254.5 (proposed Section 7921.505(b)(7) & (9)) to make them more readily understandable.⁶
- Consider whether the reference in Section 6254.24 (proposed Section 7920.535) to “a probation officer *as defined in* Section 830.5 of the Penal Code”⁷ should be revised (e.g., to refer to “a probation officer *as used in* Section 830.5”).⁸
- Consider whether the cross-reference to Section 6276.44 in Section 6254(ad)(5)(A) (the cross-reference to proposed Section 7030.205 in proposed Section 7929.420(a)) is incorrect and, if so, how to fix it.⁹

5. For further discussion of this issue, see CLRC Staff Memorandum 2017-60, pp. 4-5.

6. For further discussion of this issue, see CLRC Staff Memorandum 2017-60, pp. 5-6.

7. Emphasis added.

8. For further discussion of this issue, see CLRC Staff Memorandum 2019-47, p. 46.

9. For further discussion of this issue, see CLRC Staff Memorandum 2019-47, pp. 59-60.

APPENDIX C. TEXT OF SECTION 6254

Note. Section 6254 is by far the longest, most complicated provision currently in the CPRA. For convenient reference, the text of that provision as it will read on January 1, 2020, is shown below. See AB 378 (Limón), 2019 Cal. Stat. ch. 385, § 29.

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

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

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

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

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

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

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

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

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

(e) Geological and geophysical data, plant production data, and similar information relating to utility systems development, or

market or crop reports, that are obtained in confidence from any person.

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

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

Notwithstanding any other provision of this subdivision, state and local law enforcement agencies shall make public the following information, except to the extent that disclosure of a particular item of information would endanger the safety of a person involved in an investigation or would endanger the

successful completion of the investigation or a related investigation:

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

(2)(A) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the time, substance, and location of all complaints or requests for assistance received by the agency and the time and nature of the response thereto, including, to the extent the information regarding crimes alleged or committed or any other incident investigated is recorded, the time, date, and location of occurrence, the time and date of the report, the name and age of the victim, the factual circumstances surrounding the crime or incident, and a general description of any injuries, property, or weapons involved. The name of a victim of any crime defined by Section 220, 261, 261.5, 262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code may be withheld at the victim's request, or at the request of the victim's parent or guardian if the victim is a minor. When a person is the victim of more than one crime, information disclosing that the person is a victim of a crime defined in any of the sections of the Penal Code set forth in this subdivision may be deleted at the request of the victim, or the victim's parent or guardian if the victim is a minor, in making the report of the crime, or of any crime or incident accompanying the crime, available to the public in compliance with the requirements of this paragraph.

(B) Subject to the restrictions imposed by Section 841.5 of the Penal Code, the names and images of a victim of human

trafficking, as defined in Section 236.1 of the Penal Code, and of that victim's immediate family, other than a family member who is charged with a criminal offense arising from the same incident, may be withheld at the victim's request until the investigation or any subsequent prosecution is complete. For purposes of this subdivision, "immediate family" shall have the same meaning as that provided in paragraph (3) of subdivision (b) of Section 422.4 of the Penal Code.

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

(4) Notwithstanding any other provision of this subdivision, commencing July 1, 2019, a video or audio recording that relates to a critical incident, as defined in subparagraph (C), may be withheld only as follows:

(A)(i) During an active criminal or administrative investigation, disclosure of a recording related to a critical incident may be delayed for no longer than 45 calendar days after the date the

agency knew or reasonably should have known about the incident, if, based on the facts and circumstances depicted in the recording, disclosure would substantially interfere with the investigation, such as by endangering the safety of a witness or a confidential source. If an agency delays disclosure pursuant to this paragraph, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation and the estimated date for disclosure.

(ii) After 45 days from the date the agency knew or reasonably should have known about the incident, and up to one year from that date, the agency may continue to delay disclosure of a recording if the agency demonstrates that disclosure would substantially interfere with the investigation. After one year from the date the agency knew or reasonably should have known about the incident, the agency may continue to delay disclosure of a recording only if the agency demonstrates by clear and convincing evidence that disclosure would substantially interfere with the investigation. If an agency delays disclosure pursuant to this clause, the agency shall promptly provide in writing to the requester the specific basis for the agency's determination that the interest in preventing interference with an active investigation outweighs the public interest in disclosure and provide the estimated date for the disclosure. The agency shall reassess withholding and notify the requester every 30 days. A recording withheld by the agency shall be disclosed promptly when the specific basis for withholding is resolved.

(B)(i) If the agency demonstrates, on the facts of the particular case, that the public interest in withholding a video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, the agency shall provide in writing to the requester the specific basis for the expectation of privacy and the public interest served by withholding the recording and may use redaction technology,

including blurring or distorting images or audio, to obscure those specific portions of the recording that protect that interest. However, the redaction shall not interfere with the viewer's ability to fully, completely, and accurately comprehend the events captured in the recording and the recording shall not otherwise be edited or altered.

(ii) Except as provided in clause (iii), if the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction as described in clause (i) and that interest outweighs the public interest in disclosure, the agency may withhold the recording from the public, except that the recording, either redacted as provided in clause (i) or unredacted, shall be disclosed promptly, upon request, to any of the following:

(I) The subject of the recording whose privacy is to be protected, or their authorized representative.

(II) If the subject is a minor, the parent or legal guardian of the subject whose privacy is to be protected.

(III) If the subject whose privacy is to be protected is deceased, an heir, beneficiary, designated immediate family member, or authorized legal representative of the deceased subject whose privacy is to be protected.

(iii) If disclosure pursuant to clause (ii) would substantially interfere with an active criminal or administrative investigation, the agency shall provide in writing to the requester the specific basis for the agency's determination that disclosure would substantially interfere with the investigation, and provide the estimated date for the disclosure of the video or audio recording. Thereafter, the recording may be withheld by the agency for 45 calendar days, subject to extensions as set forth in clause (ii) of subparagraph (A).

(C) For purposes of this paragraph, a video or audio recording relates to a critical incident if it depicts any of the following incidents:

(i) An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.

(ii) An incident in which the use of force by a peace officer or custodial officer against a person resulted in death or in great bodily injury.

(D) An agency may provide greater public access to video or audio recordings than the minimum standards set forth in this paragraph.

(E) This paragraph does not alter, limit, or negate any other rights, remedies, or obligations with respect to public records regarding an incident other than a critical incident as described in subparagraph (C).

(F) For purposes of this paragraph, a peace officer does not include any peace officer employed by the Department of Corrections and Rehabilitation.

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

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

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

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

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

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

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

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

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

(p)(1) Records of state agencies related to activities governed by Chapter 10.3 (commencing with Section 3512), Chapter 10.5 (commencing with Section 3525), and Chapter 12 (commencing with Section 3560) of Division 4, and Article 19.5 (commencing with Section 8430) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, that reveal a state agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under

these chapters. This paragraph shall not be construed to limit the disclosure duties of a state agency with respect to any other records relating to the activities governed by the employee relations acts referred to in this paragraph.

(2) Records of local agencies related to activities governed by Chapter 10 (commencing with Section 3500) of Division 4, that reveal a local agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under that chapter. This paragraph shall not be construed to limit the disclosure duties of a local agency with respect to any other records relating to the activities governed by the employee relations act referred to in this paragraph.

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

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

other than inpatient hospital services, those contracts shall be open to inspection one year after they are fully executed.

(3) Three years after a contract or amendment is open to inspection under 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 amendment shall be open to inspection by the Joint Legislative Audit Committee and the Legislative Analyst's Office. The committee and that office shall maintain the confidentiality of the contracts and amendments until the time a contract or amendment is fully open to inspection by the public.

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

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

(t) Records of a local hospital district, formed pursuant to Division 23 (commencing with Section 32000) of the Health and Safety Code, or the records of a municipal hospital, formed pursuant to Article 7 (commencing with Section 37600) or Article 8 (commencing with Section 37650) of Chapter 5 of Part 2 of Division 3 of Title 4 of this code, that relate to any contract with an insurer or nonprofit hospital service plan for inpatient or outpatient services for alternative rates pursuant to Section 10133 of the Insurance Code. However, the record shall be open to inspection within one year after the contract is fully executed.

(u)(1) Information contained in applications for licenses to carry firearms issued pursuant to Section 26150, 26155, 26170, or 26215 of the Penal Code by the sheriff of a county or the chief or other head of a municipal police department that indicates when or

where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of members of their family.

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

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

(v)(1) Records of the Managed Risk Medical Insurance Board and the State Department of Health Care Services related to activities governed by former Part 6.3 (commencing with Section 12695), former 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 former Part 6.3 (commencing with Section 12695), former 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.

(B) If a contract that is entered into prior to July 1, 1991, is amended on or after July 1, 1991, the amendment, except for any portion containing the rates of payment, 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 contracts or amendments to the contracts are open to inspection pursuant to paragraph (3).

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

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

(3) 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 contracts or amendments to the contracts are open to inspection pursuant to paragraph (2).

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

(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 former 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 former 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 former 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 former 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.

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

(aa) A document prepared by or for a state or local agency that assesses its vulnerability to terrorist attack or other criminal acts intended to disrupt the public agency's operations and that is for distribution or consideration in a closed session.

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

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

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

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

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

(3) Records related to the impressions, opinions, recommendations, meeting minutes of meetings or sessions that are lawfully closed to the public, research, work product, theories,

or strategy of the fund or its staff, on the development of rates, contracting strategy, underwriting, or competitive strategy pursuant to the powers granted to the fund in Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code.

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

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

(B) Notwithstanding subparagraph (A), the portions of records containing trade secrets shall be available for review by the Joint Legislative Audit Committee, California State Auditor's Office, Division of Workers' Compensation, and the Department of Insurance to ensure compliance with applicable law.

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

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

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

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

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

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

(C) 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.

(D) 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 this paragraph.

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

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

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

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