

CALIFORNIA LAW REVISION COMMISSION

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NEWS RELEASE
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Government Interruption of Communication Service

Request for Public Comment

The California Law Revision Commission seeks public comment on its tentative recommendation on *Government Interruption Of Communication Service*. The tentative recommendation analyzes the constitutionality of such action and recommends a number of improvements to existing law on the topic. The proposed reforms would do all of the following:

- Broaden the existing court-authorization requirement (in Public Utilities Code Section 7908) so that it applies to the interruption of any type of communication service.
- More fully reconcile the existing court-authorization procedure with the federal Emergency Wireless Protocol.
- Fill gaps in the existing court-authorization procedure (most significantly, by guaranteeing an opportunity for post-interruption judicial review).
- Add exceptions to the existing court-authorization procedure for action taken with the consent of the affected person, emergency alerts, the interruption of service to contraband wireless communication devices in correctional facilities, and an interruption of service that is an incidental effect of the execution of a search warrant or other court order.
- Remove the “sunset” provision that would repeal the existing court-authorization procedure on January 1, 2020.
- Broaden the scope of existing provisions that authorize the Department of Consumer Affairs and the Public Utilities Commission to interrupt telephone service that is being used in violating a licensure requirement. The broadened provisions would authorize the interruption of any type of communication service.

The tentative recommendation is available from the California Law Revision Commission, 4000 Middlefield Road, Room D-2, Palo Alto, CA 94303-4739. The tentative recommendation is also available at the Commission’s website (www.clrc.ca.gov) in the pull-down “Reports” menu.

The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted by **August 1, 2016**.
