

ASSEMBLY BILL

No. 1945

Introduced by Assembly Member Simitian

February 14, 2002

An act to add Section 54963 to the Government Code, relating to open meetings.

LEGISLATIVE COUNSEL'S DIGEST

AB 1945, as introduced, Simitian. Open meetings: closed sessions: confidential information.

(1) The Ralph M. Brown Act generally requires that the meetings of the legislative body of a local agency be conducted openly and publicly, but also provides that the legislative body of a local agency may hold closed sessions for specified purposes. The act provides that a member of a legislative body who attends a meeting of that body where action is taken in violation of the act, and where the member intends to deprive the public of information to which the member knows or has reason to know the public is entitled under the act, is guilty of a misdemeanor.

This bill would provide that no person may publicly disclose confidential information that is the basis for a legislative body of a local agency to meet in a closed session authorized under the act unless the legislative body authorizes disclosure of that information. It would provide that a person who violates this prohibition is guilty of a misdemeanor.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 54963 is added to the Government
2 Code, to read:
3 54963. (a) No person may publicly disclose confidential
4 information that is the basis for a legislative body of a local agency
5 to meet in a closed session authorized by this chapter unless the
6 legislative body authorizes disclosure of that information.
7 (b) A person who violates this section is guilty of a
8 misdemeanor.
9 SEC. 2. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.

