

AMENDED IN ASSEMBLY APRIL 18, 2002

AMENDED IN ASSEMBLY APRIL 11, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2922

Introduced by Assembly Member Simitian

February 25, 2002

An act to add Section 353 to the Business and Professions Code, and to add Section 11019.10 to the Government Code, relating to personal information.

LEGISLATIVE COUNSEL'S DIGEST

AB 2922, as amended, Simitian. Personal information: state agency records.

Existing law establishes the Office of Privacy Protection in the Department of Consumer Affairs, the purpose of which is to protect the privacy of individuals' personal information, as specified.

Existing law requires each state department and state agency to enact and maintain a permanent privacy policy and is required to include in that policy various provisions related to its collection, retention, and disclosure of personally identifiable information.

This bill would require each state agency, no later than July 1, 2003, to provide to the Office of Privacy Protection *in the Department of Consumer Affairs* a description of *the general categories or classes of personal information contained in* its system of records, as prescribed. The bill would require the office, no later than July 1, 2003, to adopt regulations concerning the *collection, use, disclosure, or* reporting by state agencies of personal information to the office to be included in the



State Personal Information Inventory, that the office would be required to create. The bill would require that state agencies be in compliance with those regulations no later than January 1, 2004, and would require the office to make the inventory available to the public no later than March 1, 2004.

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

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

1 SECTION 1. Section 353 is added to the Business and
2 Professions Code, to read:

3 353. (a) It is the intent of the Legislature to create a central
4 catalogue that will allow the public to ~~see what information the~~
5 ~~state collects about them, what the state does with that~~ *observe the*
6 *general categories of personal information that are collected by*
7 *the state, how the state uses that information, and the process by*
8 *which individuals may access specific records in which they are*
9 *identified. This inventory is also intended to help the state assess*
10 *the appropriateness of the regulatory and statutory privacy*
11 *protection measures currently in place.*

12 It is the intent of the Legislature that information in the
13 catalogue ~~will be user friendly and~~ *be* easily accessible by the
14 general public.

15 It is the intent of the Legislature that regulations resulting from
16 this section have as minimal impact as possible on the ~~workload~~
17 *resources* of state agencies and *of* the California Office of Privacy
18 Protection.

19 It is the intent of the Legislature to require *state* agencies to
20 ~~periodically update the data at least annually.~~ *update information*
21 *that shall be provided to the Office of Privacy Protection, as*
22 *specified by this section, at least annually.*

23 (b) The California Office of Privacy Protection shall create the
24 State Personal Information Inventory. The office, no later than
25 July 1, 2003, shall adopt regulations concerning the *collection,*
26 *use, disclosure, or* reporting of personal information by state
27 agencies to the office for inclusion in the inventory.

28 (c) No later than March 1, 2004, the office shall make the State
29 Personal Information Inventory available to ~~members of the~~ *the*
30 *general public.*



1 SEC. 2. Section 11019.10 is added to the Government Code,
2 to read:

3 11019.10. (a) Each state agency, no later than July 1, 2003,
4 shall provide to the Office of Privacy Protection in the Department
5 of Consumer Affairs a description of ~~its system of records~~ *general*
6 *categories or classes of personal information contained in its*
7 *system of records. That description shall include, but is not limited*
8 *to, all of the following:*

9 (1) *The name and location of the system.*

10 (2) *The categories of individuals on whom records are*
11 *maintained in the system.*

12 (3) *The categories of records maintained in the system.*

13 (4) *Each routine use of the records contained in the system,*
14 *including the categories of users and the purpose of each use.*

15 (5) *The title and business address of the agency official who is*
16 *responsible for the system of records.*

17 (6) *The categories of sources of records in the system.*

18 (7) *Whether the categories of information contained in the*
19 *system are personal information or public information.*

20 (8) *Known or foreseeable disclosures of the records contained*
21 *in the system.* As used in this section, a system of records means
22 a group of any records under the control of an agency from which
23 information is retrieved by the name of an individual by some
24 identifying number, symbol, or other identifying designation
25 assigned to an individual.

26 (b) No later than January 1, 2004, every state agency shall be
27 in compliance with the regulations and reporting requirements
28 promulgated by the Office of Privacy Protection pursuant to
29 Section 353 of the Business and Professions Code, regarding
30 information to be included in the State Personal Information
31 Inventory.

