

Introduced by Senator YeeFebruary 22, 2008

An act to add Sections 6253.3 and 6253.31 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

SB 1696, as introduced, Yee. California Public Records Act: disclosure.

Existing law, the California Public Records Act, requires each state and local agency to make its records available for public inspection during office hours and, upon request of any person, to make copies available upon payment of fees, unless the records are exempt by law from disclosure.

This bill would provide that a state or local agency may not by confidentiality agreement or other contract make information confidential or disclosable only with permission of the other party to the contract, if that information is otherwise subject to disclosure under the act. This bill would state that this provision is declaratory of existing law.

This bill would also provide that any contract entered into by a state or local agency subject to the act, including the University of California, that requires a private entity to review, audit, or report on any aspect of that agency shall be public and subject to disclosure under the act.

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

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

1 SECTION 1. Section 6253.3 is added to the Government Code,
2 to read:

3 6253.3. A state or local agency may not, by confidentiality
4 agreement or other contract, make information confidential or
5 disclosable only with permission of the other party to the contract
6 if that information is otherwise subject to disclosure pursuant to
7 this chapter.

8 SEC. 2. Section 6253.31 is added to the Government Code, to
9 read:

10 6253.31. Any contract entered into by a state or local agency
11 subject to this chapter, including the University of California, that
12 requires a private entity to review, audit, or report on any aspect
13 of that agency shall be public and subject to disclosure under this
14 chapter.

15 SEC. 3. Section 1 of this act does not constitute a change in,
16 but is declaratory of, existing law.

O