

Assembly Bill No. 2222

Passed the Assembly May 10, 2012

Chief Clerk of the Assembly

Passed the Senate June 25, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 13302 of the Penal Code, relating to criminal history records.

LEGISLATIVE COUNSEL’S DIGEST

AB 2222, Block. Criminal history records.

Existing law limits the disclosure of an individual’s local summary criminal history information, and defines the term “local summary criminal history information” as a master record of information compiled by any local criminal justice agency pertaining to the identification and criminal history of any person, including name, date of birth, dates of arrests, and charges. Under existing law, an employee of a local criminal justice agency who knowingly furnishes a record or information obtained from a record to a person who is not authorized to receive the record or information is guilty of a misdemeanor. Existing law authorizes a public prosecutor to release local summary criminal history information pursuant to a request under the California Public Records Act under certain conditions, including that the release of information would enhance public safety, the interest of justice, or the public’s understanding of the justice system.

This bill would provide that a public prosecutor is not prohibited from accessing and obtaining information from the public prosecutor’s case management database to respond to a request for publicly disclosable information under the California Public Records Act.

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

SECTION 1. Section 13302 of the Penal Code is amended to read:

13302. An employee of the local criminal justice agency who knowingly furnishes a record or information obtained from a record to a person who is not authorized by law to receive the record or information is guilty of a misdemeanor. Nothing in this section shall prohibit a public prosecutor from accessing and obtaining information from the public prosecutor’s case management

database to respond to a request for publicly disclosable information pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

Approved _____, 2012

Governor