

ASSEMBLY BILL

No. 1195

**Introduced by Assembly Member Eggman
(Principal coauthor: Assembly Member Garcia)
(Coauthors: Assembly Members Bonilla and Rendon)
(Coauthor: Senator Lara)**

February 22, 2013

An act to amend Section 6254 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 1195, as introduced, Eggman. Public records: crime victims.

The California Public Records Act requires state and local agencies to make public records available for inspection, subject to certain conditions. The act specifically requires state and local law enforcement agencies to disclose certain information regarding an incident to a victim, or the victim's authorized representative, unless certain conditions exist.

This bill would prohibit a state or local law enforcement agency from requiring a victim of an incident, or the victim's authorized representative, to show proof of the victim's legal presence in this country in order to obtain the information required to be disclosed by that law enforcement agency, as specified.

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 6254 of the Government Code is amended
2 to read:

3 6254. Except as provided in Sections 6254.7 and 6254.13,
4 nothing in this chapter shall be construed to require disclosure of
5 records that are any of the following:

6 (a) Preliminary drafts, notes, or interagency or intra-agency
7 memoranda that are not retained by the public agency in the
8 ordinary course of business, if the public interest in withholding
9 those records clearly outweighs the public interest in disclosure.

10 (b) Records pertaining to pending litigation to which the public
11 agency is a party, or to claims made pursuant to Division 3.6
12 (commencing with Section 810), until the pending litigation or
13 claim has been finally adjudicated or otherwise settled.

14 (c) Personnel, medical, or similar files, the disclosure of which
15 would constitute an unwarranted invasion of personal privacy.

16 (d) Contained in or related to any of the following:

17 (1) Applications filed with any state agency responsible for the
18 regulation or supervision of the issuance of securities or of financial
19 institutions, including, but not limited to, banks, savings and loan
20 associations, industrial loan companies, credit unions, and
21 insurance companies.

22 (2) Examination, operating, or condition reports prepared by,
23 on behalf of, or for the use of, any state agency referred to in
24 paragraph (1).

25 (3) Preliminary drafts, notes, or interagency or intra-agency
26 communications prepared by, on behalf of, or for the use of, any
27 state agency referred to in paragraph (1).

28 (4) Information received in confidence by any state agency
29 referred to in paragraph (1).

30 (e) Geological and geophysical data, plant production data, and
31 similar information relating to utility systems development, or
32 market or crop reports, that are obtained in confidence from any
33 person.

34 (f) Records of complaints to, or investigations conducted by,
35 or records of intelligence information or security procedures of,
36 the office of the Attorney General and the Department of Justice,
37 ~~the California Emergency Management Agency Office of~~
38 *Emergency Services*, and any state or local police agency, or any

1 investigatory or security files compiled by any other state or local
2 police agency, or any investigatory or security files compiled by
3 any other state or local agency for correctional, law enforcement,
4 or licensing purposes. However, state and local law enforcement
5 agencies shall disclose the names and addresses of persons involved
6 in, or witnesses other than confidential informants to, the incident,
7 the description of any property involved, the date, time, and
8 location of the incident, all diagrams, statements of the parties
9 involved in the incident, the statements of all witnesses, other than
10 confidential informants, to the victims of an incident, or an
11 authorized representative thereof, an insurance carrier against
12 which a claim has been or might be made, and any person suffering
13 bodily injury or property damage or loss, as the result of the
14 incident caused by arson, burglary, fire, explosion, larceny,
15 robbery, carjacking, vandalism, vehicle theft, or a crime as defined
16 by subdivision (b) of Section 13951, unless the disclosure would
17 endanger the safety of a witness or other person involved in the
18 investigation, or unless disclosure would endanger the successful
19 completion of the investigation or a related investigation. However,
20 nothing in this division shall require the disclosure of that portion
21 of those investigative files that reflects the analysis or conclusions
22 of the investigating officer. *A state or local law enforcement agency
23 shall not require a victim of an incident, or an authorized
24 representative thereof, to show proof of the victim's legal presence
25 in the United States of America in order to obtain the information
26 required to be disclosed by that law enforcement agency pursuant
27 to this subdivision.*

28 Customer lists provided to a state or local police agency by an
29 alarm or security company at the request of the agency shall be
30 construed to be records subject to this subdivision.

31 Notwithstanding any other provision of this subdivision, state
32 and local law enforcement agencies shall make public the following
33 information, except to the extent that disclosure of a particular
34 item of information would endanger the safety of a person involved
35 in an investigation or would endanger the successful completion
36 of the investigation or a related investigation:

37 (1) The full name and occupation of every individual arrested
38 by the agency, the individual's physical description including date
39 of birth, color of eyes and hair, sex, height and weight, the time
40 and date of arrest, the time and date of booking, the location of

1 the arrest, the factual circumstances surrounding the arrest, the
2 amount of bail set, the time and manner of release or the location
3 where the individual is currently being held, and all charges the
4 individual is being held upon, including any outstanding warrants
5 from other jurisdictions and parole or probation holds.

6 (2) Subject to the restrictions imposed by Section 841.5 of the
7 Penal Code, the time, substance, and location of all complaints or
8 requests for assistance received by the agency and the time and
9 nature of the response thereto, including, to the extent the
10 information regarding crimes alleged or committed or any other
11 incident investigated is recorded, the time, date, and location of
12 occurrence, the time and date of the report, the name and age of
13 the victim, the factual circumstances surrounding the crime or
14 incident, and a general description of any injuries, property, or
15 weapons involved. The name of a victim of any crime defined by
16 Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a,
17 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285,
18 286, 288, 288a, 288.2, 288.3 (as added by Chapter 337 of the
19 Statutes of 2006), 288.3 (as added by Section 6 of Proposition 83
20 of the November 7, 2006, statewide general election), 288.5, 288.7,
21 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code may
22 be withheld at the victim's request, or at the request of the victim's
23 parent or guardian if the victim is a minor. When a person is the
24 victim of more than one crime, information disclosing that the
25 person is a victim of a crime defined in any of the sections of the
26 Penal Code set forth in this subdivision may be deleted at the
27 request of the victim, or the victim's parent or guardian if the
28 victim is a minor, in making the report of the crime, or of any
29 crime or incident accompanying the crime, available to the public
30 in compliance with the requirements of this paragraph.

31 (3) Subject to the restrictions of Section 841.5 of the Penal Code
32 and this subdivision, the current address of every individual
33 arrested by the agency and the current address of the victim of a
34 crime, where the requester declares under penalty of perjury that
35 the request is made for a scholarly, journalistic, political, or
36 governmental purpose, or that the request is made for investigation
37 purposes by a licensed private investigator as described in Chapter
38 11.3 (commencing with Section 7512) of Division 3 of the Business
39 and Professions Code. However, the address of the victim of any
40 crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1,

1 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a,
2 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3 (as added by
3 Chapter 337 of the Statutes of 2006), 288.3 (as added by Section
4 6 of Proposition 83 of the November 7, 2006, statewide general
5 election), 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6
6 of the Penal Code shall remain confidential. Address information
7 obtained pursuant to this paragraph may not be used directly or
8 indirectly, or furnished to another, to sell a product or service to
9 any individual or group of individuals, and the requester shall
10 execute a declaration to that effect under penalty of perjury.
11 Nothing in this paragraph shall be construed to prohibit or limit a
12 scholarly, journalistic, political, or government use of address
13 information obtained pursuant to this paragraph.

14 (g) Test questions, scoring keys, and other examination data
15 used to administer a licensing examination, examination for
16 employment, or academic examination, except as provided for in
17 Chapter 3 (commencing with Section 99150) of Part 65 of Division
18 14 of Title 3 of the Education Code.

19 (h) The contents of real estate appraisals or engineering or
20 feasibility estimates and evaluations made for or by the state or
21 local agency relative to the acquisition of property, or to
22 prospective public supply and construction contracts, until all of
23 the property has been acquired or all of the contract agreement
24 obtained. However, the law of eminent domain shall not be affected
25 by this provision.

26 (i) Information required from any taxpayer in connection with
27 the collection of local taxes that is received in confidence and the
28 disclosure of the information to other persons would result in unfair
29 competitive disadvantage to the person supplying the information.

30 (j) Library circulation records kept for the purpose of identifying
31 the borrower of items available in libraries, and library and museum
32 materials made or acquired and presented solely for reference or
33 exhibition purposes. The exemption in this subdivision shall not
34 apply to records of fines imposed on the borrowers.

35 (k) Records, the disclosure of which is exempted or prohibited
36 pursuant to federal or state law, including, but not limited to,
37 provisions of the Evidence Code relating to privilege.

38 (l) Correspondence of and to the Governor or employees of the
39 Governor's office or in the custody of or maintained by the
40 Governor's Legal Affairs Secretary. However, public records shall

1 not be transferred to the custody of the Governor's Legal Affairs
2 Secretary to evade the disclosure provisions of this chapter.

3 (m) In the custody of or maintained by the Legislative Counsel,
4 except those records in the public database maintained by the
5 Legislative Counsel that are described in Section 10248.

6 (n) Statements of personal worth or personal financial data
7 required by a licensing agency and filed by an applicant with the
8 licensing agency to establish his or her personal qualification for
9 the license, certificate, or permit applied for.

10 (o) Financial data contained in applications for financing under
11 Division 27 (commencing with Section 44500) of the Health and
12 Safety Code, where an authorized officer of the California Pollution
13 Control Financing Authority determines that disclosure of the
14 financial data would be competitively injurious to the applicant
15 and the data is required in order to obtain guarantees from the
16 United States Small Business Administration. The California
17 Pollution Control Financing Authority shall adopt rules for review
18 of individual requests for confidentiality under this section and for
19 making available to the public those portions of an application that
20 are subject to disclosure under this chapter.

21 (p) Records of state agencies related to activities governed by
22 Chapter 10.3 (commencing with Section 3512), Chapter 10.5
23 (commencing with Section 3525), and Chapter 12 (commencing
24 with Section 3560) of Division 4, that reveal a state agency's
25 deliberative processes, impressions, evaluations, opinions,
26 recommendations, meeting minutes, research, work products,
27 theories, or strategy, or that provide instruction, advice, or training
28 to employees who do not have full collective bargaining and
29 representation rights under these chapters. Nothing in this
30 subdivision shall be construed to limit the disclosure duties of a
31 state agency with respect to any other records relating to the
32 activities governed by the employee relations acts referred to in
33 this subdivision.

34 (q) (1) Records of state agencies related to activities governed
35 by Article 2.6 (commencing with Section 14081), Article 2.8
36 (commencing with Section 14087.5), and Article 2.91
37 (commencing with Section 14089) of Chapter 7 of Part 3 of
38 Division 9 of the Welfare and Institutions Code, that reveal the
39 special negotiator's deliberative processes, discussions,
40 communications, or any other portion of the negotiations with

1 providers of health care services, impressions, opinions,
2 recommendations, meeting minutes, research, work product,
3 theories, or strategy, or that provide instruction, advice, or training
4 to employees.

5 (2) Except for the portion of a contract containing the rates of
6 payment, contracts for inpatient services entered into pursuant to
7 these articles, on or after April 1, 1984, shall be open to inspection
8 one year after they are fully executed. If a contract for inpatient
9 services that is entered into prior to April 1, 1984, is amended on
10 or after April 1, 1984, the amendment, except for any portion
11 containing the rates of payment, shall be open to inspection one
12 year after it is fully executed. If the California Medical Assistance
13 Commission enters into contracts with health care providers for
14 other than inpatient hospital services, those contracts shall be open
15 to inspection one year after they are fully executed.

16 (3) Three years after a contract or amendment is open to
17 inspection under this subdivision, the portion of the contract or
18 amendment containing the rates of payment shall be open to
19 inspection.

20 (4) Notwithstanding any other ~~provision~~ of law, the entire
21 contract or amendment shall be open to inspection by the Joint
22 Legislative Audit Committee and the Legislative Analyst's Office.
23 The committee and that office shall maintain the confidentiality
24 of the contracts and amendments until the time a contract or
25 amendment is fully open to inspection by the public.

26 (r) Records of Native American graves, cemeteries, and sacred
27 places and records of Native American places, features, and objects
28 described in Sections 5097.9 and 5097.993 of the Public Resources
29 Code maintained by, or in the possession of, the Native American
30 Heritage Commission, another state agency, or a local agency.

31 (s) A final accreditation report of the Joint Commission on
32 Accreditation of Hospitals that has been transmitted to the State
33 Department of Health Care Services pursuant to subdivision (b)
34 of Section 1282 of the Health and Safety Code.

35 (t) Records of a local hospital district, formed pursuant to
36 Division 23 (commencing with Section 32000) of the Health and
37 Safety Code, or the records of a municipal hospital, formed
38 pursuant to Article 7 (commencing with Section 37600) or Article
39 8 (commencing with Section 37650) of Chapter 5 of Part 2 of
40 Division 3 of Title 4 of this code, that relate to any contract with

1 an insurer or nonprofit hospital service plan for inpatient or
2 outpatient services for alternative rates pursuant to Section 10133
3 of the Insurance Code. However, the record shall be open to
4 inspection within one year after the contract is fully executed.

5 (u) (1) Information contained in applications for licenses to
6 carry firearms issued pursuant to Section 26150, 26155, 26170,
7 or 26215 of the Penal Code by the sheriff of a county or the chief
8 or other head of a municipal police department that indicates when
9 or where the applicant is vulnerable to attack or that concerns the
10 applicant's medical or psychological history or that of members
11 of his or her family.

12 (2) The home address and telephone number of prosecutors,
13 public defenders, peace officers, judges, court commissioners, and
14 magistrates that are set forth in applications for licenses to carry
15 firearms issued pursuant to Section 26150, 26155, 26170, or 26215
16 of the Penal Code by the sheriff of a county or the chief or other
17 head of a municipal police department.

18 (3) The home address and telephone number of prosecutors,
19 public defenders, peace officers, judges, court commissioners, and
20 magistrates that are set forth in licenses to carry firearms issued
21 pursuant to Section 26150, 26155, 26170, or 26215 of the Penal
22 Code by the sheriff of a county or the chief or other head of a
23 municipal police department.

24 (v) (1) Records of the Managed Risk Medical Insurance Board
25 related to activities governed by Part 6.3 (commencing with Section
26 12695), Part 6.5 (commencing with Section 12700), Part 6.6
27 (commencing with Section 12739.5), and Part 6.7 (commencing
28 with Section 12739.70) of Division 2 of the Insurance Code, and
29 that reveal any of the following:

30 (A) The deliberative processes, discussions, communications,
31 or any other portion of the negotiations with entities contracting
32 or seeking to contract with the board, entities with which the board
33 is considering a contract, or entities with which the board is
34 considering or enters into any other arrangement under which the
35 board provides, receives, or arranges services or reimbursement.

36 (B) The impressions, opinions, recommendations, meeting
37 minutes, research, work product, theories, or strategy of the board
38 or its staff, or records that provide instructions, advice, or training
39 to employees.

1 (2) (A) Except for the portion of a contract that contains the
2 rates of payment, contracts entered into pursuant to Part 6.3
3 (commencing with Section 12695), Part 6.5 (commencing with
4 Section 12700), Part 6.6 (commencing with Section 12739.5), or
5 Part 6.7 (commencing with Section 12739.70) of Division 2 of the
6 Insurance Code, on or after July 1, 1991, shall be open to inspection
7 one year after their effective dates.

8 (B) If a contract that is entered into prior to July 1, 1991, is
9 amended on or after July 1, 1991, the amendment, except for any
10 portion containing the rates of payment, shall be open to inspection
11 one year after the effective date of the amendment.

12 (3) Three years after a contract or amendment is open to
13 inspection pursuant to this subdivision, the portion of the contract
14 or amendment containing the rates of payment shall be open to
15 inspection.

16 (4) Notwithstanding any other law, the entire contract or
17 amendments to a contract shall be open to inspection by the Joint
18 Legislative Audit Committee. The committee shall maintain the
19 confidentiality of the contracts and amendments thereto, until the
20 contracts or amendments to the contracts are open to inspection
21 pursuant to paragraph (3).

22 (w) (1) Records of the Managed Risk Medical Insurance Board
23 related to activities governed by Chapter 8 (commencing with
24 Section 10700) of Part 2 of Division 2 of the Insurance Code, and
25 that reveal the deliberative processes, discussions, communications,
26 or any other portion of the negotiations with health plans, or the
27 impressions, opinions, recommendations, meeting minutes,
28 research, work product, theories, or strategy of the board or its
29 staff, or records that provide instructions, advice, or training to
30 employees.

31 (2) Except for the portion of a contract that contains the rates
32 of payment, contracts for health coverage entered into pursuant to
33 Chapter 8 (commencing with Section 10700) of Part 2 of Division
34 2 of the Insurance Code, on or after January 1, 1993, shall be open
35 to inspection one year after they have been fully executed.

36 (3) Notwithstanding any other law, the entire contract or
37 amendments to a contract shall be open to inspection by the Joint
38 Legislative Audit Committee. The committee shall maintain the
39 confidentiality of the contracts and amendments thereto, until the

1 contracts or amendments to the contracts are open to inspection
2 pursuant to paragraph (2).

3 (x) Financial data contained in applications for registration, or
4 registration renewal, as a service contractor filed with the Director
5 of Consumer Affairs pursuant to Chapter 20 (commencing with
6 Section 9800) of Division 3 of the Business and Professions Code,
7 for the purpose of establishing the service contractor's net worth,
8 or financial data regarding the funded accounts held in escrow for
9 service contracts held in force in this state by a service contractor.

10 (y) (1) Records of the Managed Risk Medical Insurance Board
11 related to activities governed by Part 6.2 (commencing with Section
12 12693) or Part 6.4 (commencing with Section 12699.50) of
13 Division 2 of the Insurance Code, and that reveal any of the
14 following:

15 (A) The deliberative processes, discussions, communications,
16 or any other portion of the negotiations with entities contracting
17 or seeking to contract with the board, entities with which the board
18 is considering a contract, or entities with which the board is
19 considering or enters into any other arrangement under which the
20 board provides, receives, or arranges services or reimbursement.

21 (B) The impressions, opinions, recommendations, meeting
22 minutes, research, work product, theories, or strategy of the board
23 or its staff, or records that provide instructions, advice, or training
24 to employees.

25 (2) (A) Except for the portion of a contract that contains the
26 rates of payment, contracts entered into pursuant to Part 6.2
27 (commencing with Section 12693) or Part 6.4 (commencing with
28 Section 12699.50) of Division 2 of the Insurance Code, on or after
29 January 1, 1998, shall be open to inspection one year after their
30 effective dates.

31 (B) If a contract entered into pursuant to Part 6.2 (commencing
32 with Section 12693) or Part 6.4 (commencing with Section
33 12699.50) of Division 2 of the Insurance Code is amended, the
34 amendment shall be open to inspection one year after the effective
35 date of the amendment.

36 (3) Three years after a contract or amendment is open to
37 inspection pursuant to this subdivision, the portion of the contract
38 or amendment containing the rates of payment shall be open to
39 inspection.

1 (4) Notwithstanding any other law, the entire contract or
2 amendments to a contract shall be open to inspection by the Joint
3 Legislative Audit Committee. The committee shall maintain the
4 confidentiality of the contracts and amendments thereto until the
5 contract or amendments to a contract are open to inspection
6 pursuant to paragraph (2) or (3).

7 (5) The exemption from disclosure provided pursuant to this
8 subdivision for the contracts, deliberative processes, discussions,
9 communications, negotiations, impressions, opinions,
10 recommendations, meeting minutes, research, work product,
11 theories, or strategy of the board or its staff shall also apply to the
12 contracts, deliberative processes, discussions, communications,
13 negotiations, impressions, opinions, recommendations, meeting
14 minutes, research, work product, theories, or strategy of applicants
15 pursuant to Part 6.4 (commencing with Section 12699.50) of
16 Division 2 of the Insurance Code.

17 (z) Records obtained pursuant to paragraph (2) of subdivision
18 (f) of Section 2891.1 of the Public Utilities Code.

19 (aa) A document prepared by or for a state or local agency that
20 assesses its vulnerability to terrorist attack or other criminal acts
21 intended to disrupt the public agency's operations and that is for
22 distribution or consideration in a closed session.

23 (ab) Critical infrastructure information, as defined in Section
24 131(3) of Title 6 of the United States Code, that is voluntarily
25 submitted to the ~~California Emergency Management Agency Office~~
26 *of Emergency Services* for use by that office, including the identity
27 of the person who or entity that voluntarily submitted the
28 information. As used in this subdivision, "voluntarily submitted"
29 means submitted in the absence of the office exercising any legal
30 authority to compel access to or submission of critical infrastructure
31 information. This subdivision shall not affect the status of
32 information in the possession of any other state or local
33 governmental agency.

34 (ac) All information provided to the Secretary of State by a
35 person for the purpose of registration in the Advance Health Care
36 Directive Registry, except that those records shall be released at
37 the request of a health care provider, a public guardian, or the
38 registrant's legal representative.

39 (ad) The following records of the State Compensation Insurance
40 Fund:

1 (1) Records related to claims pursuant to Chapter 1
2 (commencing with Section 3200) of Division 4 of the Labor Code,
3 to the extent that confidential medical information or other
4 individually identifiable information would be disclosed.

5 (2) Records related to the discussions, communications, or any
6 other portion of the negotiations with entities contracting or seeking
7 to contract with the fund, and any related deliberations.

8 (3) Records related to the impressions, opinions,
9 recommendations, meeting minutes of meetings or sessions that
10 are lawfully closed to the public, research, work product, theories,
11 or strategy of the fund or its staff, on the development of rates,
12 contracting strategy, underwriting, or competitive strategy pursuant
13 to the powers granted to the fund in Chapter 4 (commencing with
14 Section 11770) of Part 3 of Division 2 of the Insurance Code.

15 (4) Records obtained to provide workers' compensation
16 insurance under Chapter 4 (commencing with Section 11770) of
17 Part 3 of Division 2 of the Insurance Code, including, but not
18 limited to, any medical claims information, policyholder
19 information provided that nothing in this paragraph shall be
20 interpreted to prevent an insurance agent or broker from obtaining
21 proprietary information or other information authorized by law to
22 be obtained by the agent or broker, and information on rates,
23 pricing, and claims handling received from brokers.

24 (5) (A) Records that are trade secrets pursuant to Section
25 6276.44, or Article 11 (commencing with Section 1060) of Chapter
26 4 of Division 8 of the Evidence Code, including without limitation,
27 instructions, advice, or training provided by the State Compensation
28 Insurance Fund to its board members, officers, and employees
29 regarding the fund's special investigation unit, internal audit unit,
30 and informational security, marketing, rating, pricing, underwriting,
31 claims handling, audits, and collections.

32 (B) Notwithstanding subparagraph (A), the portions of records
33 containing trade secrets shall be available for review by the Joint
34 Legislative Audit Committee, the Bureau of State Audits, Division
35 of Workers' Compensation, and the Department of Insurance to
36 ensure compliance with applicable law.

37 (6) (A) Internal audits containing proprietary information and
38 the following records that are related to an internal audit:

39 (i) Personal papers and correspondence of any person providing
40 assistance to the fund when that person has requested in writing

1 that his or her papers and correspondence be kept private and
2 confidential. Those papers and correspondence shall become public
3 records if the written request is withdrawn, or upon order of the
4 fund.

5 (ii) Papers, correspondence, memoranda, or any substantive
6 information pertaining to any audit not completed or an internal
7 audit that contains proprietary information.

8 (B) Notwithstanding subparagraph (A), the portions of records
9 containing proprietary information, or any information specified
10 in subparagraph (A) shall be available for review by the Joint
11 Legislative Audit Committee, the Bureau of State Audits, Division
12 of Workers' Compensation, and the Department of Insurance to
13 ensure compliance with applicable law.

14 (7) (A) Except as provided in subparagraph (C), contracts
15 entered into pursuant to Chapter 4 (commencing with Section
16 11770) of Part 3 of Division 2 of the Insurance Code shall be open
17 to inspection one year after the contract has been fully executed.

18 (B) If a contract entered into pursuant to Chapter 4 (commencing
19 with Section 11770) of Part 3 of Division 2 of the Insurance Code
20 is amended, the amendment shall be open to inspection one year
21 after the amendment has been fully executed.

22 (C) Three years after a contract or amendment is open to
23 inspection pursuant to this subdivision, the portion of the contract
24 or amendment containing the rates of payment shall be open to
25 inspection.

26 (D) Notwithstanding any other law, the entire contract or
27 amendments to a contract shall be open to inspection by the Joint
28 Legislative Audit Committee. The committee shall maintain the
29 confidentiality of the contracts and amendments thereto until the
30 contract or amendments to a contract are open to inspection
31 pursuant to this paragraph.

32 (E) This paragraph is not intended to apply to documents related
33 to contracts with public entities that are not otherwise expressly
34 confidential as to that public entity.

35 (F) For purposes of this paragraph, "fully executed" means the
36 point in time when all of the necessary parties to the contract have
37 signed the contract.

38 This section shall not prevent any agency from opening its
39 records concerning the administration of the agency to public
40 inspection, unless disclosure is otherwise prohibited by law.

1 This section shall not prevent any health facility from disclosing
2 to a certified bargaining agent relevant financing information
3 pursuant to Section 8 of the National Labor Relations Act (29
4 U.S.C. Sec. 158).

O