

AMENDED IN SENATE JULY 1, 2014  
AMENDED IN ASSEMBLY MAY 23, 2014  
AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1792**

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**Introduced by Assembly Member Gomez**

February 18, 2014

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An act to add Section 13084 to the Government Code, to amend Section 1095 of the Unemployment Insurance Code, and to add Section 11026.5 to the Welfare and Institutions Code, relating to public benefits.

LEGISLATIVE COUNSEL'S DIGEST

AB 1792, as amended, Gomez. Public benefits: reports on employers.

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, and under which qualified low-income persons receive health care benefits. The Medi-Cal program is governed, in part, by federal Medicaid provisions.

Existing law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which each county distributes nutrition assistance benefits provided by the federal government to eligible households. In California, federal nutrition assistance benefits are administered through CalFresh. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law.

Existing law requires each county to provide cash assistance and other social services to needy families through the California Work Opportunity and Responsibility to Kids (CalWORKs) program using federal Temporary Assistance to Needy Families (TANF) block grant program, state, and county funds.

This bill would require the State Department of Health Care Services and the State Department of Social Services to annually inform the Employment Development Department of the names and social security numbers of all recipients of the above-described public assistance programs. The bill would require these departments to determine the average per individual cost to the state to provide the benefits of each of these public assistance programs and inform the Employment Development Department and the Department of Finance of these costs. The bill would require the Department of Finance to collaborate with these departments and the Employment Development Department to determine the total cost to the state of the aggregated public assistance provided to each identified employer's employees under each public assistance program and the total cost to the state of the aggregated benefits provided to each identified employer's employees. The bill would define an employer as an individual or organization that employs 25 50 or more beneficiaries of the above-described public assistance programs.

The bill would also require the Department of Finance to, after obtaining specified information from the Employment Development Department, annually transmit to the Legislature and post on the department's Internet Web site a report no later than April 15 of each year that, among other things, identifies employers that employ 25 50 or more beneficiaries in the state.

Under existing law, the information obtained in the administration of the Unemployment Insurance Code is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law permits the use of the information for specified purposes, and allows the director to require reimbursement for direct costs incurred. Existing law provides that a person who knowingly accesses, uses, or discloses this confidential information without authorization is guilty of a misdemeanor.

This bill would require the Director of Employment Development to permit the use of specified information in his or her possession by the Department of Finance to prepare and submit the above-described

report. By requiring this information to be provided to the Department of Finance for these purposes, this bill would expand the crime of unauthorized access, use, or disclosure of this information, and would impose a state-mandated local program.

This bill would prohibit an employer from discharging or in any manner discriminating or retaliating against an employee who enrolls in a public assistance program and from refusing to hire a beneficiary for reason of being enrolled in a public assistance program.

This bill would prohibit an employer from disclosing to a nongovernmental entity that an employee receives or is applying for public benefits.

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. (a) The Legislature finds and declares all of the  
2 following:

3 (1) Public benefit programs are essential to provide Californians  
4 with access to fresh, healthy food, quality health coverage, basic  
5 needs, cash assistance, child care, and income supports, among  
6 other benefits.

7 (2) The state needs to preserve and expand public benefit  
8 programs to ensure that no Californian has to go hungry or forego  
9 medical care because he or she cannot afford these basic life  
10 necessities.

11 (3) In 2013, California had the highest number of working poor  
12 families in the country. More than one-third of the state's working  
13 families are low income, making less than 200 percent of the  
14 federal poverty line.

15 (4) When low wages and a lack of benefits leave workers unable  
16 to make ends meet, they turn to public assistance programs for  
17 health care, food, and other basic necessities.

18 (5) Employers that pay low wages and offer no benefits shift  
19 the costs of doing business onto taxpayers.

1 (6) Large, profitable employers should pay wages and benefits  
2 that do not impoverish workers or shift costs onto taxpayers.

3 (7) Employers that shift the costs of their business expenses  
4 onto taxpayers put responsible employers at a competitive  
5 disadvantage, creating an unfair playing field for business in the  
6 state.

7 (8) To promote a deeper understanding of the causes and sources  
8 of underemployment, poverty wages, and the economic impacts  
9 on Californians, business, and the state budget, it is appropriate  
10 for policymakers to possess a broader set of empirical data with  
11 which to make informed decisions.

12 (b) Therefore, it is the intent of the Legislature to do all of the  
13 following:

14 (1) Produce a report on employers that have employees enrolled  
15 in public assistance programs and on the cost to the state of  
16 providing those benefits.

17 (2) Use the report described in paragraph (1), along with other  
18 studies related to labor trends, to analyze practices within industry  
19 sectors detrimental to economic competitiveness in the  
20 marketplace.

21 (3) Ensure that all Californians have access to public benefit  
22 programs that safeguard their identity and privacy and ensure that  
23 receipt of public benefits never is the cause of workplace  
24 discrimination.

25 (4) Develop policies to decrease the number of working poor  
26 in California by increasing the quality of jobs and employment  
27 opportunities and informed employment and training programs.

28 (5) Use the data contained within the report to promote sound  
29 and reasonable policies to ensure that employers do not shift the  
30 responsibility for providing health care and basic necessities for  
31 their workers onto taxpayers through the use of the data contained  
32 within the report to develop reasonable and sound policies.

33 (6) Ensure that no worker is discriminated or retaliated against  
34 for the reason of being enrolled in a public benefit program.

35 SEC. 2. Section 13084 is added to the Government Code, to  
36 read:

37 13084. (a) For purposes of this section, the following  
38 definitions shall apply:

39 (1) "Beneficiary" means an individual who is both of the  
40 following:

1 (A) Enrolled in a public assistance program, unless the  
2 individual is enrolled by reason of disability or being over 65 years  
3 of age or is employed in a CalWORKs subsidized private or public  
4 employment (Chapter 2 (commencing with Section 11200) of Part  
5 3 of Division 9 of the Welfare and Institutions Code).

6 (B) Employed by an employer for at least one quarter or three  
7 months.

8 (2) (A) "Employer" means an individual or type of organization  
9 that employs for wages and salary ~~25~~ 50 or more beneficiaries to  
10 work in this state and includes all of the members of a controlled  
11 group of corporations as defined in Section 1563(a) of the Internal  
12 Revenue Code, except that "more than 50 percent" shall be  
13 substituted for "at least 80 percent" each place it appears in Section  
14 1563(a)(1) of the Internal Revenue Code, and the determination  
15 shall be made without regard to Sections 1563(a)(4) and  
16 1563(e)(3)(C) of the Internal Revenue Code.

17 (B) "Employer" shall include the state, a city, county, city and  
18 county, district, or any other governmental employer.

19 (3) "Public assistance program" means the Medi-Cal program  
20 (Chapter 7 (commencing with Section 14000) of Part 3 of Division  
21 9 of the Welfare and Institutions Code), CalFresh (Chapter 10  
22 (commencing with Section 18900) of Part 6 of Division 9 of the  
23 Welfare and Institutions Code), and CalWORKs program (Chapter  
24 2 (commencing with Section 11200) of Part 3 of Division 9 of the  
25 Welfare and Institutions Code).

26 (b) The department shall, after obtaining the information from  
27 the Employment Development Department described in paragraphs  
28 (1) to (4), inclusive, and determining the total costs to the state  
29 pursuant to subdivision (c), annually transmit to the Legislature  
30 and post on the department's Internet Web site no later than April  
31 15 of each year, a report that identifies each employer. The report  
32 shall be submitted to the Legislature pursuant to Section 9795.  
33 The report shall include all of the following:

34 (1) The employer's name.

35 (2) The employer's address, as filed with the Employment  
36 Development Department.

37 (3) The total number of beneficiaries each employer employs.

38 (4) The percentage of the employer's total workforce in the state  
39 that are beneficiaries.

1 (5) The total cost to the state of the aggregated benefits provided  
2 to an identified employer’s employees who are beneficiaries under  
3 each public assistance program.

4 (6) The total cost to the state of the aggregated benefits provided  
5 to each identified employer’s employees who are beneficiaries.

6 (c) The department, in collaboration with the Employment  
7 Development Department, State Department of Health Care  
8 Services Services, and the State Department of Social Services,  
9 shall determine the total costs to the state described in paragraphs  
10 (5) and (6) of subdivision (b).

11 (d) (1) The report, and any list provided to the department, shall  
12 not include the name or identifying information of an individual  
13 beneficiary.

14 (2) The report shall remain available to the public on the  
15 department’s Internet Web site for at least five years.

16 (e) Nothing in this section shall be construed to authorize an  
17 employer to discourage or prevent an employee from enrolling or  
18 continuing enrollment in a public benefit program while employed  
19 nor to discriminate against an applicant for employment or  
20 employee for applying to be or being enrolled in a public assistance  
21 program.

22 (f) The department shall be permitted access ~~to~~ to, and be  
23 provided data and information ~~from~~ from, other state agencies as  
24 required to implement this section, to the extent not prohibited by  
25 state and federal confidentiality statutes and regulations. The  
26 department may enter into interagency agreements or adopt  
27 regulations as are reasonably necessary to implement this section.

28 (g) (1) An employer shall not discharge or in any manner  
29 discriminate or retaliate against an employee who enrolls in a  
30 public assistance program and shall not refuse to hire a beneficiary  
31 for reason of being enrolled in a public assistance program.

32 (2) An employer shall not disclose to a nongovernmental entity  
33 that an employee receives or is applying for public benefits.

34 SEC. 3. Section 1095 of the Unemployment Insurance Code  
35 is amended to read:

36 1095. The director shall permit the use of any information in  
37 his or her possession to the extent necessary for any of the  
38 following purposes and may require reimbursement for all direct  
39 costs incurred in providing any and all information specified in

1 this section, except information specified in subdivisions (a) to  
2 (e), inclusive:

3 (a) To enable the director or his or her representative to carry  
4 out his or her responsibilities under this code.

5 (b) To properly present a claim for benefits.

6 (c) To acquaint a worker or his or her authorized agent with his  
7 or her existing or prospective right to benefits.

8 (d) To furnish an employer or his or her authorized agent with  
9 information to enable him or her to fully discharge his or her  
10 obligations or safeguard his or her rights under this division or  
11 Division 3 (commencing with Section 9000).

12 (e) To enable an employer to receive a reduction in contribution  
13 rate.

14 (f) To enable federal, state, or local government departments  
15 or agencies, subject to federal law, to verify or determine the  
16 eligibility or entitlement of an applicant for, or a recipient of, public  
17 social services provided pursuant to Division 9 (commencing with  
18 Section 10000) of the Welfare and Institutions Code, or Part A of  
19 Title IV of the Social Security Act, where the verification or  
20 determination is directly connected with, and limited to, the  
21 administration of public social services.

22 (g) To enable county administrators of general relief or  
23 assistance, or their representatives, to determine entitlement to  
24 locally provided general relief or assistance, where the  
25 determination is directly connected with, and limited to, the  
26 administration of general relief or assistance.

27 (h) To enable state or local governmental departments or  
28 agencies to seek criminal, civil, or administrative remedies in  
29 connection with the unlawful application for, or receipt of, relief  
30 provided under Division 9 (commencing with Section 10000) of  
31 the Welfare and Institutions Code or to enable the collection of  
32 expenditures for medical assistance services pursuant to Part 5  
33 (commencing with Section 17000) of Division 9 of the Welfare  
34 and Institutions Code.

35 (i) To provide any law enforcement agency with the name,  
36 address, telephone number, birth date, social security number,  
37 physical description, and names and addresses of present and past  
38 employers, of any victim, suspect, missing person, potential  
39 witness, or person for whom a felony arrest warrant has been  
40 issued, when a request for this information is made by any

1 investigator or peace officer as defined by Sections 830.1 and  
2 830.2 of the Penal Code, or by any federal law enforcement officer  
3 to whom the Attorney General has delegated authority to enforce  
4 federal search warrants, as defined under Sections 60.2 and 60.3  
5 of Title 28 of the Code of Federal Regulations, as amended, and  
6 when the requesting officer has been designated by the head of  
7 the law enforcement agency and requests this information in the  
8 course of and as a part of an investigation into the commission of  
9 a crime when there is a reasonable suspicion that the crime is a  
10 felony and that the information would lead to relevant evidence.  
11 The information provided pursuant to this subdivision shall be  
12 provided to the extent permitted by federal law and regulations,  
13 and to the extent the information is available and accessible within  
14 the constraints and configurations of existing department records.  
15 Any person who receives any information under this subdivision  
16 shall make a written report of the information to the law  
17 enforcement agency that employs him or her, for filing under the  
18 normal procedures of that agency.

19 (1) This subdivision shall not be construed to authorize the  
20 release to any law enforcement agency of a general list identifying  
21 individuals applying for or receiving benefits.

22 (2) The department shall maintain records pursuant to this  
23 subdivision only for periods required under regulations or statutes  
24 enacted for the administration of its programs.

25 (3) This subdivision shall not be construed as limiting the  
26 information provided to law enforcement agencies to that pertaining  
27 only to applicants for, or recipients of, benefits.

28 (4) The department shall notify all applicants for benefits that  
29 release of confidential information from their records will not be  
30 protected should there be a felony arrest warrant issued against  
31 the applicant or in the event of an investigation by a law  
32 enforcement agency into the commission of a felony.

33 (j) To provide public employee retirement systems in California  
34 with information relating to the earnings of any person who has  
35 applied for or is receiving a disability income, disability allowance,  
36 or disability retirement allowance, from a public employee  
37 retirement system. The earnings information shall be released only  
38 upon written request from the governing board specifying that the  
39 person has applied for or is receiving a disability allowance or  
40 disability retirement allowance from its retirement system. The

1 request may be made by the chief executive officer of the system  
2 or by an employee of the system so authorized and identified by  
3 name and title by the chief executive officer in writing.

4 (k) To enable the Division of Labor Standards Enforcement in  
5 the Department of Industrial Relations to seek criminal, civil, or  
6 administrative remedies in connection with the failure to pay, or  
7 the unlawful payment of, wages pursuant to Chapter 1  
8 (commencing with Section 200) of Part 1 of Division 2 of, and  
9 Chapter 1 (commencing with Section 1720) of Part 7 of Division  
10 2 of, the Labor Code.

11 (l) To enable federal, state, or local governmental departments  
12 or agencies to administer child support enforcement programs  
13 under Title IV of the federal Social Security Act (42 U.S.C. Sec.  
14 651 et seq.).

15 (m) To provide federal, state, or local governmental departments  
16 or agencies with wage and claim information in its possession that  
17 will assist those departments and agencies in the administration  
18 of the Victims of Crime Program or in the location of victims of  
19 crime who, by state mandate or court order, are entitled to  
20 restitution that has been or can be recovered.

21 (n) To provide federal, state, or local governmental departments  
22 or agencies with information concerning any individuals who are  
23 or have been:

24 (1) Directed by state mandate or court order to pay restitution,  
25 fines, penalties, assessments, or fees as a result of a violation of  
26 law.

27 (2) Delinquent or in default on guaranteed student loans or who  
28 owe repayment of funds received through other financial assistance  
29 programs administered by those agencies. The information released  
30 by the director for the purposes of this paragraph shall not include  
31 unemployment insurance benefit information.

32 (o) To provide an authorized governmental agency with any or  
33 all relevant information that relates to any specific workers'  
34 compensation insurance fraud investigation. The information shall  
35 be provided to the extent permitted by federal law and regulations.  
36 For the purposes of this subdivision, "authorized governmental  
37 agency" means the district attorney of any county, the office of  
38 the Attorney General, the Contractors' State License Board, the  
39 Department of Industrial Relations, and the Department of  
40 Insurance. An authorized governmental agency may disclose this

1 information to the State Bar, the Medical Board of California, or  
2 any other licensing board or department whose licensee is the  
3 subject of a workers' compensation insurance fraud investigation.  
4 This subdivision shall not prevent any authorized governmental  
5 agency from reporting to any board or department the suspected  
6 misconduct of any licensee of that body.

7 (p) To enable the Director of the Bureau for Private  
8 Postsecondary Education, or his or her representatives, to access  
9 unemployment insurance quarterly wage data on a case-by-case  
10 basis to verify information on school administrators, school staff,  
11 and students provided by those schools who are being investigated  
12 for possible violations of Chapter 8 (commencing with Section  
13 94800) of Part 59 of Division 10 of Title 3 of the Education Code.

14 (q) To provide employment tax information to the tax officials  
15 of Mexico, if a reciprocal agreement exists. For purposes of this  
16 subdivision, "reciprocal agreement" means a formal agreement to  
17 exchange information between national taxing officials of Mexico  
18 and taxing authorities of the State Board of Equalization, the  
19 Franchise Tax Board, and the Employment Development  
20 Department. Furthermore, the reciprocal agreement shall be limited  
21 to the exchange of information that is essential for tax  
22 administration purposes only. Taxing authorities of the State of  
23 California shall be granted tax information only on California  
24 residents. Taxing authorities of Mexico shall be granted tax  
25 information only on Mexican nationals.

26 (r) To enable city and county planning agencies to develop  
27 economic forecasts for planning purposes. The information shall  
28 be limited to businesses within the jurisdiction of the city or county  
29 whose planning agency is requesting the information, and shall  
30 not include information regarding individual employees.

31 (s) To provide the State Department of Developmental Services  
32 with wage and employer information that will assist in the  
33 collection of moneys owed by the recipient, parent, or any other  
34 legally liable individual for services and supports provided pursuant  
35 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,  
36 and Chapter 2 (commencing with Section 7200) and Chapter 3  
37 (commencing with Section 7500) of Division 7 of, the Welfare  
38 and Institutions Code.

39 (t) To provide the State Board of Equalization with employment  
40 tax information that will assist in the administration of tax

1 programs. The information shall be limited to the exchange of  
2 employment tax information essential for tax administration  
3 purposes to the extent permitted by federal law and regulations.

4 (u) Nothing in this section shall be construed to authorize or  
5 permit the use of information obtained in the administration of this  
6 code by any private collection agency.

7 (v) The disclosure of the name and address of an individual or  
8 business entity that was issued an assessment that included  
9 penalties under Section 1128 or 1128.1 shall not be in violation  
10 of Section 1094 if the assessment is final. The disclosure may also  
11 include any of the following:

12 (1) The total amount of the assessment.

13 (2) The amount of the penalty imposed under Section 1128 or  
14 1128.1 that is included in the assessment.

15 (3) The facts that resulted in the charging of the penalty under  
16 Section 1128 or 1128.1.

17 (w) To enable the Contractors' State License Board to verify  
18 the employment history of an individual applying for licensure  
19 pursuant to Section 7068 of the Business and Professions Code.

20 (x) To provide any peace officer with the Division of  
21 Investigation in the Department of Consumer Affairs information  
22 pursuant to subdivision (i) when the requesting peace officer has  
23 been designated by the Chief of the Division of Investigation and  
24 requests this information in the course of and as part of an  
25 investigation into the commission of a crime or other unlawful act  
26 when there is reasonable suspicion to believe that the crime or act  
27 may be connected to the information requested and would lead to  
28 relevant information regarding the crime or unlawful act.

29 (y) To enable the Labor Commissioner of the Division of Labor  
30 Standards Enforcement in the Department of Industrial Relations  
31 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully  
32 uninsured employers. The information shall be provided to the  
33 extent permitted by federal law and regulations.

34 (z) To enable the Chancellor of the California Community  
35 Colleges, in accordance with the requirements of Section 84754.5  
36 of the Education Code, to obtain quarterly wage data, commencing  
37 January 1, 1993, on students who have attended one or more  
38 community colleges, to assess the impact of education on the  
39 employment and earnings of students, to conduct the annual  
40 evaluation of district-level and individual college performance in

1 achieving priority educational outcomes, and to submit the required  
2 reports to the Legislature and the Governor. The information shall  
3 be provided to the extent permitted by federal statutes and  
4 regulations.

5 (aa) To enable the Public Employees' Retirement System to  
6 seek criminal, civil, or administrative remedies in connection with  
7 the unlawful application for, or receipt of, benefits provided under  
8 Part 3 (commencing with Section 20000) of Division 5 of Title 2  
9 of the Government Code.

10 (ab) To enable the State Department of Education, the University  
11 of California, the California State University, and the Chancellor  
12 of the California Community Colleges, pursuant to the  
13 requirements prescribed by the federal American Recovery and  
14 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly  
15 wage data, commencing July 1, 2010, on students who have  
16 attended their respective systems to assess the impact of education  
17 on the employment and earnings of those students, to conduct the  
18 annual analysis of district-level and individual district or  
19 postsecondary education system performance in achieving priority  
20 educational outcomes, and to submit the required reports to the  
21 Legislature and the Governor. The information shall be provided  
22 to the extent permitted by federal statutes and regulations.

23 (ac) To provide the Agricultural Labor Relations Board with  
24 employee, wage, and employer information, for use in the  
25 investigation or enforcement of the  
26 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations  
27 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division  
28 2 of the Labor Code). The information shall be provided to the  
29 extent permitted by federal statutes and regulations.

30 (ad) (1) To enable the State Department of Health Care  
31 Services, the California Health Benefit Exchange, the Managed  
32 Risk Medical Insurance Board, and county departments and  
33 agencies to obtain information regarding employee wages,  
34 California employer names and account numbers, employer reports  
35 of wages and number of employees, and disability insurance and  
36 unemployment insurance claim information, for the purpose of:

37 (A) Verifying or determining the eligibility of an applicant for,  
38 or a recipient of, state health subsidy programs, limited to the  
39 Medi-Cal Program, provided pursuant to Chapter 7 (commencing  
40 with Section 14000) of Part 3 of Division 9 of the Welfare and

1 Institutions Code; the Healthy Families Program, provided pursuant  
2 to Part 6.2 (commencing with Section 12693) of Division 2 of the  
3 Insurance Code; and the Access for Infants and Mothers Program,  
4 provided pursuant to Part 6.3 (commencing with Section 12695)  
5 of Division 2 of the Insurance Code; where the verification or  
6 determination is directly connected with, and limited to, the  
7 administration of the state health subsidy programs referenced in  
8 this subparagraph.

9 (B) Verifying or determining the eligibility of an applicant for,  
10 or a recipient of, federal subsidies offered through the California  
11 Health Benefit Exchange, provided pursuant to Title 22  
12 (commencing with Section 100500) of the Government Code,  
13 including federal tax credits and cost-sharing assistance pursuant  
14 to the federal Patient Protection and Affordable Care Act (Public  
15 Law 111-148), as amended by the federal Health Care and  
16 Education Reconciliation Act of 2010 (Public Law 111-152), where  
17 the verification or determination is directly connected with, and  
18 limited to, the administration of the California Health Benefit  
19 Exchange.

20 (C) Verifying or determining the eligibility of employees and  
21 employers for health coverage through the Small Business Health  
22 Options Program, provided pursuant to Section 100502 of the  
23 Government Code, where the verification or determination is  
24 directly connected with, and limited to, the administration of the  
25 Small Business Health Options Program.

26 (2) The information provided under this subdivision shall be  
27 subject to the requirements of, and provided to the extent permitted  
28 by, federal law and regulations, including Part 603 of Title 20 of  
29 the Code of Federal Regulations.

30 (ae) To provide any peace officer with the Investigations  
31 Division of the Department of Motor Vehicles with information  
32 pursuant to subdivision (i), when the requesting peace officer has  
33 been designated by the Chief of the Investigations Division and  
34 requests this information in the course of, and as part of, an  
35 investigation into identity theft, counterfeiting, document fraud,  
36 or consumer fraud, and there is reasonable suspicion that the crime  
37 is a felony and that the information would lead to relevant evidence  
38 regarding the identity theft, counterfeiting, document fraud, or  
39 consumer fraud. The information provided pursuant to this  
40 subdivision shall be provided to the extent permitted by federal

1 law and regulations, and to the extent the information is available  
2 and accessible within the constraints and configurations of existing  
3 department records. Any person who receives any information  
4 under this subdivision shall make a written report of the  
5 information to the Investigations Division of the Department of  
6 Motor Vehicles, for filing under the normal procedures of that  
7 division.

8 (af) To enable the Department of Finance to prepare and submit  
9 the report required by Section 13084 of the Government Code that  
10 identifies all employers in California that employ ~~25~~ 50 or more  
11 employees who receive benefits from any of the following  
12 programs: the Medi-Cal program (Chapter 7 (commencing with  
13 Section 14000) of Part 3 of Division 9 of the Welfare and  
14 Institutions Code), CalFresh (Chapter 10 (commencing with  
15 Section 18900) of Part 6 of Division 9 of the Welfare and  
16 Institutions Code), and CalWORKs program (Chapter 2  
17 (commencing with Section 11200) of Part 3 of Division 9 of the  
18 Welfare and Institutions Code). The information used for this  
19 purpose shall be limited to information obtained pursuant to Section  
20 11026.5 of the Welfare and Institutions Code and from the  
21 administration of personal income tax wage withholding pursuant  
22 to Division 6 (commencing with Section 13000) and the disability  
23 insurance program and may be disclosed to the Department of  
24 Finance only for the purpose of preparing and submitting the report  
25 and only to the extent not prohibited by federal law.

26 SEC. 4. Section 11026.5 is added to the Welfare and  
27 Institutions Code, to read:

28 11026.5. (a) To the extent not prohibited by federal law, the  
29 State Department of Health Care Services and the State Department  
30 of Social Services shall annually inform the Employment  
31 Development Department of the names and social security numbers  
32 of all recipients of the benefits of the Medi-Cal program (Chapter  
33 7 (commencing with Section 14000)), CalFresh (Chapter 10  
34 (commencing with Section 18900) of Part 6), and CalWORKs  
35 program (Chapter 2 (commencing with Section 11200) of Part 3).

36 (b) The State Department of Health Care Services and the State  
37 Department of Social Services shall determine the average per  
38 individual cost to the state to provide the benefits of each program  
39 described in subdivision (a). These departments shall then inform  
40 the Employment Development Department and the Department

1 of Finance of these costs in order to calculate the information that  
2 is required to be reported pursuant to Section 13084 of the  
3 Government Code.

4 SEC. 5. No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 the only costs that may be incurred by a local agency or school  
7 district will be incurred because this act creates a new crime or  
8 infraction, eliminates a crime or infraction, or changes the penalty  
9 for a crime or infraction, within the meaning of Section 17556 of  
10 the Government Code, or changes the definition of a crime within  
11 the meaning of Section 6 of Article XIII B of the California  
12 Constitution.

O