

AMENDED IN SENATE AUGUST 21, 2014

AMENDED IN SENATE AUGUST 19, 2014

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

Introduced by Assembly Member Gomez

February 18, 2014

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.

This bill would require the State Department of Health Care 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 the State Department of Health Care Services ~~and the State Department of Social Services~~ to determine the average per individual cost of state and federally funded benefits across the above-described programs and inform the Employment Development Department of these costs. The bill would require the Employment Development Department to collaborate with the State Department of Health Care Services ~~and the State Department of Social Services~~ to determine the total cost of state and federally funded benefits provided to each identified employer's employees, as specified. The bill would define an employer as an individual or organization that employs 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 the 3rd week of January of each year beginning in 2016 that, among other things, identifies employers that employ 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.

This bill would incorporate additional changes to Section 1095 of the Unemployment Insurance Code proposed by SB 1028 and SB 1141, to be operative if this bill and one or both of the other bills are enacted and become effective on or before January 1, 2015, and this bill is enacted last.

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.

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

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

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

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

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

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

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

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

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

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

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

37 SEC. 2. Section 13084 is added to the Government Code, to
38 read:

39 13084. (a) For purposes of this section, the following
40 definitions shall apply:

1 (1) “Beneficiary” means an individual who is both of the
2 following:

3 (A) Has been enrolled in a public assistance program for six
4 consecutive months within the preceding budget year, unless the
5 individual is enrolled by reason of disability or being over 65 years
6 of age.

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

9 (2) (A) “Employer” means an individual or type of organization
10 that employs for wages and salary 50 or more beneficiaries to work
11 in this state and includes all of the members of a controlled group
12 of corporations as defined in Section 1563(a) of the Internal
13 Revenue Code, except that “more than 50 percent” shall be
14 substituted for “at least 80 percent” each place it appears in Section
15 1563(a)(1) of the Internal Revenue Code, and the determination
16 shall be made without regard to Sections 1563(a)(4) and
17 1563(e)(3)(C) of the Internal Revenue Code.

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

20 (3) “Public assistance program” means the Medi-Cal program
21 (Chapter 7 (commencing with Section 14000) of Part 3 of Division
22 9 of the Welfare and Institutions Code) and CalFresh program
23 (Chapter 10 (commencing with Section 18900) of Part 6 of
24 Division 9 of the Welfare and Institutions Code).

25 (b) The department shall, after obtaining the information from
26 the Employment Development Department described in paragraphs
27 (1) to (6), inclusive, annually transmit to the Legislature and post
28 on the department’s Internet Web site no later than the third week
29 of January of each year beginning in 2016, a report that includes
30 the information described in paragraphs (1) to (7), inclusive. The
31 report shall list employers in descending order of total cost of
32 benefits. The report shall be submitted to the Legislature pursuant
33 to Section 9795. 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 number of beneficiaries each employer employs for
38 each public assistance program and the total number of
39 beneficiaries each employer employs, not double-counting
40 beneficiaries who are enrolled in each program.

1 (4) The percentage of the employer’s total workforce in the state
2 that are beneficiaries.

3 (5) The total average cost of state and federally funded benefits
4 provided to an identified employer’s employees who are
5 beneficiaries under each public assistance program calculated using
6 the average per individual cost of state and federally funded
7 benefits excluding administrative costs.

8 (6) The total average cost of state and federally funded benefits
9 provided to each identified employer’s employees who are
10 beneficiaries calculated using the average per individual cost of
11 state and federally funded benefits excluding administrative costs.

12 (7) The methodology used by the department, the Employment
13 Development Department, *and* the State Department of ~~Social~~
14 ~~Services, and the State Department of Health Care Services~~ to
15 calculate the total average cost of state and federally funded
16 benefits provided to an identified employer’s employees who are
17 beneficiaries.

18 (c) The Employment Development Department, in collaboration
19 with the State Department of Health Care ~~Services and the State~~
20 ~~Department of Social Services~~, shall determine the total costs to
21 the state described in paragraphs (5) and (6) of subdivision (b)
22 using the average per individual cost of state and federally funded
23 benefits provided by the State Department of ~~Social Services and~~
24 ~~the State Department of Health Care Services~~ to the Employment
25 Development Department.

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

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

31 (e) Nothing in this section shall be construed to authorize an
32 employer to discourage or prevent an employee from enrolling or
33 continuing enrollment in a public benefit program while employed
34 nor to discriminate against an applicant for employment or
35 employee for applying to be or being enrolled in a public assistance
36 program.

37 (f) The department and the Employment Development
38 Department shall be permitted access to, and be provided data and
39 information from, other state agencies as required to implement
40 this section, to the extent not prohibited by state and federal

1 confidentiality statutes and regulations. The department may enter
2 into interagency agreements or adopt regulations as are reasonably
3 necessary to implement this section.

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

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

10 SEC. 3. Section 1095 of the Unemployment Insurance Code
11 is amended to read:

12 1095. The director shall permit the use of any information in
13 his or her possession to the extent necessary for any of the
14 following purposes and may require reimbursement for all direct
15 costs incurred in providing any and all information specified in
16 this section, except information specified in subdivisions (a) to
17 (e), inclusive:

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

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

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

23 (d) To furnish an employer or his or her authorized agent with
24 information to enable him or her to fully discharge his or her
25 obligations or safeguard his or her rights under this division or
26 Division 3 (commencing with Section 9000).

27 (e) To enable an employer to receive a reduction in contribution
28 rate.

29 (f) To enable federal, state, or local governmental departments
30 or agencies, subject to federal law, to verify or determine the
31 eligibility or entitlement of an applicant for, or a recipient of, public
32 social services provided pursuant to Division 9 (commencing with
33 Section 10000) of the Welfare and Institutions Code, or Part A of
34 Title IV of the ~~Social Security Act~~, *federal Social Security Act* (42
35 *U.S.C. Sec. 601 et seq.*), where the verification or determination
36 is directly connected with, and limited to, the administration of
37 public social services.

38 (g) To enable county administrators of general relief or
39 assistance, or their representatives, to determine entitlement to
40 locally provided general relief or assistance, where the

1 determination is directly connected with, and limited to, the
2 administration of general relief or assistance.

3 (h) To enable state or local governmental departments or
4 agencies to seek criminal, civil, or administrative remedies in
5 connection with the unlawful application for, or receipt of, relief
6 provided under Division 9 (commencing with Section 10000) of
7 the Welfare and Institutions Code or to enable the collection of
8 expenditures for medical assistance services pursuant to Part 5
9 (commencing with Section 17000) of Division 9 of the Welfare
10 and Institutions Code.

11 (i) To provide any law enforcement agency with the name,
12 address, telephone number, birth date, social security number,
13 physical description, and names and addresses of present and past
14 employers, of any victim, suspect, missing person, potential
15 witness, or person for whom a felony arrest warrant has been
16 issued, when a request for this information is made by any
17 investigator or peace officer as defined by Sections 830.1 and
18 830.2 of the Penal Code, or by any federal law enforcement officer
19 to whom the Attorney General has delegated authority to enforce
20 federal search warrants, as defined under Sections 60.2 and 60.3
21 of Title 28 of the Code of Federal Regulations, as amended, and
22 when the requesting officer has been designated by the head of
23 the law enforcement agency and requests this information in the
24 course of and as a part of an investigation into the commission of
25 a crime when there is a reasonable suspicion that the crime is a
26 felony and that the information would lead to relevant evidence.
27 The information provided pursuant to this subdivision shall be
28 provided to the extent permitted by federal law and regulations,
29 and to the extent the information is available and accessible within
30 the constraints and configurations of existing department records.
31 Any person who receives any information under this subdivision
32 shall make a written report of the information to the law
33 enforcement agency that employs him or her, for filing under the
34 normal procedures of that agency.

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

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

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

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

9 (j) To provide public employee retirement systems in California
10 with information relating to the earnings of any person who has
11 applied for or is receiving a disability income, disability allowance,
12 or disability retirement allowance, from a public employee
13 retirement system. The earnings information shall be released only
14 upon written request from the governing board specifying that the
15 person has applied for or is receiving a disability allowance or
16 disability retirement allowance from its retirement system. The
17 request may be made by the chief executive officer of the system
18 or by an employee of the system so authorized and identified by
19 name and title by the chief executive officer in writing.

20 (k) To enable the Division of Labor Standards Enforcement in
21 the Department of Industrial Relations to seek criminal, civil, or
22 administrative remedies in connection with the failure to pay, or
23 the unlawful payment of, wages pursuant to Chapter 1
24 (commencing with Section 200) of Part 1 of Division 2 of, and
25 Chapter 1 (commencing with Section 1720) of Part 7 of Division
26 2 of, the Labor Code.

27 (l) To enable federal, state, or local governmental departments
28 or agencies to administer child support enforcement programs
29 under *Part D* of Title IV of the federal Social Security Act (42
30 U.S.C. Sec. 651 et seq.).

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

37 (n) To provide federal, state, or local governmental departments
38 or agencies with information concerning any individuals who are
39 or have been:

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

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

9 (o) To provide an authorized governmental agency with any or
 10 all relevant information that relates to any specific workers’
 11 compensation insurance fraud investigation. The information shall
 12 be provided to the extent permitted by federal law and regulations.
 13 For the purposes of this subdivision, “authorized governmental
 14 agency” means the district attorney of any county, the office of
 15 the Attorney General, the Contractors’ State License Board, the
 16 Department of Industrial Relations, and the Department of
 17 Insurance. An authorized governmental agency may disclose this
 18 information to the State Bar, the Medical Board of California, or
 19 any other licensing board or department whose licensee is the
 20 subject of a workers’ compensation insurance fraud investigation.
 21 This subdivision shall not prevent any authorized governmental
 22 agency from reporting to any board or department the suspected
 23 misconduct of any licensee of that body.

24 (p) To enable the Director of ~~the Bureau for Private~~
 25 ~~Postsecondary Education, Consumer Affairs,~~ or his or her
 26 representatives, to access unemployment insurance quarterly wage
 27 data on a case-by-case basis to verify information on school
 28 administrators, school staff, and students provided by those schools
 29 who are being investigated for possible violations of Chapter 8
 30 (commencing with Section 94800) of Part 59 of Division 10 of
 31 Title 3 of the Education Code.

32 (q) To provide employment tax information to the tax officials
 33 of Mexico, if a reciprocal agreement exists. For purposes of this
 34 subdivision, “reciprocal agreement” means a formal agreement to
 35 exchange information between national taxing officials of Mexico
 36 and taxing authorities of the State Board of Equalization, the
 37 Franchise Tax Board, and the Employment Development
 38 Department. Furthermore, the reciprocal agreement shall be limited
 39 to the exchange of information that is essential for tax
 40 administration purposes only. Taxing authorities of the State of

1 California shall be granted tax information only on California
2 residents. Taxing authorities of Mexico shall be granted tax
3 information only on Mexican nationals.

4 (r) To enable city and county planning agencies to develop
5 economic forecasts for planning purposes. The information shall
6 be limited to businesses within the jurisdiction of the city or county
7 whose planning agency is requesting the information, and shall
8 not include information regarding individual employees.

9 (s) To provide the State Department of Developmental Services
10 with wage and employer information that will assist in the
11 collection of moneys owed by the recipient, parent, or any other
12 legally liable individual for services and supports provided pursuant
13 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
14 and Chapter 2 (commencing with Section 7200) and Chapter 3
15 (commencing with Section 7500) of Division 7 of, the Welfare
16 and Institutions Code.

17 (t) To provide the State Board of Equalization with employment
18 tax information that will assist in the administration of tax
19 programs. The information shall be limited to the exchange of
20 employment tax information essential for tax administration
21 purposes to the extent permitted by federal law and regulations.

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

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

- 30 (1) The total amount of the assessment.
- 31 (2) The amount of the penalty imposed under Section 1128 or
32 1128.1 that is included in the assessment.
- 33 (3) The facts that resulted in the charging of the penalty under
34 Section 1128 or 1128.1.

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

38 (x) To provide any peace officer with the Division of
39 Investigation in the Department of Consumer Affairs information
40 pursuant to subdivision (i) when the requesting peace officer has

1 been designated by the ~~Chief~~ *chief* of the Division of Investigation
2 and requests this information in the course of and as part of an
3 investigation into the commission of a crime or other unlawful act
4 when there is reasonable suspicion to believe that the crime or act
5 may be connected to the information requested and would lead to
6 relevant information regarding the crime or unlawful act.

7 (y) To enable the Labor Commissioner of the Division of Labor
8 Standards Enforcement in the Department of Industrial Relations
9 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
10 uninsured employers. The information shall be provided to the
11 extent permitted by federal law and regulations.

12 (z) To enable the Chancellor of the California Community
13 Colleges, in accordance with the requirements of Section 84754.5
14 of the Education Code, to obtain quarterly wage data, commencing
15 January 1, 1993, on students who have attended one or more
16 community colleges, to assess the impact of education on the
17 employment and earnings of students, to conduct the annual
18 evaluation of district-level and individual college performance in
19 achieving priority educational outcomes, and to submit the required
20 reports to the Legislature and the Governor. The information shall
21 be provided to the extent permitted by federal statutes and
22 regulations.

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

28 (ab) To enable the State Department of Education, the University
29 of California, the California State University, and the Chancellor
30 of the California Community Colleges, pursuant to the
31 requirements prescribed by the federal American Recovery and
32 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
33 wage data, commencing July 1, 2010, on students who have
34 attended their respective systems to assess the impact of education
35 on the employment and earnings of those students, to conduct the
36 annual analysis of district-level and individual district or
37 postsecondary education system performance in achieving priority
38 educational outcomes, and to submit the required reports to the
39 Legislature and the Governor. The information shall be provided
40 to the extent permitted by federal statutes and regulations.

1 (ac) To provide the Agricultural Labor Relations Board with
2 employee, wage, and employer information, for use in the
3 investigation or enforcement of the
4 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
5 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division
6 2 of the Labor Code). The information shall be provided to the
7 extent permitted by federal statutes and regulations.

8 (ad) (1) To enable the State Department of Health Care
9 Services, the California Health Benefit Exchange, the Managed
10 Risk Medical Insurance Board, and county departments and
11 agencies to obtain information regarding employee wages,
12 California employer names and account numbers, employer reports
13 of wages and number of employees, and disability insurance and
14 unemployment insurance claim information, for the purpose of:

15 (A) Verifying or determining the eligibility of an applicant for,
16 or a recipient of, state health subsidy programs, limited to the
17 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
18 with Section 14000) of Part 3 of Division 9 of the Welfare and
19 Institutions Code; the Healthy Families Program, provided pursuant
20 to Part 6.2 (commencing with Section 12693) of Division 2 of the
21 Insurance Code; and the Access for Infants and Mothers Program,
22 provided pursuant to Part 6.3 (commencing with Section 12695)
23 of Division 2 of the Insurance Code; where the verification or
24 determination is directly connected with, and limited to, the
25 administration of the state health subsidy programs referenced in
26 this subparagraph.

27 (B) Verifying or determining the eligibility of an applicant for,
28 or a recipient of, federal subsidies offered through the California
29 Health Benefit Exchange, provided pursuant to Title 22
30 (commencing with Section 100500) of the Government Code,
31 including federal tax credits and cost-sharing assistance pursuant
32 to the federal Patient Protection and Affordable Care Act (Public
33 Law 111-148), as amended by the federal Health Care and
34 Education Reconciliation Act of 2010 (Public Law 111-152), where
35 the verification or determination is directly connected with, and
36 limited to, the administration of the California Health Benefit
37 Exchange.

38 (C) Verifying or determining the eligibility of employees and
39 employers for health coverage through the Small Business Health
40 Options Program, provided pursuant to Section 100502 of the

1 Government Code, where the verification or determination is
2 directly connected with, and limited to, the administration of the
3 Small Business Health Options Program.

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

8 (ae) To provide any peace officer with the Investigations
9 Division of the Department of Motor Vehicles with information
10 pursuant to subdivision (i), when the requesting peace officer has
11 been designated by the Chief of the Investigations Division and
12 requests this information in the course of, and as part of, an
13 investigation into identity theft, counterfeiting, document fraud,
14 or consumer fraud, and there is reasonable suspicion that the crime
15 is a felony and that the information would lead to relevant evidence
16 regarding the identity theft, counterfeiting, document fraud, or
17 consumer fraud. The information provided pursuant to this
18 subdivision shall be provided to the extent permitted by federal
19 law and regulations, and to the extent the information is available
20 and accessible within the constraints and configurations of existing
21 department records. Any person who receives any information
22 under this subdivision shall make a written report of the
23 information to the Investigations Division of the Department of
24 Motor Vehicles, for filing under the normal procedures of that
25 division.

26 (af) To enable the Department of Finance to prepare and submit
27 the report required by Section 13084 of the Government Code that
28 identifies all employers in California that employ 50 or more
29 employees who receive benefits from ~~any~~ *either* of the following
30 programs: the Medi-Cal program (Chapter 7 (commencing with
31 Section 14000) of Part 3 of Division 9 of the Welfare and
32 Institutions Code) ~~and or the~~ CalFresh program (Chapter 10
33 (commencing with Section 18900) of Part 6 of Division 9 of the
34 Welfare and Institutions Code). The information used for this
35 purpose shall be limited to information obtained pursuant to Section
36 11026.5 of the Welfare and Institutions Code and from the
37 administration of personal income tax wage withholding pursuant
38 to Division 6 (commencing with Section 13000) and the disability
39 insurance program and may be disclosed to the Department of

1 Finance only for the purpose of preparing and submitting the report
2 and only to the extent not prohibited by federal law.

3 *SEC. 3.2. Section 1095 of the Unemployment Insurance Code*
4 *is amended to read:*

5 1095. The director shall permit the use of any information in
6 his or her possession to the extent necessary for any of the
7 following purposes and may require reimbursement for all direct
8 costs incurred in providing any and all information specified in
9 this section, except information specified in subdivisions (a) to
10 (e), inclusive:

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

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

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

16 (d) To furnish an employer or his or her authorized agent with
17 information to enable him or her to fully discharge his or her
18 obligations or safeguard his or her rights under this division or
19 Division 3 (commencing with Section 9000).

20 (e) To enable an employer to receive a reduction in contribution
21 rate.

22 (f) To enable federal, state, or local ~~government~~ *governmental*
23 departments or agencies, subject to federal law, to verify or
24 determine the eligibility or entitlement of an applicant for, or a
25 recipient of, public social services provided pursuant to Division
26 9 (commencing with Section 10000) of the Welfare and Institutions
27 Code, or Part A of Title IV of the ~~Social Security Act~~, *federal*
28 *Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the
29 verification or determination is directly connected with, and limited
30 to, the administration of public social services.

31 (g) To enable county administrators of general relief or
32 assistance, or their representatives, to determine entitlement to
33 locally provided general relief or assistance, where the
34 determination is directly connected with, and limited to, the
35 administration of general relief or assistance.

36 (h) To enable state or local governmental departments or
37 agencies to seek criminal, civil, or administrative remedies in
38 connection with the unlawful application for, or receipt of, relief
39 provided under Division 9 (commencing with Section 10000) of
40 the Welfare and Institutions Code or to enable the collection of

1 expenditures for medical assistance services pursuant to Part 5
2 (commencing with Section 17000) of Division 9 of the Welfare
3 and Institutions Code.

4 (i) To provide any law enforcement agency with the name,
5 address, telephone number, birth date, social security number,
6 physical description, and names and addresses of present and past
7 employers, of any victim, suspect, missing person, potential
8 witness, or person for whom a felony arrest warrant has been
9 issued, when a request for this information is made by any
10 investigator or peace officer as defined by Sections 830.1 and
11 830.2 of the Penal Code, or by any federal law enforcement officer
12 to whom the Attorney General has delegated authority to enforce
13 federal search warrants, as defined under Sections 60.2 and 60.3
14 of Title 28 of the Code of Federal Regulations, as amended, and
15 when the requesting officer has been designated by the head of
16 the law enforcement agency and requests this information in the
17 course of and as a part of an investigation into the commission of
18 a crime when there is a reasonable suspicion that the crime is a
19 felony and that the information would lead to relevant evidence.
20 The information provided pursuant to this subdivision shall be
21 provided to the extent permitted by federal law and regulations,
22 and to the extent the information is available and accessible within
23 the constraints and configurations of existing department records.
24 Any person who receives any information under this subdivision
25 shall make a written report of the information to the law
26 enforcement agency that employs him or her, for filing under the
27 normal procedures of that agency.

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

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

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

37 (4) The department shall notify all applicants for benefits that
38 release of confidential information from their records will not be
39 protected should there be a felony arrest warrant issued against

1 the applicant or in the event of an investigation by a law
2 enforcement agency into the commission of a felony.

3 (j) To provide public employee retirement systems in California
4 with information relating to the earnings of any person who has
5 applied for or is receiving a disability income, disability allowance,
6 or disability retirement allowance, from a public employee
7 retirement system. The earnings information shall be released only
8 upon written request from the governing board specifying that the
9 person has applied for or is receiving a disability allowance or
10 disability retirement allowance from its retirement system. The
11 request may be made by the chief executive officer of the system
12 or by an employee of the system so authorized and identified by
13 name and title by the chief executive officer in writing.

14 (k) To enable the Division of Labor Standards Enforcement in
15 the Department of Industrial Relations to seek criminal, civil, or
16 administrative remedies in connection with the failure to pay, or
17 the unlawful payment of, wages pursuant to Chapter 1
18 (commencing with Section 200) of Part 1 of Division 2 of, and
19 Chapter 1 (commencing with Section 1720) of Part 7 of Division
20 2 of, the Labor Code.

21 (l) To enable federal, state, or local governmental departments
22 or agencies to administer child support enforcement programs
23 under *Part D of Title IV* of the federal Social Security Act (42
24 U.S.C. Sec. 651 et seq.).

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

31 (n) To provide federal, state, or local governmental departments
32 or agencies with information concerning any individuals who are
33 or have been:

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

37 (2) Delinquent or in default on guaranteed student loans or who
38 owe repayment of funds received through other financial assistance
39 programs administered by those agencies. The information released

1 by the director for the purposes of this paragraph shall not include
2 unemployment insurance benefit information.

3 (o) To provide an authorized governmental agency with any or
4 all relevant information that relates to any specific workers'
5 compensation insurance fraud investigation. The information shall
6 be provided to the extent permitted by federal law and regulations.
7 For the purposes of this subdivision, "authorized governmental
8 agency" means the district attorney of any county, the office of
9 the Attorney General, the Contractors' State License Board, the
10 Department of Industrial Relations, and the Department of
11 Insurance. An authorized governmental agency may disclose this
12 information to the State Bar, the Medical Board of California, or
13 any other licensing board or department whose licensee is the
14 subject of a workers' compensation insurance fraud investigation.
15 This subdivision shall not prevent any authorized governmental
16 agency from reporting to any board or department the suspected
17 misconduct of any licensee of that body.

18 (p) To enable the Director of ~~the Bureau for Private~~
19 ~~Postsecondary Education~~, *Consumer Affairs*, or his or her
20 representatives, to access unemployment insurance quarterly wage
21 data on a case-by-case basis to verify information on school
22 administrators, school staff, and students provided by those schools
23 who are being investigated for possible violations of Chapter 8
24 (commencing with Section 94800) of Part 59 of Division 10 of
25 Title 3 of the Education Code.

26 (q) To provide employment tax information to the tax officials
27 of Mexico, if a reciprocal agreement exists. For purposes of this
28 subdivision, "reciprocal agreement" means a formal agreement to
29 exchange information between national taxing officials of Mexico
30 and taxing authorities of the State Board of Equalization, the
31 Franchise Tax Board, and the Employment Development
32 Department. Furthermore, the reciprocal agreement shall be limited
33 to the exchange of information that is essential for tax
34 administration purposes only. Taxing authorities of the State of
35 California shall be granted tax information only on California
36 residents. Taxing authorities of Mexico shall be granted tax
37 information only on Mexican nationals.

38 (r) To enable city and county planning agencies to develop
39 economic forecasts for planning purposes. The information shall
40 be limited to businesses within the jurisdiction of the city or county

1 whose planning agency is requesting the information, and shall
2 not include information regarding individual employees.

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

11 (t) To provide the State Board of Equalization with employment
12 tax information that will assist in the administration of tax
13 programs. The information shall be limited to the exchange of
14 employment tax information essential for tax administration
15 purposes to the extent permitted by federal law and regulations.

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

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

24 (1) The total amount of the assessment.

25 (2) The amount of the penalty imposed under Section 1128 or
26 1128.1 that is included in the assessment.

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

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

32 (x) To provide any peace officer with the Division of
33 Investigation in the Department of Consumer Affairs information
34 pursuant to subdivision (i) when the requesting peace officer has
35 been designated by the ~~Chief~~ *chief* of the Division of Investigation
36 and requests this information in the course of and as part of an
37 investigation into the commission of a crime or other unlawful act
38 when there is reasonable suspicion to believe that the crime or act
39 may be connected to the information requested and would lead to
40 relevant information regarding the crime or unlawful act.

1 (y) To enable the Labor Commissioner of the Division of Labor
2 Standards Enforcement in the Department of Industrial Relations
3 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
4 uninsured employers. The information shall be provided to the
5 extent permitted by federal law and regulations.

6 (z) To enable the Chancellor of the California Community
7 Colleges, in accordance with the requirements of Section 84754.5
8 of the Education Code, to obtain quarterly wage data, commencing
9 January 1, 1993, on students who have attended one or more
10 community colleges, to assess the impact of education on the
11 employment and earnings of students, to conduct the annual
12 evaluation of district-level and individual college performance in
13 achieving priority educational outcomes, and to submit the required
14 reports to the Legislature and the Governor. The information shall
15 be provided to the extent permitted by federal statutes and
16 regulations.

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

22 (ab) To enable the State Department of Education, the University
23 of California, the California State University, and the Chancellor
24 of the California Community Colleges, pursuant to the
25 requirements prescribed by the federal American Recovery and
26 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
27 wage data, commencing July 1, 2010, on students who have
28 attended their respective systems to assess the impact of education
29 on the employment and earnings of those students, to conduct the
30 annual analysis of district-level and individual district or
31 postsecondary education system performance in achieving priority
32 educational outcomes, and to submit the required reports to the
33 Legislature and the Governor. The information shall be provided
34 to the extent permitted by federal statutes and regulations.

35 (ac) To provide the Agricultural Labor Relations Board with
36 employee, wage, and employer information, for use in the
37 investigation or enforcement of the
38 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
39 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division

1 2 of the Labor Code). The information shall be provided to the
2 extent permitted by federal statutes and regulations.

3 (ad) (1) To enable the State Department of Health Care
4 Services, the California Health Benefit Exchange, the Managed
5 Risk Medical Insurance Board, and county departments and
6 agencies to obtain information regarding employee wages,
7 California employer names and account numbers, employer reports
8 of wages and number of employees, and disability insurance and
9 unemployment insurance claim information, for the purpose of:

10 (A) Verifying or determining the eligibility of an applicant for,
11 or a recipient of, state health subsidy programs, limited to the
12 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
13 with Section 14000) of Part 3 of Division 9 of the Welfare and
14 Institutions Code; the Healthy Families Program, provided pursuant
15 to Part 6.2 (commencing with Section 12693) of Division 2 of the
16 Insurance Code; and the Access for Infants and Mothers Program,
17 provided pursuant to Part 6.3 (commencing with Section 12695)
18 of Division 2 of the Insurance Code; where the verification or
19 determination is directly connected with, and limited to, the
20 administration of the state health subsidy programs referenced in
21 this subparagraph.

22 (B) Verifying or determining the eligibility of an applicant for,
23 or a recipient of, federal subsidies offered through the California
24 Health Benefit Exchange, provided pursuant to Title 22
25 (commencing with Section 100500) of the Government Code,
26 including federal tax credits and cost-sharing assistance pursuant
27 to the federal Patient Protection and Affordable Care Act (Public
28 Law 111-148), as amended by the federal Health Care and
29 Education Reconciliation Act of 2010 (Public Law 111-152), where
30 the verification or determination is directly connected with, and
31 limited to, the administration of the California Health Benefit
32 Exchange.

33 (C) Verifying or determining the eligibility of employees and
34 employers for health coverage through the Small Business Health
35 Options Program, provided pursuant to Section 100502 of the
36 Government Code, where the verification or determination is
37 directly connected with, and limited to, the administration of the
38 Small Business Health Options Program.

39 (2) The information provided under this subdivision shall be
40 subject to the requirements of, and provided to the extent permitted

1 by, federal law and regulations, including Part 603 of Title 20 of
2 the Code of Federal Regulations.

3 (ae) To provide any peace officer with the Investigations
4 Division of the Department of Motor Vehicles with information
5 pursuant to subdivision (i), when the requesting peace officer has
6 been designated by the Chief of the Investigations Division and
7 requests this information in the course of, and as part of, an
8 investigation into identity theft, counterfeiting, document fraud,
9 or consumer fraud, and there is reasonable suspicion that the crime
10 is a felony and that the information would lead to relevant evidence
11 regarding the identity theft, counterfeiting, document fraud, or
12 consumer fraud. The information provided pursuant to this
13 subdivision shall be provided to the extent permitted by federal
14 law and regulations, and to the extent the information is available
15 and accessible within the constraints and configurations of existing
16 department records. Any person who receives any information
17 under this subdivision shall make a written report of the
18 information to the Investigations Division of the Department of
19 Motor Vehicles, for filing under the normal procedures of that
20 division.

21 *(af) To enable the Department of Finance to prepare and submit*
22 *the report required by Section 13084 of the Government Code that*
23 *identifies all employers in California that employ 50 or more*
24 *employees who receive benefits from either of the following*
25 *programs: the Medi-Cal program (Chapter 7 (commencing with*
26 *Section 14000) of Part 3 of Division 9 of the Welfare and*
27 *Institutions Code) or the CalFresh program (Chapter 10*
28 *(commencing with Section 18900) of Part 6 of Division 9 of the*
29 *Welfare and Institutions Code). The information used for this*
30 *purpose shall be limited to information obtained pursuant to*
31 *Section 11026.5 of the Welfare and Institutions Code and from the*
32 *administration of personal income tax wage withholding pursuant*
33 *to Division 6 (commencing with Section 13000) and the disability*
34 *insurance program and may be disclosed to the Department of*
35 *Finance only for the purpose of preparing and submitting the*
36 *report and only to the extent not prohibited by federal law.*

37 *(ag) To provide, to the extent permitted by federal law and*
38 *regulations, the Student Aid Commission with wage information*
39 *in order to verify the employment status of an individual applying*

1 for a Cal Grant C award pursuant to subdivision (c) of Section
2 69439 of the Education Code.

3 SEC. 3.5. Section 1095 of the Unemployment Insurance Code
4 is amended to read:

5 1095. The director shall permit the use of any information in
6 his or her possession to the extent necessary for any of the
7 following purposes and may require reimbursement for all direct
8 costs incurred in providing any and all information specified in
9 this section, except information specified in subdivisions (a) to
10 (e), inclusive:

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

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

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

16 (d) To furnish an employer or his or her authorized agent with
17 information to enable him or her to fully discharge his or her
18 obligations or safeguard his or her rights under this division or
19 Division 3 (commencing with Section 9000).

20 (e) To enable an employer to receive a reduction in contribution
21 rate.

22 (f) To enable federal, state, or local ~~government~~ *governmental*
23 departments or agencies, subject to federal law, to verify or
24 determine the eligibility or entitlement of an applicant for, or a
25 recipient of, public social services provided pursuant to Division
26 9 (commencing with Section 10000) of the Welfare and Institutions
27 Code, or Part A of Title IV of the ~~Social Security Act~~, *federal*
28 *Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the
29 verification or determination is directly connected with, and limited
30 to, the administration of public social services.

31 (g) To enable county administrators of general relief or
32 assistance, or their representatives, to determine entitlement to
33 locally provided general relief or assistance, where the
34 determination is directly connected with, and limited to, the
35 administration of general relief or assistance.

36 (h) To enable state or local governmental departments or
37 agencies to seek criminal, civil, or administrative remedies in
38 connection with the unlawful application for, or receipt of, relief
39 provided under Division 9 (commencing with Section 10000) of
40 the Welfare and Institutions Code or to enable the collection of

1 expenditures for medical assistance services pursuant to Part 5
2 (commencing with Section 17000) of Division 9 of the Welfare
3 and Institutions Code.

4 (i) To provide any law enforcement agency with the name,
5 address, telephone number, birth date, social security number,
6 physical description, and names and addresses of present and past
7 employers, of any victim, suspect, missing person, potential
8 witness, or person for whom a felony arrest warrant has been
9 issued, when a request for this information is made by any
10 investigator or peace officer as defined by Sections 830.1 and
11 830.2 of the Penal Code, or by any federal law enforcement officer
12 to whom the Attorney General has delegated authority to enforce
13 federal search warrants, as defined under Sections 60.2 and 60.3
14 of Title 28 of the Code of Federal Regulations, as amended, and
15 when the requesting officer has been designated by the head of
16 the law enforcement agency and requests this information in the
17 course of and as a part of an investigation into the commission of
18 a crime when there is a reasonable suspicion that the crime is a
19 felony and that the information would lead to relevant evidence.
20 The information provided pursuant to this subdivision shall be
21 provided to the extent permitted by federal law and regulations,
22 and to the extent the information is available and accessible within
23 the constraints and configurations of existing department records.
24 Any person who receives any information under this subdivision
25 shall make a written report of the information to the law
26 enforcement agency that employs him or her, for filing under the
27 normal procedures of that agency.

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

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

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

37 (4) The department shall notify all applicants for benefits that
38 release of confidential information from their records will not be
39 protected should there be a felony arrest warrant issued against

1 the applicant or in the event of an investigation by a law
2 enforcement agency into the commission of a felony.

3 (j) To provide public employee retirement systems in California
4 with information relating to the earnings of any person who has
5 applied for or is receiving a disability income, disability allowance,
6 or disability retirement allowance, from a public employee
7 retirement system. The earnings information shall be released only
8 upon written request from the governing board specifying that the
9 person has applied for or is receiving a disability allowance or
10 disability retirement allowance from its retirement system. The
11 request may be made by the chief executive officer of the system
12 or by an employee of the system so authorized and identified by
13 name and title by the chief executive officer in writing.

14 (k) To enable the Division of Labor Standards Enforcement in
15 the Department of Industrial Relations to seek criminal, civil, or
16 administrative remedies in connection with the failure to pay, or
17 the unlawful payment of, wages pursuant to Chapter 1
18 (commencing with Section 200) of Part 1 of Division 2 of, and
19 Chapter 1 (commencing with Section 1720) of Part 7 of Division
20 2 of, the Labor Code.

21 (l) To enable federal, state, or local governmental departments
22 or agencies to administer child support enforcement programs
23 under *Part D of Title IV* of the federal Social Security Act (42
24 U.S.C. Sec. 651 et seq.).

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

31 (n) To provide federal, state, or local governmental departments
32 or agencies with information concerning any individuals who are
33 or have been:

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

37 (2) Delinquent or in default on guaranteed student loans or who
38 owe repayment of funds received through other financial assistance
39 programs administered by those agencies. The information released

1 by the director for the purposes of this paragraph shall not include
2 unemployment insurance benefit information.

3 (o) To provide an authorized governmental agency with any or
4 all relevant information that relates to any specific workers'
5 compensation insurance fraud investigation. The information shall
6 be provided to the extent permitted by federal law and regulations.
7 For the purposes of this subdivision, "authorized governmental
8 agency" means the district attorney of any county, the office of
9 the Attorney General, the Contractors' State License Board, the
10 Department of Industrial Relations, and the Department of
11 Insurance. An authorized governmental agency may disclose this
12 information to the State Bar, the Medical Board of California, or
13 any other licensing board or department whose licensee is the
14 subject of a workers' compensation insurance fraud investigation.
15 This subdivision shall not prevent any authorized governmental
16 agency from reporting to any board or department the suspected
17 misconduct of any licensee of that body.

18 (p) To enable the Director of ~~the Bureau for Private~~
19 ~~Postsecondary Education, Consumer Affairs,~~ or his or her
20 representatives, to access unemployment insurance quarterly wage
21 data on a case-by-case basis to verify information on school
22 administrators, school staff, and students provided by those schools
23 who are being investigated for possible violations of Chapter 8
24 (commencing with Section 94800) of Part 59 of Division 10 of
25 Title 3 of the Education Code.

26 (q) To provide employment tax information to the tax officials
27 of Mexico, if a reciprocal agreement exists. For purposes of this
28 subdivision, "reciprocal agreement" means a formal agreement to
29 exchange information between national taxing officials of Mexico
30 and taxing authorities of the State Board of Equalization, the
31 Franchise Tax Board, and the Employment Development
32 Department. Furthermore, the reciprocal agreement shall be limited
33 to the exchange of information that is essential for tax
34 administration purposes only. Taxing authorities of the State of
35 California shall be granted tax information only on California
36 residents. Taxing authorities of Mexico shall be granted tax
37 information only on Mexican nationals.

38 (r) To enable city and county planning agencies to develop
39 economic forecasts for planning purposes. The information shall
40 be limited to businesses within the jurisdiction of the city or county

1 whose planning agency is requesting the information, and shall
2 not include information regarding individual employees.

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

11 (t) To provide the State Board of Equalization with employment
12 tax information that will assist in the administration of tax
13 programs. The information shall be limited to the exchange of
14 employment tax information essential for tax administration
15 purposes to the extent permitted by federal law and regulations.

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

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

24 (1) The total amount of the assessment.

25 (2) The amount of the penalty imposed under Section 1128 or
26 1128.1 that is included in the assessment.

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

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

32 (x) To provide any peace officer with the Division of
33 Investigation in the Department of Consumer Affairs information
34 pursuant to subdivision (i) when the requesting peace officer has
35 been designated by the ~~Chief~~ *chief* of the Division of Investigation
36 and requests this information in the course of and as part of an
37 investigation into the commission of a crime or other unlawful act
38 when there is reasonable suspicion to believe that the crime or act
39 may be connected to the information requested and would lead to
40 relevant information regarding the crime or unlawful act.

- 1 (y) To enable the Labor Commissioner of the Division of Labor
2 Standards Enforcement in the Department of Industrial Relations
3 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
4 uninsured employers. The information shall be provided to the
5 extent permitted by federal law and regulations.
- 6 (z) To enable the Chancellor of the California Community
7 Colleges, in accordance with the requirements of Section 84754.5
8 of the Education Code, to obtain quarterly wage data, commencing
9 January 1, 1993, on students who have attended one or more
10 community colleges, to assess the impact of education on the
11 employment and earnings of students, to conduct the annual
12 evaluation of district-level and individual college performance in
13 achieving priority educational outcomes, and to submit the required
14 reports to the Legislature and the Governor. The information shall
15 be provided to the extent permitted by federal statutes and
16 regulations.
- 17 (aa) To enable the Public Employees' Retirement System to
18 seek criminal, civil, or administrative remedies in connection with
19 the unlawful application for, or receipt of, benefits provided under
20 Part 3 (commencing with Section 20000) of Division 5 of Title 2
21 of the Government Code.
- 22 (ab) To enable the State Department of Education, the University
23 of California, the California State University, and the Chancellor
24 of the California Community Colleges, pursuant to the
25 requirements prescribed by the federal American Recovery and
26 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
27 wage data, commencing July 1, 2010, on students who have
28 attended their respective systems to assess the impact of education
29 on the employment and earnings of those students, to conduct the
30 annual analysis of district-level and individual district or
31 postsecondary education system performance in achieving priority
32 educational outcomes, and to submit the required reports to the
33 Legislature and the Governor. The information shall be provided
34 to the extent permitted by federal statutes and regulations.
- 35 (ac) To provide the Agricultural Labor Relations Board with
36 employee, wage, and employer information, for use in the
37 investigation or enforcement of the
38 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
39 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division

1 2 of the Labor Code). The information shall be provided to the
2 extent permitted by federal statutes and regulations.

3 (ad) (1) To enable the State Department of Health Care
4 Services, the California Health Benefit Exchange, the Managed
5 Risk Medical Insurance Board, and county departments and
6 agencies to obtain information regarding employee wages,
7 California employer names and account numbers, employer reports
8 of wages and number of employees, and disability insurance and
9 unemployment insurance claim information, for the purpose of:

10 (A) Verifying or determining the eligibility of an applicant for,
11 or a recipient of, state health subsidy programs, limited to the
12 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
13 with Section 14000) of Part 3 of Division 9 of the Welfare and
14 Institutions Code; the Healthy Families Program, provided pursuant
15 to Part 6.2 (commencing with Section 12693) of Division 2 of the
16 Insurance Code; and the Access for Infants and Mothers Program,
17 provided pursuant to Part 6.3 (commencing with Section 12695)
18 of Division 2 of the Insurance Code; where the verification or
19 determination is directly connected with, and limited to, the
20 administration of the state health subsidy programs referenced in
21 this subparagraph.

22 (B) Verifying or determining the eligibility of an applicant for,
23 or a recipient of, federal subsidies offered through the California
24 Health Benefit Exchange, provided pursuant to Title 22
25 (commencing with Section 100500) of the Government Code,
26 including federal tax credits and cost-sharing assistance pursuant
27 to the federal Patient Protection and Affordable Care Act (Public
28 Law 111-148), as amended by the federal Health Care and
29 Education Reconciliation Act of 2010 (Public Law 111-152), where
30 the verification or determination is directly connected with, and
31 limited to, the administration of the California Health Benefit
32 Exchange.

33 (C) Verifying or determining the eligibility of employees and
34 employers for health coverage through the Small Business Health
35 Options Program, provided pursuant to Section 100502 of the
36 Government Code, where the verification or determination is
37 directly connected with, and limited to, the administration of the
38 Small Business Health Options Program.

39 (2) The information provided under this subdivision shall be
40 subject to the requirements of, and provided to the extent permitted

1 by, federal law and regulations, including Part 603 of Title 20 of
2 the Code of Federal Regulations.

3 (ae) To provide any peace officer with the Investigations
4 Division of the Department of Motor Vehicles with information
5 pursuant to subdivision (i), when the requesting peace officer has
6 been designated by the Chief of the Investigations Division and
7 requests this information in the course of, and as part of, an
8 investigation into identity theft, counterfeiting, document fraud,
9 or consumer fraud, and there is reasonable suspicion that the crime
10 is a felony and that the information would lead to relevant evidence
11 regarding the identity theft, counterfeiting, document fraud, or
12 consumer fraud. The information provided pursuant to this
13 subdivision shall be provided to the extent permitted by federal
14 law and regulations, and to the extent the information is available
15 and accessible within the constraints and configurations of existing
16 department records. Any person who receives any information
17 under this subdivision shall make a written report of the
18 information to the Investigations Division of the Department of
19 Motor Vehicles, for filing under the normal procedures of that
20 division.

21 *(af) To enable the Department of Finance to prepare and submit*
22 *the report required by Section 13084 of the Government Code that*
23 *identifies all employers in California that employ 50 or more*
24 *employees who receive benefits from either of the following*
25 *programs: the Medi-Cal program (Chapter 7 (commencing with*
26 *Section 14000) of Part 3 of Division 9 of the Welfare and*
27 *Institutions Code) or the CalFresh program (Chapter 10*
28 *(commencing with Section 18900) of Part 6 of Division 9 of the*
29 *Welfare and Institutions Code). The information used for this*
30 *purpose shall be limited to information obtained pursuant to*
31 *Section 11026.5 of the Welfare and Institutions Code and from the*
32 *administration of personal income tax wage withholding pursuant*
33 *to Division 6 (commencing with Section 13000) and the disability*
34 *insurance program and may be disclosed to the Department of*
35 *Finance only for the purpose of preparing and submitting the*
36 *report and only to the extent not prohibited by federal law.*

37 *(ag) To enable the Department of Corrections and Rehabilitation*
38 *to obtain quarterly wage data of former inmates who have been*
39 *incarcerated within the prison system in order to assess the impact*
40 *of rehabilitation services or the lack of these services on the*

1 *employment and earnings of these former inmates. Quarterly data*
2 *for a former inmate's employment status and wage history shall*
3 *be provided for a period of one year, three years, and five years*
4 *following release. The data shall only be used for the purpose of*
5 *tracking outcomes for former inmates in order to assess the*
6 *effectiveness of rehabilitation strategies on the wages and*
7 *employment histories of those formerly incarcerated. The*
8 *information shall be provided to the department to the extent not*
9 *prohibited by federal law.*

10 *SEC. 3.8. Section 1095 of the Unemployment Insurance Code*
11 *is amended to read:*

12 1095. The director shall permit the use of any information in
13 his or her possession to the extent necessary for any of the
14 following purposes and may require reimbursement for all direct
15 costs incurred in providing any and all information specified in
16 this section, except information specified in subdivisions (a) to
17 (e), inclusive:

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

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

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

23 (d) To furnish an employer or his or her authorized agent with
24 information to enable him or her to fully discharge his or her
25 obligations or safeguard his or her rights under this division or
26 Division 3 (commencing with Section 9000).

27 (e) To enable an employer to receive a reduction in contribution
28 rate.

29 (f) To enable federal, state, or local ~~government~~ *governmental*
30 departments or agencies, subject to federal law, to verify or
31 determine the eligibility or entitlement of an applicant for, or a
32 recipient of, public social services provided pursuant to Division
33 9 (commencing with Section 10000) of the Welfare and Institutions
34 Code, or Part A of Title IV of the ~~Social Security Act~~, *federal*
35 *Social Security Act (42 U.S.C. Sec. 601 et seq.)*, where the
36 verification or determination is directly connected with, and limited
37 to, the administration of public social services.

38 (g) To enable county administrators of general relief or
39 assistance, or their representatives, to determine entitlement to
40 locally provided general relief or assistance, where the

1 determination is directly connected with, and limited to, the
2 administration of general relief or assistance.

3 (h) To enable state or local governmental departments or
4 agencies to seek criminal, civil, or administrative remedies in
5 connection with the unlawful application for, or receipt of, relief
6 provided under Division 9 (commencing with Section 10000) of
7 the Welfare and Institutions Code or to enable the collection of
8 expenditures for medical assistance services pursuant to Part 5
9 (commencing with Section 17000) of Division 9 of the Welfare
10 and Institutions Code.

11 (i) To provide any law enforcement agency with the name,
12 address, telephone number, birth date, social security number,
13 physical description, and names and addresses of present and past
14 employers, of any victim, suspect, missing person, potential
15 witness, or person for whom a felony arrest warrant has been
16 issued, when a request for this information is made by any
17 investigator or peace officer as defined by Sections 830.1 and
18 830.2 of the Penal Code, or by any federal law enforcement officer
19 to whom the Attorney General has delegated authority to enforce
20 federal search warrants, as defined under Sections 60.2 and 60.3
21 of Title 28 of the Code of Federal Regulations, as amended, and
22 when the requesting officer has been designated by the head of
23 the law enforcement agency and requests this information in the
24 course of and as a part of an investigation into the commission of
25 a crime when there is a reasonable suspicion that the crime is a
26 felony and that the information would lead to relevant evidence.
27 The information provided pursuant to this subdivision shall be
28 provided to the extent permitted by federal law and regulations,
29 and to the extent the information is available and accessible within
30 the constraints and configurations of existing department records.
31 Any person who receives any information under this subdivision
32 shall make a written report of the information to the law
33 enforcement agency that employs him or her, for filing under the
34 normal procedures of that agency.

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

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

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

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

9 (j) To provide public employee retirement systems in California
10 with information relating to the earnings of any person who has
11 applied for or is receiving a disability income, disability allowance,
12 or disability retirement allowance, from a public employee
13 retirement system. The earnings information shall be released only
14 upon written request from the governing board specifying that the
15 person has applied for or is receiving a disability allowance or
16 disability retirement allowance from its retirement system. The
17 request may be made by the chief executive officer of the system
18 or by an employee of the system so authorized and identified by
19 name and title by the chief executive officer in writing.

20 (k) To enable the Division of Labor Standards Enforcement in
21 the Department of Industrial Relations to seek criminal, civil, or
22 administrative remedies in connection with the failure to pay, or
23 the unlawful payment of, wages pursuant to Chapter 1
24 (commencing with Section 200) of Part 1 of Division 2 of, and
25 Chapter 1 (commencing with Section 1720) of Part 7 of Division
26 2 of, the Labor Code.

27 (l) To enable federal, state, or local governmental departments
28 or agencies to administer child support enforcement programs
29 under *Part D of* Title IV of the federal Social Security Act (42
30 U.S.C. Sec. 651 et seq.).

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

37 (n) To provide federal, state, or local governmental departments
38 or agencies with information concerning any individuals who are
39 or have been:

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

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

9 (o) To provide an authorized governmental agency with any or
10 all relevant information that relates to any specific workers'
11 compensation insurance fraud investigation. The information shall
12 be provided to the extent permitted by federal law and regulations.
13 For the purposes of this subdivision, "authorized governmental
14 agency" means the district attorney of any county, the office of
15 the Attorney General, the Contractors' State License Board, the
16 Department of Industrial Relations, and the Department of
17 Insurance. An authorized governmental agency may disclose this
18 information to the State Bar, the Medical Board of California, or
19 any other licensing board or department whose licensee is the
20 subject of a workers' compensation insurance fraud investigation.
21 This subdivision shall not prevent any authorized governmental
22 agency from reporting to any board or department the suspected
23 misconduct of any licensee of that body.

24 (p) To enable the Director of ~~the Bureau for Private~~
25 ~~Postsecondary Education, Consumer Affairs,~~ or his or her
26 representatives, to access unemployment insurance quarterly wage
27 data on a case-by-case basis to verify information on school
28 administrators, school staff, and students provided by those schools
29 who are being investigated for possible violations of Chapter 8
30 (commencing with Section 94800) of Part 59 of Division 10 of
31 Title 3 of the Education Code.

32 (q) To provide employment tax information to the tax officials
33 of Mexico, if a reciprocal agreement exists. For purposes of this
34 subdivision, "reciprocal agreement" means a formal agreement to
35 exchange information between national taxing officials of Mexico
36 and taxing authorities of the State Board of Equalization, the
37 Franchise Tax Board, and the Employment Development
38 Department. Furthermore, the reciprocal agreement shall be limited
39 to the exchange of information that is essential for tax
40 administration purposes only. Taxing authorities of the State of

1 California shall be granted tax information only on California
2 residents. Taxing authorities of Mexico shall be granted tax
3 information only on Mexican nationals.

4 (r) To enable city and county planning agencies to develop
5 economic forecasts for planning purposes. The information shall
6 be limited to businesses within the jurisdiction of the city or county
7 whose planning agency is requesting the information, and shall
8 not include information regarding individual employees.

9 (s) To provide the State Department of Developmental Services
10 with wage and employer information that will assist in the
11 collection of moneys owed by the recipient, parent, or any other
12 legally liable individual for services and supports provided pursuant
13 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
14 and Chapter 2 (commencing with Section 7200) and Chapter 3
15 (commencing with Section 7500) of Division 7 of, the Welfare
16 and Institutions Code.

17 (t) To provide the State Board of Equalization with employment
18 tax information that will assist in the administration of tax
19 programs. The information shall be limited to the exchange of
20 employment tax information essential for tax administration
21 purposes to the extent permitted by federal law and regulations.

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

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

- 30 (1) The total amount of the assessment.
- 31 (2) The amount of the penalty imposed under Section 1128 or
32 1128.1 that is included in the assessment.
- 33 (3) The facts that resulted in the charging of the penalty under
34 Section 1128 or 1128.1.

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

38 (x) To provide any peace officer with the Division of
39 Investigation in the Department of Consumer Affairs information
40 pursuant to subdivision (i) when the requesting peace officer has

1 been designated by the ~~Chief~~ *chief* of the Division of Investigation
2 and requests this information in the course of and as part of an
3 investigation into the commission of a crime or other unlawful act
4 when there is reasonable suspicion to believe that the crime or act
5 may be connected to the information requested and would lead to
6 relevant information regarding the crime or unlawful act.

7 (y) To enable the Labor Commissioner of the Division of Labor
8 Standards Enforcement in the Department of Industrial Relations
9 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
10 uninsured employers. The information shall be provided to the
11 extent permitted by federal law and regulations.

12 (z) To enable the Chancellor of the California Community
13 Colleges, in accordance with the requirements of Section 84754.5
14 of the Education Code, to obtain quarterly wage data, commencing
15 January 1, 1993, on students who have attended one or more
16 community colleges, to assess the impact of education on the
17 employment and earnings of students, to conduct the annual
18 evaluation of district-level and individual college performance in
19 achieving priority educational outcomes, and to submit the required
20 reports to the Legislature and the Governor. The information shall
21 be provided to the extent permitted by federal statutes and
22 regulations.

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

28 (ab) To enable the State Department of Education, the University
29 of California, the California State University, and the Chancellor
30 of the California Community Colleges, pursuant to the
31 requirements prescribed by the federal American Recovery and
32 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
33 wage data, commencing July 1, 2010, on students who have
34 attended their respective systems to assess the impact of education
35 on the employment and earnings of those students, to conduct the
36 annual analysis of district-level and individual district or
37 postsecondary education system performance in achieving priority
38 educational outcomes, and to submit the required reports to the
39 Legislature and the Governor. The information shall be provided
40 to the extent permitted by federal statutes and regulations.

1 (ac) To provide the Agricultural Labor Relations Board with
2 employee, wage, and employer information, for use in the
3 investigation or enforcement of the
4 Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations
5 Act of 1975 (Part 3.5 (commencing with Section 1140) of Division
6 2 of the Labor Code). The information shall be provided to the
7 extent permitted by federal statutes and regulations.

8 (ad) (1) To enable the State Department of Health Care
9 Services, the California Health Benefit Exchange, the Managed
10 Risk Medical Insurance Board, and county departments and
11 agencies to obtain information regarding employee wages,
12 California employer names and account numbers, employer reports
13 of wages and number of employees, and disability insurance and
14 unemployment insurance claim information, for the purpose of:

15 (A) Verifying or determining the eligibility of an applicant for,
16 or a recipient of, state health subsidy programs, limited to the
17 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
18 with Section 14000) of Part 3 of Division 9 of the Welfare and
19 Institutions Code; the Healthy Families Program, provided pursuant
20 to Part 6.2 (commencing with Section 12693) of Division 2 of the
21 Insurance Code; and the Access for Infants and Mothers Program,
22 provided pursuant to Part 6.3 (commencing with Section 12695)
23 of Division 2 of the Insurance Code; where the verification or
24 determination is directly connected with, and limited to, the
25 administration of the state health subsidy programs referenced in
26 this subparagraph.

27 (B) Verifying or determining the eligibility of an applicant for,
28 or a recipient of, federal subsidies offered through the California
29 Health Benefit Exchange, provided pursuant to Title 22
30 (commencing with Section 100500) of the Government Code,
31 including federal tax credits and cost-sharing assistance pursuant
32 to the federal Patient Protection and Affordable Care Act (Public
33 Law 111-148), as amended by the federal Health Care and
34 Education Reconciliation Act of 2010 (Public Law 111-152), where
35 the verification or determination is directly connected with, and
36 limited to, the administration of the California Health Benefit
37 Exchange.

38 (C) Verifying or determining the eligibility of employees and
39 employers for health coverage through the Small Business Health
40 Options Program, provided pursuant to Section 100502 of the

1 Government Code, where the verification or determination is
2 directly connected with, and limited to, the administration of the
3 Small Business Health Options Program.

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

8 (ae) To provide any peace officer with the Investigations
9 Division of the Department of Motor Vehicles with information
10 pursuant to subdivision (i), when the requesting peace officer has
11 been designated by the Chief of the Investigations Division and
12 requests this information in the course of, and as part of, an
13 investigation into identity theft, counterfeiting, document fraud,
14 or consumer fraud, and there is reasonable suspicion that the crime
15 is a felony and that the information would lead to relevant evidence
16 regarding the identity theft, counterfeiting, document fraud, or
17 consumer fraud. The information provided pursuant to this
18 subdivision shall be provided to the extent permitted by federal
19 law and regulations, and to the extent the information is available
20 and accessible within the constraints and configurations of existing
21 department records. Any person who receives any information
22 under this subdivision shall make a written report of the
23 information to the Investigations Division of the Department of
24 Motor Vehicles, for filing under the normal procedures of that
25 division.

26 *(af) To enable the Department of Finance to prepare and submit*
27 *the report required by Section 13084 of the Government Code that*
28 *identifies all employers in California that employ 50 or more*
29 *employees who receive benefits from either of the following*
30 *programs: the Medi-Cal program (Chapter 7 (commencing with*
31 *Section 14000) of Part 3 of Division 9 of the Welfare and*
32 *Institutions Code) or the CalFresh program (Chapter 10*
33 *(commencing with Section 18900) of Part 6 of Division 9 of the*
34 *Welfare and Institutions Code). The information used for this*
35 *purpose shall be limited to information obtained pursuant to*
36 *Section 11026.5 of the Welfare and Institutions Code and from the*
37 *administration of personal income tax wage withholding pursuant*
38 *to Division 6 (commencing with Section 13000) and the disability*
39 *insurance program and may be disclosed to the Department of*

1 *Finance only for the purpose of preparing and submitting the*
2 *report and only to the extent not prohibited by federal law.*

3 *(ag) To provide, to the extent permitted by federal law and*
4 *regulations, the Student Aid Commission with wage information*
5 *in order to verify the employment status of an individual applying*
6 *for a Cal Grant C award pursuant to subdivision (c) of Section*
7 *69439 of the Education Code.*

8 *(ah) To enable the Department of Corrections and Rehabilitation*
9 *to obtain quarterly wage data of former inmates who have been*
10 *incarcerated within the prison system in order to assess the impact*
11 *of rehabilitation services or the lack of these services on the*
12 *employment and earnings of these former inmates. Quarterly data*
13 *for a former inmate's employment status and wage history shall*
14 *be provided for a period of one year, three years, and five years*
15 *following release. The data shall only be used for the purpose of*
16 *tracking outcomes for former inmates in order to assess the*
17 *effectiveness of rehabilitation strategies on the wages and*
18 *employment histories of those formerly incarcerated. The*
19 *information shall be provided to the department to the extent not*
20 *prohibited by federal law.*

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

23 11026.5. (a) To the extent not prohibited by federal law, the
24 State Department of Health Care Services shall annually inform
25 the Employment Development Department of the names and social
26 security numbers of all recipients of the benefits of the Medi-Cal
27 program (Chapter 7 (commencing with Section 14000)) and
28 CalFresh program (Chapter 10 (commencing with Section 18900))
29 of Part 6).

30 (b) The State Department of Health Care Services ~~and the State~~
31 ~~Department of Social Services~~ shall determine the average per
32 individual cost of state and federally funded benefits across the
33 program excluding administrative costs described in subdivision
34 (a). These departments shall then inform the Employment
35 Development Department of these costs in order for the
36 Employment Development Department to calculate the information
37 that is required to be reported pursuant to Section 13084 of the
38 Government Code.

39 SEC. 5. (a) Section 3.2 of this bill incorporates amendments
40 to Section 1095 of the Unemployment Insurance Code proposed

1 by both this bill and Senate Bill 1028. It shall only become
2 operative if (1) both bills are enacted and become effective on or
3 before January 1, 2015, (2) each bill amends Section 1095 of the
4 Unemployment Insurance Code, and (3) Senate Bill 1141 is not
5 enacted or as enacted does not amend that section, and (4) this
6 bill is enacted after Senate Bill 1028, in which case Sections 3,
7 3.5, and 3.8 of this bill shall not become operative.

8 (b) Section 3.5 of this bill incorporates amendments to Section
9 1095 of the Unemployment Insurance Code proposed by both this
10 bill and Senate Bill 1141. It shall only become operative if (1) both
11 bills are enacted and become effective on or before January 1,
12 2015, (2) each bill amends Section 1095 of the Unemployment
13 Insurance Code, (3) Senate Bill 1028 is not enacted or as enacted
14 does not amend that section, and (4) this bill is enacted after Senate
15 Bill 1141 in which case Sections 3, 3.2, and 3.8 of this bill shall
16 not become operative.

17 (c) Section 3.8 of this bill incorporates amendments to Section
18 1095 of the Unemployment Insurance Code proposed by this bill,
19 Senate Bill 1141, and Senate Bill 1028. It shall only become
20 operative if (1) all three bills are enacted and become effective on
21 or before January 1, 2015, (2) all three bills amend Section 1095
22 of the Unemployment Insurance Code, and (3) this bill is enacted
23 after Senate Bill 1141 and Senate Bill 1028, in which case Sections
24 3, 3.2, and 3.5 of this bill shall not become operative.

25 ~~SEC. 5.~~

26 SEC. 6. No reimbursement is required by this act pursuant to
27 Section 6 of Article XIII B of the California Constitution because
28 the only costs that may be incurred by a local agency or school
29 district will be incurred because this act creates a new crime or
30 infraction, eliminates a crime or infraction, or changes the penalty
31 for a crime or infraction, within the meaning of Section 17556 of
32 the Government Code, or changes the definition of a crime within
33 the meaning of Section 6 of Article XIII B of the California
34 Constitution.

O