

AMENDED IN ASSEMBLY AUGUST 14, 2013

AMENDED IN SENATE APRIL 4, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 479

Introduced by Senator Block

February 21, 2013

An act to amend Sections 6204, 12153, 12168.7, 12224, 12225, 12227, 12228, 12229, 12230, 12231, 12232, 12233, 12236, 14740, 14745, and 14746 of, *to amend and repeal Sections 12234 and 12235 of*, to add *Sections 14751, 14757, 14768.1, and 14769.1 to*, and to add Article 7 (commencing with Section 12270) to Chapter 3 of Part 2 of Division 3 of Title 2 of, ~~to repeal Sections 12234 and 12235 of~~, and to repeal Article 3 (commencing with Section 14750), Article 4 (commencing with Section 14755), Article 6 (commencing with Section 14765), and Article 7 (commencing with Section 14769) of, Chapter 5 of Part 5.5 of Division 3 of Title 2 of, the Government Code, and to amend Section 135 of the Labor Code, relating to state records.

LEGISLATIVE COUNSEL'S DIGEST

SB 479, as amended, Block. State government: Secretary of State: duties.

Existing law requires the Secretary of State to appoint a competent person to the position of Keeper of the Archives. Existing law specifies that the Keeper of the Archives is responsible for the preservation and indexing of material deposited in the State Archives, and shall make the material readily available for use.

This bill would, *on July 1, 2014*, change the name of the Keeper of the Archives to the Chief of Archives.

Existing law, the State Records Management Act, provides for the Department of General Services to manage state records, as specified.

This bill would, *on July 1, 2014*, provide that the Secretary of State would manage state records and that the Department of General Services would store state records, as specified.

Existing law provides that the Workers’ Compensation Appeals Board may, with the approval of the Department of Finance, destroy or otherwise dispose of a file kept by it in connection with a proceeding regarding workers’ compensation and insurance, as provided.

This bill would instead, *on July 1, 2014*, provide that the Workers’ Compensation Appeals Board may, with the approval of the Secretary of State, destroy or otherwise dispose of a file kept by it in connection with a proceeding.

This bill would also, *on July 1, 2014*, make technical, nonsubstantive, and conforming changes to these provisions.

This bill would provide that it shall become operative only if funds are appropriated to the Secretary of State for the California Records and Information Management Program. This bill would require the Secretary of State to provide notice to the Legislative Counsel and post notice on its Internet Web site when the appropriation has been made.

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

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

- 1 SECTION 1. Section 6204 of the Government Code is amended
- 2 to read:
- 3 6204. (a) For purposes of this chapter, the following definitions
- 4 shall apply:
- 5 (1) “Archivist” means the Chief of Archives, as specified in
- 6 Section 12227.
- 7 (2) “Record” has the same meaning as “public records” is
- 8 defined in subdivision (e) of Section 6252, and includes, but is not
- 9 limited to, any writing containing information relating to the
- 10 conduct of the public’s business prepared, owned, used, or retained
- 11 by a state or local agency regardless of physical form or
- 12 characteristics.
- 13 (3) “Secretary” means the Secretary of State.
- 14 (b) Whenever the secretary, in consultation with the archivist,
- 15 has reasonable grounds to believe that a record belonging to the

1 state or a local agency is in the possession of a person, organization,
2 or institution not authorized by law to possess that record, the
3 secretary may issue a written notice demanding that person,
4 organization, or institution to do either of the following within 20
5 calendar days of receiving the notice:

6 (1) Return the record to the appropriate state or local agency.

7 (2) Respond in writing and declare why the record does not
8 belong to the state or a local agency.

9 (c) The notice and demand issued pursuant to subdivision (b)
10 shall identify the record claimed to belong to the state or local
11 agency with reasonable specificity, and shall state that the secretary
12 is authorized to take legal action to recover the record if the person,
13 organization, or institution fails to respond in writing within the
14 required time or does not adequately demonstrate that the record
15 does not belong to the state or a local agency.

16 (d) The secretary shall send the notice and demand specified in
17 subdivision (b) by certified or registered mail, return receipt
18 requested.

19 (e) When a record is returned pursuant to paragraph (1) of
20 subdivision (b), upon the request of the person, organization, or
21 institution that returned the record, the secretary or a local agency
22 that receives the record shall issue to that person, organization, or
23 institution a copy or digital image of the record, which shall be
24 certified as a true copy of the record that was returned to the state
25 or local agency, and dated on the same day the record was returned.

26 (f) *Notwithstanding any other law, the amendments made to*
27 *this section by the act adding this subdivision shall become*
28 *operative on July 1, 2014.*

29 SEC. 2. Section 12153 of the Government Code is amended
30 to read:

31 12153. (a) The Secretary of State shall appoint a competent
32 person to the position of Chief of Archives.

33 In case of his or her absence or inability to perform the duties
34 of his or her position, the Secretary of State shall designate some
35 other competent person to act in his or her place.

36 (b) *Notwithstanding any other law, the amendments made to*
37 *this section by the act adding this subdivision shall become*
38 *operative on July 1, 2014.*

39 SEC. 3. Section 12168.7 of the Government Code is amended
40 to read:

1 12168.7. (a) The California Legislature hereby recognizes the
2 need to adopt uniform statewide standards for the purpose of
3 storing and recording permanent and nonpermanent documents in
4 electronic media.

5 (b) In order to ensure that uniform statewide standards remain
6 current and relevant, the Secretary of State shall approve and adopt
7 appropriate standards established by the American National
8 Standards Institute or the Association for Information and Image
9 Management.

10 (c) The standards specified in subdivision (b) shall include a
11 requirement that a trusted system be utilized. For this purpose and
12 for purposes of Sections 25105, 26205, 26205.1, 26205.5, 26907,
13 27001, 27322.2, 34090.5, and 60203, Section 102235 of the Health
14 and Safety Code, and Section 10851 of the Welfare and Institutions
15 Code, “trusted system” means a combination of techniques,
16 policies, and procedures for which there is no plausible scenario
17 in which a document retrieved from or reproduced by the system
18 could differ substantially from the document that is originally
19 stored.

20 (d) In order to develop statewide standards as expeditiously as
21 possible, and until the time that statewide standards are adopted
22 pursuant to subdivision (b), state officials shall ensure that
23 microfilming, electronic data imaging, and photographic
24 reproduction are done in compliance with the minimum standards
25 or guidelines, or both, as recommended by the American National
26 Standards Institute or the Association for Information and Image
27 Management for recording of permanent records or nonpermanent
28 records.

29 *(e) Notwithstanding any other law, the amendments made to*
30 *this section by the act adding this subdivision shall become*
31 *operative on July 1, 2014.*

32 SEC. 4. Section 12224 of the Government Code is amended
33 to read:

34 12224. (a) The Secretary of State may receive into the archives
35 any item that he or she deems to be of historical value.

36 *(b) Notwithstanding any other law, the amendments made to*
37 *this section by the act adding this subdivision shall become*
38 *operative on July 1, 2014.*

39 SEC. 5. Section 12225 of the Government Code is amended
40 to read:

1 12225. (a) The Secretary of State may at any time return to
2 the state agency from which it was received any item in the
3 archives which he or she does not deem to be of historical value.

4 (b) *Notwithstanding any other law, the amendments made to*
5 *this section by the act adding this subdivision shall become*
6 *operative on July 1, 2014.*

7 SEC. 6. Section 12227 of the Government Code is amended
8 to read:

9 12227. (a) The Chief of Archives is responsible for the
10 preservation and indexing of material deposited in the State
11 Archives, and shall make the material readily available for use.

12 (b) *Notwithstanding any other law, the amendments made to*
13 *this section by the act adding this subdivision shall become*
14 *operative on July 1, 2014.*

15 SEC. 7. Section 12228 of the Government Code is amended
16 to read:

17 12228. (a) The Chief of Archives shall give an appropriate
18 receipt for all material received by him or her as a part of the
19 archives.

20 (b) *Notwithstanding any other law, the amendments made to*
21 *this section by the act adding this subdivision shall become*
22 *operative on July 1, 2014.*

23 SEC. 8. Section 12229 of the Government Code is amended
24 to read:

25 12229. (a) The Secretary of State may maintain any item in
26 an active file in his or her office for such time as he or she deems
27 proper before transferring it to the archives.

28 (b) *Notwithstanding any other law, the amendments made to*
29 *this section by the act adding this subdivision shall become*
30 *operative on July 1, 2014.*

31 SEC. 9. Section 12230 of the Government Code is amended
32 to read:

33 12230. (a) The Secretary of State shall establish a Document
34 Preservation Shop and an Indexing Section to facilitate the
35 preservation and indexing of the archives.

36 (b) *Notwithstanding any other law, the amendments made to*
37 *this section by the act adding this subdivision shall become*
38 *operative on July 1, 2014.*

39 SEC. 10. Section 12231 of the Government Code is amended
40 to read:

1 12231. (a) In carrying out the provisions of this article, the
2 Secretary of State shall consult with and give consideration to the
3 recommendations of the California Historical Records Advisory
4 Board, which for that purpose shall serve in an advisory capacity
5 to the Secretary of State.

6 (b) *Notwithstanding any other law, the amendments made to*
7 *this section by the act adding this subdivision shall become*
8 *operative on July 1, 2014.*

9 SEC. 11. Section 12232 of the Government Code is amended
10 to read:

11 12232. (a) The Secretary of State shall utilize the California
12 Historical Records Advisory Board to advise, encourage, and
13 coordinate the activities of the county historical records
14 commissions, either designated or appointed by the county boards
15 of supervisors pursuant to Section 26490. The chairman or his or
16 her designee of each county historical records commission may
17 attend an annual meeting, at state expense, to receive advice in the
18 preservation of local government archives and public library
19 collections of historical materials.

20 (b) *Notwithstanding any other law, the amendments made to*
21 *this section by the act adding this subdivision shall become*
22 *operative on July 1, 2014.*

23 SEC. 12. Section 12233 of the Government Code is amended
24 to read:

25 12233. (a) The Secretary of State shall conduct under the
26 administration of the State Archives a regular governmental history
27 documentation program to provide through the use of oral history
28 a continuing documentation of state policy development as
29 reflected in California's legislative and executive history. The
30 secretary may contract with oral history units affiliated with public
31 or private nonprofit colleges, universities, or historical societies
32 located in California to perform selected program activities. The
33 secretary shall prescribe professional standards for the
34 accomplishment and governance of the program.

35 (b) *Notwithstanding any other law, the amendments made to*
36 *this section by the act adding this subdivision shall become*
37 *operative on July 1, 2014.*

38 ~~SEC. 13. Section 12234 of the Government Code is repealed.~~

39 SEC. 13. Section 12234 of the Government Code is amended
40 to read:

1 12234. (a) The secretary shall conduct a feasibility study to
2 assess the needs, costs, and appropriate location for a new facility
3 or conversion of an existing facility, or both, to house the
4 collections and operations of the California State Archives for at
5 least the next 50 years. The study shall take into consideration the
6 appropriateness of combining compatible needs of other agencies
7 to allow for cost-effective construction or conversion, or both, of
8 facilities.

9 (b) *This section shall become inoperative on July 1, 2014, and,*
10 *as of January 1, 2015, is repealed, unless a later enacted statute,*
11 *that becomes operative on or before January 1, 2015, deletes or*
12 *extends the dates on which it becomes inoperative and is repealed.*

13 ~~SEC. 14. Section 12235 of the Government Code is repealed.~~

14 *SEC. 14. Section 12235 of the Government Code is amended*
15 *to read:*

16 12235. (a) The Director of General Services, as agent for the
17 Secretary of State, shall construct on Site 7, Capital Area Plan, a
18 Secretary of State and State Archives Building Complex, parking
19 facilities, and any other improvements, betterments, and facilities
20 related thereto, for the primary use of the Secretary of State and
21 State Archives as outlined in the study report required by Section
22 12234.

23 (b) Revenue bonds, negotiable notes, and negotiable bond
24 anticipation notes may be issued by the State Public Works Board
25 pursuant to the State Building Construction Act of 1955, Part 10b
26 (commencing with Section 15800), to finance the construction and
27 equipping of the Secretary of State and State Archives Building
28 Complex, parking facilities, and any other improvements,
29 betterments, and facilities related thereto as described in
30 subdivision (a).

31 (c) The amount of revenue bonds, negotiable notes, or negotiable
32 bond anticipation notes to be sold shall equal the cost of
33 construction and equipping of the complex and facilities, the cost
34 of working drawings, sums necessary to pay financing costs,
35 including interest during construction, and a reasonable reserve
36 fund. Construction costs shall not exceed one hundred million
37 dollars (\$100,000,000) based on the Lee-Saylor Cost Index 433.

38 (d) The amount of negotiable bond anticipation notes sold shall
39 not exceed the amount of revenue bonds and negotiable notes
40 authorized by this section. Any augmentation of the approved

1 project costs shall be subject to Section 13332.11. The board may
 2 borrow funds for project costs from the Pooled Money Investment
 3 Account pursuant to Sections 16312 and 16313.

4 (e) At least 20 days prior to the award of the principal bid for
 5 the construction of the complex, the director shall notify the
 6 chairpersons of the fiscal committees of each house of the
 7 Legislature of the amount of the bid.

8 (f) (1) The Director of General Services may lease the complex
 9 and facilities financed with the proceeds of the revenue bonds,
 10 negotiable notes, or negotiable bond anticipation notes from the
 11 board pursuant to Section 15817 for use by the Secretary of State
 12 and State Archives.

13 (2) The director shall notify the Chairperson of the Joint
 14 Legislative Budget Committee of the director’s intention to execute
 15 any lease agreement authorized by paragraph (1) at least 20 days
 16 prior to its execution.

17 (g) *This section shall become inoperative on July 1, 2014, and,*
 18 *as of January 1, 2015, is repealed, unless a later enacted statute,*
 19 *that becomes operative on or before January 1, 2015, deletes or*
 20 *extends the dates on which it becomes inoperative and is repealed.*

21 SEC. 15. Section 12236 of the Government Code is amended
 22 to read:

23 12236. (a) The Secretary of State shall establish a Local
 24 Government Records Program to be administered by the State
 25 Archives to establish guidelines for local government records
 26 retention and to provide archival support to local agencies in this
 27 state.

28 (b) The Secretary of State shall establish, publish, update, and
 29 maintain on a permanent basis guidelines for local government
 30 records retention. The Secretary of State may consult with
 31 appropriate professional organizations representing city, county,
 32 and special district records administrators regarding the
 33 establishment of these guidelines.

34 (c) The program shall be primarily responsible for the
 35 performance of the following functions:

36 (1) Publish the guidelines developed pursuant to subdivision

37 (b) in paper form initially and on the Internet Web site for the
 38 Secretary of State.

39 (2) Monitor and review changes in state laws and administrative
 40 regulations that pertain to local government records retention.

1 (3) Monitor practices and procedures in records administration
2 that have bearing on local government records retention and
3 management.

4 (4) Update published guidelines on a current and timely basis
5 as changes occur.

6 (5) Make supporting information about state laws and
7 administrative regulations that pertain to local government records
8 retention available to local government agencies.

9 (6) Function as the liaison for the State Archives with
10 appropriate professional organizations.

11 (7) Maintain communication with individual local government
12 agencies.

13 (8) Consult and provide information and advice to local
14 government agencies on archival and records management
15 practices.

16 (9) Consult and provide information and advice to local
17 government agencies on history and heritage.

18 *(d) Notwithstanding any other law, the amendments made to*
19 *this section by the act adding this subdivision shall become*
20 *operative on July 1, 2014.*

21 SEC. 16. Article 7 (commencing with Section 12270) is added
22 to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government
23 Code, to read:

24
25 Article 7. State Records Management Act

26
27 12270. This article shall be known as the State Records
28 Management Act.

29 12271. For the purposes of this article, the following terms
30 shall have the following meanings:

31 (a) "Acquire" includes acquisition by gift, purchase, lease,
32 eminent domain, or otherwise.

33 (b) "Archival value" means the ongoing usefulness or
34 significance of a record based on the administrative, legal, fiscal,
35 evidential, or historical information it contains, justifying its
36 permanent preservation.

37 (c) "Public record plant" means the plant, or any part thereof,
38 or any record therein, of any person engaged in the business of
39 searching or publishing public records or insuring or guaranteeing
40 titles to real property, including copies of public records or

1 abstracts and memoranda taken from public records that are owned
2 by or in possession of that person or that are used by that person
3 in his or her business.

4 (d) “Public use form” means a form used by the state to obtain
5 or to solicit facts, opinions, or other information from the public
6 or a private citizen, partnership, corporation, organization, business
7 trust, or nongovernmental entity or legal representative thereof.

8 (e) “Record” means a paper, map, exhibit, magnetic or paper
9 tape, photographic film or print, punched card, and other documents
10 produced, received, owned, or used by an agency, regardless of
11 its physical form or characteristics. Library and museum materials
12 made or acquired and preserved solely for reference or exhibition
13 purposes and stocks of publications and of processed documents
14 are not included within the definition of the term “record” as used
15 in this article.

16 12272. (a) The Secretary of State shall establish and administer
17 a records management program that will apply efficient and
18 economical management methods to the creation, utilization,
19 maintenance, retention, preservation, and disposal of state records.

20 (b) The duties of the Secretary of State shall include, but shall
21 not be limited to:

22 (1) Establishing standards, procedures, and techniques for
23 effective management of records.

24 (2) Obtaining from agencies reports required for the
25 administration of the program.

26 12273. Notwithstanding any other law, a record held in the
27 State Records Center or by a state agency determined by the
28 Secretary of State to have archival value and to be at risk of damage
29 or loss, or in poor physical condition, shall be transferred to the
30 State Archives at the direction of the Secretary of State with
31 notification to the head of the agency not less than 10 days prior
32 to the transfer. The Secretary of State shall enforce all statutory
33 requirements regarding the confidentiality of records transferred
34 to the State Archives pursuant to this section and shall make the
35 records available to authorized individuals or the public, as
36 determined by applicable law.

37 12274. The head of a state agency shall do all of the following:

38 (a) Establish and maintain an active, continuing program for
39 the economical and efficient management of the records and
40 information collection practices of the agency. The program shall

1 ensure that the information needed by the agency may be obtained
2 with a minimum burden upon individuals and businesses, especially
3 small business enterprises and others required to furnish the
4 information. Unnecessary duplication of efforts in obtaining
5 information shall be eliminated as rapidly as practical. Information
6 collected by the agency shall, as far as is expedient, be collected
7 and tabulated in a manner that maximizes the usefulness of the
8 information to other state agencies and the public.

9 (b) Determine, with the concurrence of the Secretary of State,
10 records essential to the functioning of state government in the
11 event of a major disaster.

12 (c) When requested by the Secretary of State, provide a written
13 justification for storage or extension of scheduled retention of a
14 record in the State Records Center for a period of 50 years or more.
15 *The Secretary of State shall review and approve any scheduled*
16 *retention of a record in the State Records center exceeding a period*
17 *of 50 years or more. A record deemed to have archival value as*
18 *defined by subdivision (b) of Section 12271 shall be transferred*
19 *to the State Archives.*

20 (d) Comply with the rules, regulations, standards, and procedures
21 issued by the Secretary of State.

22 12275. (a) A record shall not be destroyed or otherwise
23 disposed of by an agency of the state, unless it is determined by
24 the Secretary of State that the record has no further administrative,
25 legal, or fiscal value and the Secretary of State has determined that
26 the record is inappropriate for preservation in the State Archives.

27 (b) The Secretary of State shall not authorize the destruction of
28 a record subject to audit until he or she has determined that the
29 audit has been performed.

30 (c) The Secretary of State shall not authorize the destruction of
31 all or any part of an agency rulemaking file subject to Section
32 11347.3.

33 12276. (a) The public records of a state agency may be
34 microfilmed, electronically data imaged, or otherwise
35 photographically reproduced and certified upon the written
36 authorization of the head of the agency. The microfilming,
37 electronic data imaging, or photographic reproduction shall be
38 made in compliance with the minimum standards or guidelines,
39 or both, as recommended by the American National Standards
40 Institute or the Association for Information and Image

1 Management, and as adopted by the Secretary of State, for
2 recording of permanent records or nonpermanent records.

3 (b) The certification of each reproduction or set of reproductions
4 shall be in accordance with the standards, or have the approval, of
5 the Attorney General. The certification shall contain a statement
6 of the identity, description, and disposition or location of the
7 records reproduced, the date, reason, and authorization for the
8 reproduction, and other information that the Attorney General
9 requires.

10 (c) The certified reproductions shall be deemed to be original
11 public records for all purposes, including introduction in courts of
12 law and state agencies.

13 12277. A person, other than a temporary employee, serving in
14 the state civil service and employed by the Department of General
15 Services in the California Records and Information Management
16 Program shall remain in the state civil service and is hereby
17 transferred to the Secretary of State. The status, position, and rights
18 of the person shall not be affected by the transfer and shall continue
19 to be retained by the person pursuant to the State Civil Service
20 Act.

21 12278. All equipment and records in the California Records
22 and Information Management Program in the Department of
23 General Services are transferred to the Secretary of State.

24 12279. If a public record of a state agency has been lost or
25 destroyed by conflagration or other public calamity, the Secretary
26 of State may acquire the right to reproduce any portion of a public
27 record plant as is necessary for the purpose of restoring or replacing
28 the record or its substance.

29 *12280. This article shall become operative on July 1, 2014.*

30 SEC. 17. Section 14740 of the Government Code is amended
31 to read:

32 14740. (a) This chapter shall be known as the State Records
33 Storage Act.

34 (b) *Notwithstanding any other law, the amendments made to*
35 *this section by the act adding this subdivision shall become*
36 *operative on July 1, 2014.*

37 SEC. 18. Section 14745 of the Government Code is amended
38 to read:

39 14745. (a) The director shall establish and administer in the
40 executive branch of state government a records storage program

1 that will apply efficient and economical records storage methods
2 to the utilization, maintenance, retention, preservation, and disposal
3 of state records.

4 *(b) Notwithstanding any other law, the amendments made to*
5 *this section by the act adding this subdivision shall become*
6 *operative on July 1, 2014.*

7 SEC. 19. Section 14746 of the Government Code is amended
8 to read:

9 14746. The duties of the director shall include, but not be
10 limited to:

11 (a) Establishing standards, procedures, and techniques for
12 effective storage of records.

13 (b) Providing appropriate protection for records designated by
14 state agencies, with the concurrence of the director, as essential to
15 the functioning of state government in the event of a major disaster.

16 (c) Obtaining from agencies reports required for the
17 administration of the program.

18 (d) Establishing, maintaining, and operating record centers for
19 the storage, processing, and servicing of scheduled records for
20 state agencies pending their deposit with the State Archives or
21 their disposition in any other manner authorized by law.

22 *(e) Notwithstanding any other law, the amendments made to*
23 *this section by the act adding this subdivision shall become*
24 *operative on July 1, 2014.*

25 ~~SEC. 20. Article 3 (commencing with Section 14750) of~~
26 ~~Chapter 5 of Part 5.5 of Division 3 of Title 2 of the Government~~
27 ~~Code is repealed.~~

28 SEC. 20. Section 14751 is added to the Government Code, to
29 read:

30 14751. *This article shall become inoperative on July 1, 2014,*
31 *and, as of January 1, 2015, is repealed, unless a later enacted*
32 *statute, that becomes operative on or before January 1, 2015,*
33 *deletes or extends the dates on which it becomes inoperative and*
34 *is repealed.*

35 ~~SEC. 21. Article 4 (commencing with Section 14755) of~~
36 ~~Chapter 5 of Part 5.5 of Division 3 of Title 2 of the Government~~
37 ~~Code is repealed.~~

38 SEC. 21. Section 14757 is added to the Government Code, to
39 read:

1 14757. *This article shall become inoperative on July 1, 2014,*
2 *and, as of January 1, 2015, is repealed, unless a later enacted*
3 *statute, that becomes operative on or before January 1, 2015,*
4 *deletes or extends the dates on which it becomes inoperative and*
5 *is repealed.*

6 ~~SEC. 22. Article 6 (commencing with Section 14765) of~~
7 ~~Chapter 5 of Part 5.5 of Division 3 of Title 2 of the Government~~
8 ~~Code is repealed.~~

9 SEC. 22. *Section 14768.1 is added to the Government Code,*
10 *to read:*

11 14768.1. *This article shall become inoperative on July 1, 2014,*
12 *and, as of January 1, 2015, is repealed, unless a later enacted*
13 *statute, that becomes operative on or before January 1, 2015,*
14 *deletes or extends the dates on which it becomes inoperative and*
15 *is repealed.*

16 ~~SEC. 23. Article 7 (commencing with Section 14769) of~~
17 ~~Chapter 5 of Part 5.5 of Division 3 of Title 2 of the Government~~
18 ~~Code is repealed.~~

19 SEC. 23. *Section 14769.1 is added to the Government Code,*
20 *to read:*

21 14769.1. *This article shall become inoperative on July 1, 2014,*
22 *and, as of January 1, 2015, is repealed, unless a later enacted*
23 *statute, that becomes operative on or before January 1, 2015,*
24 *deletes or extends the dates on which it becomes inoperative and*
25 *is repealed.*

26 SEC. 24. Section 135 of the Labor Code is amended to read:

27 135. (a) In accordance with rules of practice and procedure
28 that it may adopt, the appeals board may, with the approval of the
29 Secretary of State, destroy or otherwise dispose of any file kept
30 by it in connection with any proceeding under Division 4
31 (commencing with Section 3200) or Division 4.5 (commencing
32 with Section 6100).

33 (b) *Notwithstanding any other law, the amendments made to*
34 *this section by the act adding this subdivision shall become*
35 *operative on July 1, 2014.*

36 SEC. 25. (a) *This act shall become operative only if funds are*
37 *appropriated to the Secretary of State for the California Records*
38 *and Information Management Program.*

- 1 *(b) The Secretary of State shall provide notice to the Legislative*
- 2 *Counsel and post notice on its Internet Web site when the*
- 3 *appropriation specified in subdivision (a) has been made.*

O