

**ASSEMBLY BILL**

**No. 83**

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**Introduced by Assembly Member Gatto**

January 6, 2015

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An act to amend Section 1798.3 of the Civil Code, relating to personal data.

LEGISLATIVE COUNSEL'S DIGEST

AB 83, as introduced, Gatto. Information Practices Act of 1977.

Existing law, the Information Practices Act of 1977, defines specified terms for its purposes.

This bill would make nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

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

1 SECTION 1. Section 1798.3 of the Civil Code is amended to  
2 read:  
3 1798.3. As used in this chapter:  
4 (a) ~~The term "personal"~~ "Personal information" means any  
5 information that is maintained by an agency that identifies or  
6 describes an individual, including, but not limited to, his or her  
7 name, social security number, physical description, home address,  
8 home telephone number, education, financial matters, and medical  
9 or employment history. It includes statements made by, or  
10 attributed to, the individual.

- 1 (b) ~~The term “agency”~~ “Agency” means ~~every~~ a state office,  
2 officer, department, division, bureau, board, commission, or other  
3 state agency, except that ~~the term~~ agency shall not include:
- 4 (1) The California Legislature.
- 5 (2) ~~Any~~ An agency established under Article VI of the California  
6 Constitution.
- 7 (3) The State Compensation Insurance Fund, except as to any  
8 records which contain personal information about the employees  
9 of the State Compensation Insurance Fund.
- 10 (4) A local agency, as defined in subdivision (a) of Section 6252  
11 of the Government Code.
- 12 (c) ~~The term “disclose”~~ “Disclose” means to disclose, release,  
13 transfer, disseminate, or otherwise communicate all or any part of  
14 any record orally, in writing, or by electronic or any other means  
15 to any person or entity.
- 16 (d) ~~The term “individual”~~ “Individual” means a natural person.
- 17 (e) ~~The term “maintain”~~ “Maintain” includes maintain, acquire,  
18 use, or disclose.
- 19 (f) ~~The term “person”~~ “Person” means any natural person,  
20 corporation, partnership, limited liability company, firm, or  
21 association.
- 22 (g) ~~The term “record”~~ “Record” means any file or grouping of  
23 information about an individual that is maintained by an agency  
24 by reference to an identifying particular such as the individual’s  
25 name, photograph, finger or voice print, or a number or symbol  
26 assigned to the individual.
- 27 (h) ~~The term “system of records”~~ “System of records” means  
28 one or more records, which pertain to one or more individuals,  
29 which is maintained by any agency, from which information is  
30 retrieved by the name of an individual or by some identifying  
31 number, symbol or other identifying particular assigned to the  
32 individual.
- 33 (i) ~~The term “governmental entity”~~ “Governmental entity”  
34 except as used in Section 1798.26, means any branch of the federal  
35 government or of the local government.
- 36 (j) ~~The term “commercial purpose”~~ “Commercial purpose”  
37 means any purpose which has financial gain as a major objective.  
38 It does not include the gathering or dissemination of newsworthy  
39 facts by a publisher or broadcaster.

1 (k) ~~The term “regulatory agency”~~ “*Regulatory agency*” means  
2 the Department of Business Oversight, the Department of  
3 Insurance, the Bureau of Real Estate, and agencies of the United  
4 States or of any other state responsible for regulating financial  
5 institutions.

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