

AMENDED IN ASSEMBLY APRIL 23, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1154

Introduced by Assembly Member Gray

February 27, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1154, as amended, Gray. The California Public Records Act: applications for licenses and licenses to carry firearms.

Existing law, the California Public Records Act, provides that public records are open to inspection at all times during the office hours of the state or local agency that retains those records, and every person has a right to inspect any public record, except as provided. However, existing law provides that nothing in the act shall be construed to require disclosure of information contained in an application for a license to carry a firearm that indicates when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of members of his or her family. Existing law also provides that the provisions shall not be construed to require disclosure of the home address and telephone number of prosecutors, public defenders, peace officers, judges, court commissioners, and magistrates that are set forth in applications for licenses or in licenses to carry firearms, as specified.

This bill would instead provide that the California Public Records Act shall not be construed to require the disclosure of ~~the home addresses~~ *home address information, as specified*, and telephone numbers of applicants that are set forth in applications to carry firearms

or of licensees that are set forth in licenses to carry firearms, as specified. This bill would also prohibit this provision from being construed as prohibiting the disclosure of public records relating to the reason an application for a license to carry a firearm was granted or denied, as specified. Because this bill would increase the duties of county sheriffs and the chiefs or other heads of police departments that issue firearms license applications, this bill would impose a state-mandated local program.

This bill would also make technical, nonsubstantive changes to these provisions.

Existing constitutional provisions require that a statute that limits the right of access to public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

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. Section 6254 of the Government Code is amended
- 2 to read:
- 3 6254. Except as provided in Sections 6254.7 and 6254.13,
- 4 nothing in this chapter shall be construed to require the disclosure
- 5 of records that are any of the following:
- 6 (a) Preliminary drafts, notes, or interagency or intra-agency
- 7 memoranda that are not retained by the public agency in the

1 ordinary course of business, if the public interest in withholding
2 those records clearly outweighs the public interest in disclosure.

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

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

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

10 (1) Applications filed with any state agency responsible for the
11 regulation or supervision of the issuance of securities or of financial
12 institutions, including, but not limited to, banks, savings and loan
13 associations, industrial loan companies, credit unions, and
14 insurance companies.

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

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

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

23 (e) Geological and geophysical data, plant production data, and
24 similar information relating to utility systems development, or
25 market or crop reports, that are obtained in confidence from any
26 person.

27 (f) Records of complaints to, or investigations conducted by,
28 or records of intelligence information or security procedures of,
29 the office of the Attorney General and the Department of Justice,
30 the Office of Emergency Services and any state or local police
31 agency, or any investigatory or security files compiled by any other
32 state or local police agency, or any investigatory or security files
33 compiled by any other state or local agency for correctional, law
34 enforcement, or licensing purposes. However, state and local law
35 enforcement agencies shall disclose the names and addresses of
36 persons involved in, or witnesses other than confidential informants
37 to, the incident, the description of any property involved, the date,
38 time, and location of the incident, all diagrams, statements of the
39 parties involved in the incident, the statements of all witnesses,
40 other than confidential informants, to the victims of an incident,

1 or an authorized representative thereof, an insurance carrier against
2 which a claim has been or might be made, and any person suffering
3 bodily injury or property damage or loss, as the result of the
4 incident caused by arson, burglary, fire, explosion, larceny,
5 robbery, carjacking, vandalism, vehicle theft, or a crime as defined
6 by subdivision (b) of Section 13951, unless the disclosure would
7 endanger the safety of a witness or other person involved in the
8 investigation, or unless disclosure would endanger the successful
9 completion of the investigation or a related investigation. However,
10 nothing in this division shall require the disclosure of that portion
11 of those investigative files that reflects the analysis or conclusions
12 of the investigating officer.

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

16 Notwithstanding any other provision of this subdivision, state
17 and local law enforcement agencies shall make public the following
18 information, except to the extent that disclosure of a particular
19 item of information would endanger the safety of a person involved
20 in an investigation or would endanger the successful completion
21 of the investigation or a related investigation:

22 (1) The full name and occupation of every individual arrested
23 by the agency, the individual's physical description including date
24 of birth, color of eyes and hair, sex, height, weight, the time and
25 date of arrest, the time and date of booking, the location of the
26 arrest, the factual circumstances surrounding the arrest, the amount
27 of bail set, the time and manner of release or the location where
28 the individual is currently being held, and all charges the individual
29 is being held upon, including any outstanding warrants from other
30 jurisdictions and parole or probation holds.

31 (2) Subject to the restrictions imposed by Section 841.5 of the
32 Penal Code, the time, substance, and location of all complaints or
33 requests for assistance received by the agency and the time and
34 nature of the response thereto, including, to the extent the
35 information regarding crimes alleged or committed or any other
36 incident investigated is recorded, the time, date, and location of
37 occurrence, the time and date of the report, the name and age of
38 the victim, the factual circumstances surrounding the crime or
39 incident, and a general description of any injuries, property, or
40 weapons involved. The name of a victim of any crime defined by

1 Section 220, 236.1, 261, 261.5, 262, 264, 264.1, 265, 266, 266a,
2 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285,
3 286, 288, 288a, 288.2, 288.3 (as added by Section 6 of Proposition
4 83 of the November 7, 2006, statewide general election), 288.5,
5 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6 of the Penal Code
6 may be withheld at the victim's request, or at the request of the
7 victim's parent or guardian if the victim is a minor. When a person
8 is the victim of more than one crime, information disclosing that
9 the person is a victim of a crime defined in any of the sections of
10 the Penal Code set forth in this subdivision may be deleted at the
11 request of the victim, or the victim's parent or guardian if the
12 victim is a minor, in making the report of the crime, or of any
13 crime or incident accompanying the crime, available to the public
14 in compliance with the requirements of this paragraph.

15 (3) Subject to the restrictions of Section 841.5 of the Penal Code
16 and this subdivision, the current address of every individual
17 arrested by the agency and the current address of the victim of a
18 crime, where the requester declares under penalty of perjury that
19 the request is made for a scholarly, journalistic, political, or
20 governmental purpose, or that the request is made for investigation
21 purposes by a licensed private investigator as described in Chapter
22 11.3 (commencing with Section 7512) of Division 3 of the Business
23 and Professions Code. However, the address of the victim of any
24 crime defined by Section 220, 236.1, 261, 261.5, 262, 264, 264.1,
25 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a,
26 273d, 273.5, 285, 286, 288, 288a, 288.2, 288.3 (as added by Section
27 6 of Proposition 83 of the November 7, 2006, statewide general
28 election), 288.5, 288.7, 289, 422.6, 422.7, 422.75, 646.9, or 647.6
29 of the Penal Code shall remain confidential. Address information
30 obtained pursuant to this paragraph may not be used directly or
31 indirectly, or furnished to another, to sell a product or service to
32 any individual or group of individuals, and the requester shall
33 execute a declaration to that effect under penalty of perjury.
34 Nothing in this paragraph shall be construed to prohibit or limit a
35 scholarly, journalistic, political, or government use of address
36 information obtained pursuant to this paragraph.

37 (g) Test questions, scoring keys, and other examination data
38 used to administer a licensing examination, examination for
39 employment, or academic examination, except as provided for in

1 Chapter 3 (commencing with Section 99150) of Part 65 of Division
2 14 of Title 3 of the Education Code.

3 (h) The contents of real estate appraisals or engineering or
4 feasibility estimates and evaluations made for or by the state or
5 local agency relative to the acquisition of property, or to
6 prospective public supply and construction contracts, until all of
7 the property has been acquired or all of the contract agreement
8 obtained. However, the law of eminent domain shall not be affected
9 by this provision.

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

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

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

22 (l) Correspondence of and to the Governor or employees of the
23 Governor's office or in the custody of or maintained by the
24 Governor's Legal Affairs Secretary. However, public records shall
25 not be transferred to the custody of the Governor's Legal Affairs
26 Secretary to evade the disclosure provisions of this chapter.

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

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

34 (o) Financial data contained in applications for financing under
35 Division 27 (commencing with Section 44500) of the Health and
36 Safety Code, where an authorized officer of the California Pollution
37 Control Financing Authority determines that disclosure of the
38 financial data would be competitively injurious to the applicant
39 and the data is required in order to obtain guarantees from the
40 United States Small Business Administration. The California

1 Pollution Control Financing Authority shall adopt rules for review
2 of individual requests for confidentiality under this section and for
3 making available to the public those portions of an application that
4 are subject to disclosure under this chapter.

5 (p) Records of state agencies related to activities governed by
6 Chapter 10.3 (commencing with Section 3512), Chapter 10.5
7 (commencing with Section 3525), and Chapter 12 (commencing
8 with Section 3560) of Division 4, that reveal a state agency's
9 deliberative processes, impressions, evaluations, opinions,
10 recommendations, meeting minutes, research, work products,
11 theories, or strategy, or that provide instruction, advice, or training
12 to employees who do not have full collective bargaining and
13 representation rights under these chapters. Nothing in this
14 subdivision shall be construed to limit the disclosure duties of a
15 state agency with respect to any other records relating to the
16 activities governed by the employee relations acts referred to in
17 this subdivision.

18 (q) (1) Records of state agencies related to activities governed
19 by Article 2.6 (commencing with Section 14081), Article 2.8
20 (commencing with Section 14087.5), and Article 2.91
21 (commencing with Section 14089) of Chapter 7 of Part 3 of
22 Division 9 of the Welfare and Institutions Code, that reveal the
23 special negotiator's deliberative processes, discussions,
24 communications, or any other portion of the negotiations with
25 providers of health care services, impressions, opinions,
26 recommendations, meeting minutes, research, work product,
27 theories, or strategy, or that provide instruction, advice, or training
28 to employees.

29 (2) Except for the portion of a contract containing the rates of
30 payment, contracts for inpatient services entered into pursuant to
31 these articles, on or after April 1, 1984, shall be open to inspection
32 one year after they are fully executed. If a contract for inpatient
33 services that is entered into prior to April 1, 1984, is amended on
34 or after April 1, 1984, the amendment, except for any portion
35 containing the rates of payment, shall be open to inspection one
36 year after it is fully executed. If the California Medical Assistance
37 Commission enters into contracts with health care providers for
38 other than inpatient hospital services, those contracts shall be open
39 to inspection one year after they are fully executed.

1 (3) Three years after a contract or amendment is open to
2 inspection under this subdivision, the portion of the contract or
3 amendment containing the rates of payment shall be open to
4 inspection.

5 (4) Notwithstanding any other law, the entire contract or
6 amendment shall be open to inspection by the Joint Legislative
7 Audit Committee and the Legislative Analyst's Office. The
8 committee and that office shall maintain the confidentiality of the
9 contracts and amendments until the time a contract or amendment
10 is fully open to inspection by the public.

11 (r) Records of Native American graves, cemeteries, and sacred
12 places and records of Native American places, features, and objects
13 described in Sections 5097.9 and 5097.993 of the Public Resources
14 Code maintained by, or in the possession of, the Native American
15 Heritage Commission, another state agency, or a local agency.

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

20 (t) Records of a local hospital district, formed pursuant to
21 Division 23 (commencing with Section 32000) of the Health and
22 Safety Code, or the records of a municipal hospital, formed
23 pursuant to Article 7 (commencing with Section 37600) or Article
24 8 (commencing with Section 37650) of Chapter 5 of Part 2 of
25 Division 3 of Title 4 of this code, that relate to any contract with
26 an insurer or nonprofit hospital service plan for inpatient or
27 outpatient services for alternative rates pursuant to Section 10133
28 of the Insurance Code. However, the record shall be open to
29 inspection within one year after the contract is fully executed.

30 (u) (1) Information contained in applications for licenses to
31 carry firearms issued pursuant to Section 26150, 26155, 26170,
32 or 26215 of the Penal Code by the sheriff of a county or the chief
33 or other head of a municipal police department that indicates when
34 or where the applicant is vulnerable to attack or that concerns the
35 applicant's medical or psychological history or that of members
36 of his or her family.

37 (2) ~~The home addresses and telephone numbers~~ *and home*
38 *address information, except for city and ZIP Code information,* of
39 applicants that are set forth in applications for licenses to carry
40 firearms issued pursuant to Section 26150, 26155, 26170, or 26215

1 of the Penal Code by the sheriff of a county or the chief or other
2 head of a municipal police department.

3 (3) ~~The home addresses and telephone numbers~~ *and home*
4 *address information, except for city and ZIP Code information,* of
5 licensees that are set forth in licenses to carry firearms issued
6 pursuant to Section 26150, 26155, 26170, or 26215 of the Penal
7 Code by the sheriff of a county or the chief or other head of a
8 municipal police department.

9 (4) This section shall not be construed as prohibiting the
10 disclosure of public records relating to the reason an application
11 for a license to carry a firearm pursuant to Section 26150, 26155,
12 26170, or 26215 of the Penal Code was granted or denied.

13 (v) (1) Records of the Managed Risk Medical Insurance Board
14 that are related to activities governed by Part 6.3 (commencing
15 with Section 12695), Part 6.5 (commencing with Section 12700),
16 Part 6.6 (commencing with Section 12739.5), or Part 6.7
17 (commencing with Section 12739.70) of Division 2 of the
18 Insurance Code, and that reveal any of the following:

19 (A) The deliberative processes, discussions, communications,
20 or any other portion of the negotiations with entities contracting
21 or seeking to contract with the board, entities with which the board
22 is considering a contract, or entities with which the board or
23 department is considering or enters into any other arrangement
24 under which the board provides, receives, or arranges services or
25 reimbursement.

26 (B) The impressions, opinions, recommendations, meeting
27 minutes, research, work product, theories, or strategy of the board
28 or its staff, or records that provide instructions, advice, or training
29 to their employees.

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

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

1 (3) Three years after a contract or amendment is open to
2 inspection pursuant to this subdivision, the portion of the contract
3 or amendment containing the rates of payment shall be open to
4 inspection.

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

11 (w) (1) Records of the Managed Risk Medical Insurance Board
12 related to activities governed by Chapter 8 (commencing with
13 Section 10700) of Part 2 of Division 2 of the Insurance Code, and
14 that reveal the deliberative processes, discussions, communications,
15 or any other portion of the negotiations with health plans, or the
16 impressions, opinions, recommendations, meeting minutes,
17 research, work product, theories, or strategy of the board or its
18 staff, or records that provide instructions, advice, or training to
19 employees.

20 (2) Except for the portion of a contract that contains the rates
21 of payment, contracts for health coverage entered into pursuant to
22 Chapter 8 (commencing with Section 10700) of Part 2 of Division
23 2 of the Insurance Code, on or after January 1, 1993, shall be open
24 to inspection one year after they have been fully executed.

25 (3) Notwithstanding any other law, the entire contract or
26 amendments to a contract shall be open to inspection by the Joint
27 Legislative Audit Committee. The committee shall maintain the
28 confidentiality of the contracts and amendments thereto, until the
29 contracts or amendments to the contracts are open to inspection
30 pursuant to paragraph (2).

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

38 (y) (1) Records of the Managed Risk Medical Insurance Board
39 related to activities governed by Part 6.2 (commencing with Section
40 12693) or Part 6.4 (commencing with Section 12699.50) of

1 Division 2 of the Insurance Code, and that reveal any of the
2 following:

3 (A) The deliberative processes, discussions, communications,
4 or any other portion of the negotiations with entities contracting
5 or seeking to contract with the board, entities with which the board
6 is considering a contract, or entities with which the board is
7 considering or enters into any other arrangement under which the
8 board provides, receives, or arranges services or reimbursement.

9 (B) The impressions, opinions, recommendations, meeting
10 minutes, research, work product, theories, or strategy of the board
11 or its staff, or records that provide instructions, advice, or training
12 to employees.

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

19 (B) If a contract entered into pursuant to Part 6.2 (commencing
20 with Section 12693) or Part 6.4 (commencing with Section
21 12699.50) of Division 2 of the Insurance Code or Sections
22 14005.26 and 14005.27 of, or Chapter 3 (commencing with Section
23 15850) of Part 3.3 of Division 9 of, the Welfare and Institutions
24 Code, is amended, the amendment shall be open to inspection one
25 year after the effective date of the amendment.

26 (3) Three years after a contract or amendment is open to
27 inspection pursuant to this subdivision, the portion of the contract
28 or amendment containing the rates of payment shall be open to
29 inspection.

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

36 (5) The exemption from disclosure provided pursuant to this
37 subdivision for the contracts, deliberative processes, discussions,
38 communications, negotiations, impressions, opinions,
39 recommendations, meeting minutes, research, work product,
40 theories, or strategy of the board or its staff shall also apply to the

1 contracts, deliberative processes, discussions, communications,
2 negotiations, impressions, opinions, recommendations, meeting
3 minutes, research, work product, theories, or strategy of applicants
4 pursuant to Part 6.4 (commencing with Section 12699.50) of
5 Division 2 of the Insurance Code.

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

8 (aa) A document prepared by or for a state or local agency that
9 assesses its vulnerability to terrorist attack or other criminal acts
10 intended to disrupt the public agency’s operations and that is for
11 distribution or consideration in a closed session.

12 (ab) Critical infrastructure information, as defined in Section
13 131(3) of Title 6 of the United States Code, that is voluntarily
14 submitted to the Office of Emergency Services for use by that
15 office, including the identity of the person who or entity that
16 voluntarily submitted the information. As used in this subdivision,
17 “voluntarily submitted” means submitted in the absence of the
18 office exercising any legal authority to compel access to or
19 submission of critical infrastructure information. This subdivision
20 shall not affect the status of information in the possession of any
21 other state or local governmental agency.

22 (ac) All information provided to the Secretary of State by a
23 person for the purpose of registration in the Advance Health Care
24 Directive Registry, except that those records shall be released at
25 the request of a health care provider, a public guardian, or the
26 registrant’s legal representative.

27 (ad) The following records of the State Compensation Insurance
28 Fund:

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

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

36 (3) Records related to the impressions, opinions,
37 recommendations, meeting minutes of meetings or sessions that
38 are lawfully closed to the public, research, work product, theories,
39 or strategy of the fund or its staff, on the development of rates,
40 contracting strategy, underwriting, or competitive strategy pursuant

1 to the powers granted to the fund in Chapter 4 (commencing with
2 Section 11770) of Part 3 of Division 2 of the Insurance Code.

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

12 (5) (A) Records that are trade secrets pursuant to Section
13 6276.44, or Article 11 (commencing with Section 1060) of Chapter
14 4 of Division 8 of the Evidence Code, including, without limitation,
15 instructions, advice, or training provided by the State Compensation
16 Insurance Fund to its board members, officers, and employees
17 regarding the fund's special investigation unit, internal audit unit,
18 and informational security, marketing, rating, pricing, underwriting,
19 claims handling, audits, and collections.

20 (B) Notwithstanding subparagraph (A), the portions of records
21 containing trade secrets shall be available for review by the Joint
22 Legislative Audit Committee, the California State Auditor's Office,
23 Division of Workers' Compensation, and the Department of
24 Insurance to ensure compliance with applicable law.

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

27 (i) Personal papers and correspondence of any person providing
28 assistance to the fund when that person has requested in writing
29 that his or her papers and correspondence be kept private and
30 confidential. Those papers and correspondence shall become public
31 records if the written request is withdrawn, or upon order of the
32 fund.

33 (ii) Papers, correspondence, memoranda, or any substantive
34 information pertaining to any audit not completed or an internal
35 audit that contains proprietary information.

36 (B) Notwithstanding subparagraph (A), the portions of records
37 containing proprietary information, or any information specified
38 in subparagraph ~~(A)~~ (A), shall be available for review by the Joint
39 Legislative Audit Committee, the California State Auditor's Office,

1 Division of Workers’ Compensation, and the Department of
2 Insurance to ensure compliance with applicable law.

3 (7) (A) Except as provided in subparagraph (C), contracts
4 entered into pursuant to Chapter 4 (commencing with Section
5 11770) of Part 3 of Division 2 of the Insurance Code shall be open
6 to inspection one year after the contract has been fully executed.

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

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

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

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

24 (F) For purposes of this paragraph, “fully executed” means the
25 point in time when all of the necessary parties to the contract have
26 signed the contract.

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

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

34 SEC. 2. The Legislature finds and declares that this act imposes
35 a limitation on the public’s right of access to the meetings of public
36 bodies or the writings of public officials and agencies within the
37 meaning of Section 3 of Article I of the California Constitution.
38 Pursuant to that constitutional provision, the Legislature makes
39 the following finding to demonstrate the interest protected by this
40 limitation and the need for protecting the interest:

1 In order to prevent crimes against applicants for licenses to carry
2 firearms and persons who are licensed to carry firearms, it is
3 necessary that this act take effect.

4 SEC. 3. The Legislature finds and declares that Section 1 of
5 this act, which amends Section 6254 of the Government Code,
6 furthers, within the meaning of paragraph (7) of subdivision (b)
7 of Section 3 of Article I of the California Constitution, the purposes
8 of that constitutional section as it relates to the right of public
9 access to the meetings of local public bodies or the writings of
10 local public officials and local agencies. Pursuant to paragraph (7)
11 of subdivision (b) of Section 3 of Article I of the California
12 Constitution, the Legislature makes the following findings:

13 The limitations imposed by this act establish a necessary balance
14 between the right of the people to access information contained in
15 public records and the legitimate security interests of people
16 applying for, and holding, a license to carry firearms.

17 SEC. 4. No reimbursement is required by this act pursuant to
18 Section 6 of Article XIII B of the California Constitution because
19 the only costs that may be incurred by a local agency or school
20 district under this act would result from a legislative mandate that
21 is within the scope of paragraph (7) of subdivision (b) of Section
22 3 of Article I of the California Constitution.