

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1956

Introduced by Assembly Member Wilk

February 12, 2016

~~An act to amend Section 22948.6 of the Business and Professions Code, relating to network security. An act to amend Section 18521.5 of, and to add Section 18803 to, the Government Code, relating to public employment.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1956, as amended, Wilk. ~~Network security.~~ *State civil service: Department of Technology.*

The California Constitution provides that the civil service includes every officer and employee of the state, except as specified. The Constitution requires the State Personnel Board to enforce the civil service provisions and to prescribe probationary periods and classifications, adopt other rules authorized by statute, and review disciplinary actions.

Existing law, the State Civil Service Act, places various duties and authorizations on the Department of Human Resources with respect to the state civil service.

This bill would authorize the Department of Technology, subject to the approval of the board, to create and adjust classes of positions with the department, and would further authorize the department to prescribe the salary ranges for, conduct competitive examinations for, and make appointments to, these classes of positions. The bill would transfer the duties and authorizations of the Department of Human Resources with respect to these classes of positions to the Department of Technology.

Existing law requires a device that includes an integrated and enabled wireless access point, if the device is manufactured on or after October 1, 2007, for use in a small office, home office, or residential setting, and that is used in a federally unlicensed spectrum, to include a warning advising the consumer how to protect his or her wireless network connection or a warning sticker, or to provide other protection that, among other things, requires affirmative action by the consumer prior to use of the device.

This bill would make nonsubstantive changes to this provision.

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

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

1 SECTION 1. Section 18521.5 of the Government Code is
2 amended to read:

3 18521.5. ~~“Department”~~(a) Except as otherwise provided in
4 this section, “department” means the Department of Human
5 Resources.

6 (b) With respect to any classes of positions created or adjusted
7 pursuant to Section 18803, “department” means the Department
8 of Technology.

9 SEC. 2. Section 18803 is added to the Government Code, to
10 read:

11 18803. (a) Notwithstanding any other law, but subject to the
12 approval of the board, the Department of Technology may create
13 and adjust classes of positions under the Department of Technology
14 and prescribe the salary ranges for these classes of positions.

15 (b) Consistent with the merit principles of subdivision (b) of
16 Section 1 of Article VII of the California Constitution, the
17 Department of Technology may conduct competitive examinations
18 and make appointments to classes of positions created or adjusted
19 pursuant to subdivision (a).

20 (c) Nothing in this section shall be construed as authorizing the
21 Department of Technology to create or adjust positions for
22 independent contractors.

23 SECTION 1. ~~Section 22948.6 of the Business and Professions~~
24 ~~Code is amended to read:~~

25 ~~22948.6. (a) A device that includes an integrated and enabled~~
26 ~~wireless access point, such as a premises-based wireless network~~

1 router or wireless access bridge, that is for use in a home office,
2 small office, or residential setting and that is sold as new in this
3 state for use in a home office, small office, or residential setting
4 shall be manufactured to comply with one of the following:

5 (1) Include in its software a security warning that comes up as
6 part of the configuration process of the device. The warning shall
7 advise the consumer how to protect his or her wireless network
8 connection from unauthorized access. This requirement may be
9 met by providing the consumer with instructions to protect his or
10 her wireless network connection from unauthorized access, which
11 may refer to a product manual, the manufacturer's Internet Web
12 site, or a consumer protection Internet Web site that contains
13 accurate information advising the consumer on how to protect his
14 or her wireless network connection from unauthorized access.

15 (2) Have attached to the device a temporary warning sticker
16 that must be removed by the consumer in order to allow its use.
17 The warning shall advise the consumer how to protect his or her
18 wireless network connection from unauthorized access. This
19 requirement may be met by advising the consumer that his or her
20 wireless network connection may be accessible by an unauthorized
21 user and referring the consumer to a product manual, the
22 manufacturer's Internet Web site, or a consumer protection Internet
23 Web site that contains accurate information advising the consumer
24 on how to protect his or her wireless network connection from
25 unauthorized access.

26 (3) Provide other protection on the device that does all of the
27 following:

28 (A) Advises the consumer that his or her wireless network
29 connection may be accessible by an unauthorized user.

30 (B) Advises the consumer how to protect his or her wireless
31 network connection from unauthorized access.

32 (C) Requires an affirmative action by the consumer prior to
33 allowing use of the product.

34 Additional information may also be available in the product
35 manual or on the manufacturer's Internet Web site.

36 (4) Provide other protection prior to allowing use of the device,
37 that is enabled without an affirmative act by the consumer, to
38 protect the consumer's wireless network connection from
39 unauthorized access.

1 ~~(b) This section shall only apply to devices that include an~~
2 ~~integrated and enabled wireless access point and that are used in~~
3 ~~a federally unlicensed spectrum.~~

4 ~~(c) This section shall only apply to products that are~~
5 ~~manufactured on or after October 1, 2007.~~

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