

**ASSEMBLY BILL**

**No. 1988**

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**Introduced by Assembly Member Jones**

February 16, 2016

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An act to add Section 54956.77 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1988, as introduced, Jones. Public meetings: closed sessions: confidential final reports.

Existing law authorizes the legislative body of a local agency that has received a confidential final draft audit report from the California State Auditor's Office to hold closed sessions to discuss its response to that report, as specified.

This bill would authorize the legislative body of a city that has received a confidential final report from the city auditor to hold closed sessions to discuss its response to that report.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of 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.

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 54956.77 is added to the Government  
2 Code, to read:

3 54956.77. The legislative body of a city that has received a  
4 confidential final report from the city auditor may hold closed  
5 sessions to discuss its response to that report.

6 SEC. 2. The Legislature finds and declares that Section 1 of  
7 this act, which adds Section 54956.77 of the Government Code,  
8 imposes a limitation on the public's right of access to the meetings  
9 of public bodies or the writings of public officials and agencies  
10 within the meaning of Section 3 of Article I of the California  
11 Constitution. Pursuant to that constitutional provision, the  
12 Legislature makes the following findings to demonstrate the interest  
13 protected by this limitation and the need for protecting that interest:

14 Without some ability to protect sensitive information, public  
15 safety, privacy, and security is compromised. Therefore, the health  
16 and safety of the people of California are enhanced by giving the  
17 city councils the authority to meet with the city auditor in closed  
18 meetings to the contents of a confidential audit.

19 SEC. 3. The Legislature finds and declares that Section 1 of  
20 this act, which adds Section 54956.77 of the Government Code,  
21 furthers, within the meaning of paragraph (7) of subdivision (b)  
22 of Section 3 of Article I of the California Constitution, the purposes  
23 of that constitutional section as it relates to the right of public  
24 access to the meetings of local public bodies or the writings of  
25 local public officials and local agencies. Pursuant to paragraph (7)  
26 of subdivision (b) of Section 3 of Article I of the California  
27 Constitution, the Legislature makes the following findings:

28 The protection of sensitive information, public safety, privacy,  
29 and security is furthered by ensuring that city councils may meet  
30 with the city auditor in closed meetings to consider the contents  
31 of a confidential audit.

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