

AMENDED IN ASSEMBLY APRIL 25, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**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 amended, 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 *an audit committee created by charter, ordinance, resolution, or formal action of* 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~~*An audit committee created by charter,*  
4 *ordinance, resolution, or formal action of the* legislative body of  
5 a city that has received a confidential final report from the city  
6 auditor may hold closed sessions to discuss its response to that  
7 report.

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

16 Without some ability to protect sensitive information, public  
17 safety, privacy, and security is compromised. Therefore, the health  
18 and safety of the people of California are enhanced by giving the  
19 ~~city councils~~ *legislative bodies of cities* the authority to meet with  
20 the city auditor in closed meetings to *discuss* the contents of a  
21 confidential ~~audit~~ *report*.

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

31 The protection of sensitive information, public safety, privacy,  
32 and security is furthered by ensuring that ~~city councils~~ *legislative*

- 1 *bodies of cities* may meet with the city auditor in closed meetings
- 2 to consider the contents of a confidential audit.

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