

AMENDED IN ASSEMBLY MAY 6, 1997
AMENDED IN ASSEMBLY APRIL 17, 1997
AMENDED IN ASSEMBLY APRIL 15, 1997
AMENDED IN ASSEMBLY MARCH 18, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

ASSEMBLY BILL

No. 206

Introduced by Assembly Member Hertzberg

February 4, 1997

An act to add Chapter 5.1 (commencing with Section 8321) to Division 1 of Title 2 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 206, as amended, Hertzberg. Citizen Complaint Act of 1997.

Existing law provides for the establishment and operation of state agencies.

This bill would require state agencies, including the California State University, to make available on their Internet web sites, on or before July 1, 1998, or within 6 months of the establishment of such a site, whichever is later, a plain language form through which individuals can register complaints or comments relating to the performance of that state agency. This bill would require state agencies making a complaint form available on their Internet web sites to advise individuals calling to lodge a complaint of specified

information; *and* to include their Internet web site address in the telephone directory, ~~and to forward a copy of the form to the Department of Consumer Affairs.~~ This bill would also authorize public libraries, to the extent permitted through donations and other means, to provide Internet access to their patrons and to advertise that they provide Internet access. These provisions would be known as the Citizen Complaint Act of 1997. *This bill would require all state agencies that have Internet web sites to implement these provisions in a manner that is consistent with the statewide strategy for electronic commerce as established by the Department of Information Technology.*

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

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

1 SECTION 1. Chapter 5.1 (commencing with Section
2 8321) is added to Division 1 of Title 2 of the Government
3 Code, to read:

4
5 CHAPTER 5.1. CITIZEN COMPLAINT ACT OF 1997
6

7 8321. This chapter shall be known and may be cited
8 as the Citizen Complaint Act of 1997. *All state agencies*
9 *that have Internet web sites shall implement this act in a*
10 *manner that is consistent with the statewide strategy for*
11 *electronic commerce as established by the Department*
12 *of Information Technology.*

13 8322. (a) State agencies shall make available on their
14 Internet web sites, on or before July 1, 1998, or within six
15 months of the establishment of such a site, whichever is
16 later, a plain-language form through which individuals
17 can register complaints or comments relating to the
18 performance of that agency. The Internet web site shall
19 provide instructions on filing the complaint
20 electronically, or on the manner in which to download,
21 complete, and mail the complaint form to the state
22 agency, *or both, consistent with whichever method the*
23 *agency establishes for the filing of complaints.*



1 (b) Any printed complaint form used by a state agency
2 as part of the process of receiving a complaint against any
3 licensed individual or corporation subject to regulation
4 by that agency shall make the form available on its
5 Internet web site, on or before July 1, 1998, or within six
6 months of the establishment of such a site, whichever is
7 later. The Internet web site shall provide instructions on
8 filing the complaint electronically, or on the manner in
9 which to download, complete, and mail the complaint
10 form to the state agency, *or both, consistent with*
11 *whichever method the agency establishes for the filing of*
12 *complaints.*

13 (c) State agencies making a complaint form available
14 on their Internet web site shall:

15 (1) Advise individuals calling the state agency to lodge
16 a complaint of both of the following:

17 (A) The availability of the complaint form on the
18 Internet web site.

19 (B) That many public libraries provide Internet
20 access.

21 (2) To the extent feasible, include their Internet web
22 site address in the telephone directory in order that
23 citizens will be aware that they may contact the state
24 agency via the Internet or by telephone.

25 ~~(3) Forward a copy of the form to the Department of~~
26 ~~Consumer Affairs which shall compile all of these forms~~
27 ~~and distribute them to public libraries so that citizens may~~
28 ~~familiarize themselves with a form prior to filing a~~
29 ~~complaint electronically.~~

30 (d) Public libraries, to the extent permitted through
31 donations and other means, may do each of the following:

32 (1) Provide Internet access to their patrons.

33 (2) Advertise that they provide Internet access.

34 (e) Notwithstanding subdivision (a) of Section 11000,
35 state agency as used in this section includes the California
36 State University.

37 8323. It is the intent of the Legislature that this
38 chapter not affect the application of the Reporting of
39 Improper Governmental Activities Act (Article 3
40 (commencing with Section 8547) of Chapter 6.5) *or the*



1 *procedures established to investigate citizens' complaints*
2 *against peace officers as required by Section 832.5 of the*
3 *Penal Code.*

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