

AMENDED IN SENATE APRIL 10, 1997

SENATE BILL

No. 448

Introduced by Senator Sher

February 19, 1997

An act to add Section 6254.16 to the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

SB 448, as amended, Sher. Public records.

Existing law, the California Public Records Act, requires that public records, as defined, be open to inspection at all times during the office hours of the state or local agency and that every person has a right to inspect any public record, with specified exceptions. Existing law permits the disclosure of certain public utility customer information for specified law enforcement purposes.

This bill would provide that the act shall not be construed to require the disclosure of specified information concerning municipal utility customers except for specified purposes.

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 6254.16 is added to the
2 Government Code, to read:
3 6254.16. Nothing in this chapter shall be construed to
4 require the disclosure of the name, credit history, utility
5 usage data, home address, or telephone number of

1 municipal utility customers, except that disclosure of ~~that~~
2 ~~information~~ *name, utility usage data, and the home*
3 *address of municipal utility customers* shall be made
4 *available* upon request as follows:

5 (a) To an agent or *authorized* family member of the
6 person to whom the information pertains.

7 (b) To an officer or employee of another
8 governmental agency when necessary for the
9 performance of its official duties.

10 (c) Upon court order or the request of a law
11 enforcement agency *relative to an ongoing investigation*.

12 (d) Upon determination by the municipal utility that
13 the customer who is the subject of the request may be
14 using utility services unlawfully or in a manner
15 inconsistent with applicable federal, state, or local utility
16 usage policies.

17 (e) Upon determination by the municipal utility that
18 the customer who is the subject of the request is an
19 elected or appointed official with responsibility for
20 municipal utility decisionmaking.

21 (f) *Upon determination by the municipal utility that*
22 *the public interest in disclosure of the information clearly*
23 *outweighs the public interest in nondisclosure.*

