

Senate Bill No. 448

Passed the Senate August 4, 1997

Secretary of the Senate

Passed the Assembly July 18, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor

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CHAPTER ____

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

LEGISLATIVE COUNSEL'S DIGEST

SB 448, 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 utility customers of local agencies, except for specified purposes.

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

SECTION 1. Section 6254.16 is added to the Government Code, to read:

6254.16. Nothing in this chapter shall be construed to require the disclosure of the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies, except that disclosure of name, utility usage data, and the home address of utility customers of local agencies shall be made available upon request as follows:

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

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

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



(d) Upon determination by the local agency that the utility customer who is the subject of the request has used utility services in a manner inconsistent with applicable local utility usage policies.

(e) Upon determination by the local agency that the utility customer who is the subject of the request is an elected or appointed official with authority to determine the utility usage policies of the local agency, provided that the home address of an appointed official shall not be disclosed without his or her consent.

(f) Upon determination by the local agency that the public interest in disclosure of the information clearly outweighs the public interest in nondisclosure.



Approved _____, 1997

Governor

