

Introduced by Senator Speier

February 25, 2000

An act to amend Section 1798.61 of the Civil Code, relating to information practices.

LEGISLATIVE COUNSEL'S DIGEST

SB 2072, as introduced, Speier. Information practices: names and addresses: distribution, sales, or rental.

The Information Practices Act prohibits the distribution of an individual's name and address for commercial purposes, sale, or rental by a state agency, unless specifically authorized by law. The act does not prohibit the release of only names and addresses of persons possessing licenses to engage in professional occupations or of persons who are registered with, or are holding licenses or permits issued by, the State Board of Equalization.

This bill would prohibit the distribution for commercial purposes, sale, or rental in bulk of a list of the names and addresses of 3 or more individuals who possess or who have applied for any license or registration in any of the professions and vocations regulated by the Department of Consumer Affairs or any board, bureau, or commission under the jurisdiction of that department, by the Department of Real Estate, or by the State Board of Equalization, except as specified.

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. Section 1798.61 of the Civil Code is
2 amended to read:

3 1798.61. (a) Nothing in this chapter shall prohibit the
4 release of only names and addresses of ~~persons~~ *either of*
5 *the following:*

6 (1) *Persons* possessing licenses to engage in
7 professional occupations ~~or of persons who are registered~~
8 ~~with, or are holding licenses or permits issued by, the~~
9 ~~State Board of Equalization.~~

10 ~~(b) Nothing in this chapter shall prohibit the release of~~
11 ~~only names and addresses of persons~~

12 (2) *Persons* applying for licenses to engage in
13 professional occupations for the sole purpose of providing
14 those persons with informational materials relating to
15 available professional educational materials or courses.

16 (b) *Notwithstanding subdivision (a) or any other*
17 *provision of law, the distribution for commercial*
18 *purposes, sale, or rental in bulk of a list of the names and*
19 *addresses of three or more individuals who possess or who*
20 *have applied for any license or registration in any of the*
21 *professions and vocations regulated by the Department*
22 *of Consumer Affairs or any board, bureau, or commission*
23 *under the jurisdiction of that department, by the*
24 *Department of Real Estate, or, except as provided in*
25 *subdivision (c), by the State Board of Equalization, is*
26 *prohibited.*

27 (c) *The names and addresses of individuals who are*
28 *registered with, or are holding licenses or permits issued*
29 *by, the State Board of Equalization may only be disclosed*
30 *as necessary to verify resale certificates or to administer*
31 *the tax and fee provisions of the Revenue and Taxation*
32 *Code.*

O

