

AMENDED IN ASSEMBLY APRIL 27, 2009

AMENDED IN ASSEMBLY MARCH 26, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 130**

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**Introduced by Assembly Member Jeffries**

January 20, 2009

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An act to amend Sections 102230, 102231, 103525, 103525.5, 103526, 103526.5, and 103527 of the Health and Safety Code, relating to vital records.

### LEGISLATIVE COUNSEL'S DIGEST

AB 130, as amended, Jeffries. Vital records: marriage records.

(1) Existing law prescribes specified personal information to be included on birth, death, and marriage certificates. Under existing law, a certified copy of a birth or death record may only be supplied by the State Registrar, local registrar, or county recorder to an authorized person, as defined, who submits a statement sworn under penalty of perjury that the applicant is an authorized person. If an applicant for a birth or death record does not meet the requirements for an authorized person, the State Registrar, local registrar, or county recorder may only issue an informational certified copy of a birth or death record that contains a legend stating "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY."

Existing law also requires that each certified copy of a birth or death record contain specified information and be printed on sensitized paper with specified features.

Existing law also requires an applicant for a certified copy of a birth or death record to pay, in addition to other fees applicable to the receipt

of a copy of a birth or death record from the State Registrar, local registrar, or county recorder a fee of \$1, to be used for the development of safety and security measures to protect against the fraudulent use of these records and defray the cost to local officials of any required security measures.

This bill would also make these provisions applicable to a request for a certified copy of a marriage record, and would make conforming changes. By changing the definition of the crime of perjury, and by imposing new duties on local officials, this bill would create a state-mandated local program.

(2) Existing law requires the State Registrar to appoint a Vital Records Protection Advisory Committee to study and make recommendations to protect individual privacy, inhibit identity theft, and prevent fraud involving birth and death certificates while providing needed access to the information contained in those records by persons seeking it for a legitimate purpose.

This bill would add marriage records to the list of vital records under the committee's consideration for study and recommendations, *and would make other technical and conforming changes.*

(3) Existing law requires the State Registrar to maintain comprehensive indices of registered certificates. Under existing law, comprehensive birth and death record indices, as prescribed, must be kept confidential and are exempt from disclosure under the California Public Records Act. Existing law also prohibits specified uses of birth and death record files. Violation of these provisions is a misdemeanor.

This bill would apply these provisions to comprehensive marriage indices. By changing the definition of a crime, and by imposing new duties on local officials, this bill would create a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 102230 of the Health and Safety Code is amended to read:

102230. (a) (1) The State Registrar shall arrange and permanently preserve the certificates in a systematic manner and shall prepare and maintain comprehensive and continuous indices of all certificates registered.

(2) The birth, death, and marriage record indices prepared pursuant to paragraph (1) and all comprehensive birth, death, and marriage record indices prepared or maintained by local registrars and county recorders shall be kept confidential and shall be exempt from disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(3) Notwithstanding paragraph (2), the State Registrar, at his or her discretion, may release comprehensive ~~birth and death~~ *birth, death, and marriage* record indices to any government agency. Local registrars and county recorders, when requested, shall release their comprehensive birth, death, and marriage record indices to the State Registrar. A government agency that obtains indices pursuant to this paragraph shall not sell or release the index or any portion of its contents to any other person except as necessary for official government business and shall not post the indices or any portion thereof on the Internet.

(b) (1) The State Registrar shall prepare and maintain separate noncomprehensive indices of all California birth and death records for public release.

(2) For purposes of this section, noncomprehensive birth record indices for public release shall be comprised of first, middle, and last name, sex, date of birth, and place of birth.

(3) For purposes of this section, noncomprehensive death record indices for public release shall be comprised of first, middle, and last name, sex, date of birth, place of birth, place of death, date of death, and father's last name.

(4) Requesters of the birth or death record indices prepared pursuant to this subdivision shall provide proof of identity, complete a form, and sign the form under penalty of perjury. The form shall include all of the following:

(A) The proposed use of the birth or death record indices.

1 (B) A disclaimer crediting any analyses, interpretations, or  
2 conclusions reached regarding the birth or death record indices to  
3 the author and not to the State Department of Public Health.

4 (C) Assurance that technical descriptions of the birth or death  
5 record indices are consistent with those provided by the State  
6 Department of Public Health.

7 (D) Assurance that the requester shall not sell, assign, or  
8 otherwise transfer the birth or death record indices.

9 (E) Assurance that the requester shall not use the birth or death  
10 record indices for fraudulent purposes.

11 (5) Birth and death record indices obtained pursuant to this  
12 subdivision, and any portion thereof, shall not be used for  
13 fraudulent purposes.

14 (c) (1) The State Registrar shall prepare and maintain separate  
15 noncomprehensive indices of all California birth and death records  
16 for purposes of law enforcement or preventing fraud.

17 (2) For purposes of this section, noncomprehensive birth record  
18 indices for the purpose of preventing fraud shall be comprised of  
19 first, middle, and last name, sex, date of birth, place of birth, and  
20 mother's maiden name.

21 (3) For purposes of this section, noncomprehensive death record  
22 indices for the purpose of preventing fraud shall be comprised of  
23 first, middle, and last name, place of death, mother's maiden name,  
24 sex, social security number, date of birth, place of birth, date of  
25 death, and father's last name.

26 (4) The birth and death record indices prepared pursuant to this  
27 subdivision shall be made available to financial institutions, as  
28 defined in Section 6827(4)(A) and (B) of Title 15 of the United  
29 States Code, its representatives or contractors, consumer credit  
30 reporting agencies, as defined in subdivision (d) of Section 1785.3  
31 of the Civil Code, its representatives or contractors, those entities  
32 providing information services for purposes of law enforcement  
33 or preventing fraud, officers of the court for the sole purpose of  
34 verifying a death, and to persons or entities acting on behalf of  
35 law enforcement agencies or the court, or pursuant to a court order.

36 (5) The birth and death record indices prepared pursuant to this  
37 subdivision may be released to any government agency.

38 (6) Requesters of the birth or death record indices prepared  
39 pursuant to this subdivision shall provide proof of identity,

1 complete a form, and sign the form under penalty of perjury. The  
2 form shall include all of the following:

3 (A) An agreement not to release or allow public access to the  
4 birth or death record indices, and an agreement not to post the  
5 indices on the Internet, except as permitted by this subdivision.

6 (B) The proposed use of the birth or death record indices.

7 (C) The names of all persons within the organization, if  
8 applicable, who will have access to the birth or death record  
9 indices.

10 (D) A disclaimer crediting any analyses, interpretations, or  
11 conclusions reached regarding the birth or death record indices to  
12 the author and not to the State Department of Public Health.

13 (E) Assurance that technical descriptions of the birth or death  
14 record indices are consistent with those provided by the State  
15 Department of Public Health.

16 (F) Assurance that the requester shall not sell, assign, or  
17 otherwise transfer the birth or death record indices, except as  
18 permitted by this subdivision.

19 (G) Assurance that the requester shall not use the birth or death  
20 record indices for fraudulent purposes.

21 (7) (A) Birth and death record indices, and any portion thereof,  
22 obtained pursuant to this section, shall not be used for fraudulent  
23 purposes and shall not be posted on the Internet.

24 (B) Notwithstanding subparagraph (A), individual information  
25 contained in birth and death record indices may be posted on the  
26 Internet if all of the following requirements are met:

27 (i) The individual information is posted on an Internet Web site  
28 that is protected by a password.

29 (ii) The individual information is posted on an Internet Web  
30 site that is available to subscribers only for a fee.

31 (iii) The individual information is not posted for public display.

32 (iv) The individual information is available to subscribers  
33 pursuant to a contractual agreement.

34 (v) The individual information is posted for purposes of law  
35 enforcement or preventing fraud.

36 (d) Mail-in requests from nongovernmental agencies for birth  
37 and death record indices requested pursuant to subdivisions (b)  
38 and (c) shall include a notarized statement attesting to the identity  
39 of the requester.

(e) Noncomprehensive birth and death record indices pursuant to subdivisions (b) and (c) shall be updated annually.

(f) All birth and death record indices provided pursuant to this section shall be made available subject to cost recovery provisions of the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(g) Any noncomprehensive birth, death, and marriage record indices created by local registrars or county recorders shall be subject to the conditions for release required by this section.

(h) A person or entity that obtains a birth or death record index, or any portion thereof, from a requester who has obtained the index in accordance with paragraph (6) of subdivision (c) may not sell, assign, or otherwise transfer that index, or any portion thereof, to any third party.

(i) Paragraphs (2) and (3) of subdivision (a) and subdivisions (b) to (h), inclusive, shall be implemented only to the extent that funds for these purposes are appropriated by the Legislature in the annual Budget Act or other statute.

SEC. 2. Section 102231 of the Health and Safety Code is amended to read:

102231. (a) Notwithstanding any other law, birth data files, birth data files for public release, death data files for public release, death data files for purposes of law enforcement or preventing fraud, and marriage data files prepared and maintained by the State Registrar, local registrars, and county recorders shall only be released as follows:

(1) Birth data files containing personal identifiers shall be subject to the same restrictions as the confidential portion of a birth certificate and shall only be released under the terms and conditions specified in Section 102430.

(2) Birth data files for public release shall not contain the ~~mother's~~ *mothers'* maiden name.

(3) Death data files for public release shall not contain the ~~mother's~~ *mothers'* maiden name and social security number. *Marriage data files for public release shall not contain the mothers' maiden names.*

(4) Death data files for purposes of law enforcement or preventing fraud shall include the mother's maiden name and social security number. *Marriage data files for the purposes of law*

1 *enforcement or preventing fraud shall include the mothers' maiden*  
2 *names.* Death and marriage data files prepared pursuant to this  
3 subdivision may be released to governmental agencies and to those  
4 entities described in paragraph (4) of subdivision (c) of Section  
5 102230.

6 (5) Death data files containing personal identifying information  
7 may be released to persons expressing a valid scientific interest,  
8 as determined by the appropriate committee constituted for the  
9 protection of human subjects that is approved by the United States  
10 Department of Health and Human Services and has a general  
11 assurance pursuant to Part 46 (commencing with Section 46.101)  
12 of Title 45 of the Code of Federal Regulations.

13 ~~(6) Marriage data files shall only be released to persons in the~~  
14 ~~manner described in paragraphs (4) and (5) of subdivision (a) and~~  
15 ~~in subdivision (a) of Section 103526.~~

16 (b) Requesters of birth, death, and marriage data files pursuant  
17 to this section shall provide proof of identity, complete a form,  
18 and sign the form under penalty of perjury. The form shall include  
19 all of the following:

20 (1) An agreement not to release the birth, death, or marriage  
21 data files and not to post the files on the Internet, except as  
22 permitted by this subdivision.

23 (2) An agreement not to provide public access to data files  
24 obtained pursuant to paragraphs (1) and (4) of subdivision (a).

25 (3) The proposed use of the data file.

26 (4) For data files obtained pursuant to paragraphs (1) and (4)  
27 of subdivision (a), the names of all persons within the organization,  
28 if applicable, who will have access to the data files.

29 (5) A disclaimer that credits any analyses, interpretations, or  
30 conclusions reached regarding the birth or death data files to the  
31 author and not to the State Department of Public Health.

32 (6) Assurance that technical descriptions of the data files are  
33 consistent with those provided by the State Department of Public  
34 Health.

35 (7) Assurance that the requester shall not sell, assign, or  
36 otherwise transfer the data files, except as permitted by subdivision  
37 (e).

38 (8) Assurance that the requester shall not use the data files for  
39 fraudulent purposes.

1 (c) Mail-in requests for birth, death, and marriage data files  
2 pursuant to this section shall include a notarized statement attesting  
3 to the identity of the requester.

4 (d) Birth, death, and marriage data files provided pursuant to  
5 this section shall be made available subject to cost recovery  
6 provisions of the California Public Records Act (Chapter 3.5  
7 (commencing with Section 6250) of Division 7 of Title 1 of the  
8 Government Code).

9 (e) (1) Birth, death, and marriage data files, and any portion  
10 thereof, obtained pursuant to this section, shall not be used for  
11 fraudulent purposes and shall not be posted on the Internet.

12 (2) Notwithstanding paragraph (1), individual information  
13 contained in death data files obtained pursuant to paragraph (4) of  
14 subdivision (a) may be posted on the Internet if all of the following  
15 requirements are met:

16 (A) The information is posted on an Internet Web site that is  
17 protected by a password.

18 (B) The information is posted on an Internet Web site that is  
19 available to subscribers only for a fee.

20 (C) The information is not posted for public display.

21 (D) The information is available to subscribers pursuant to a  
22 contractual agreement.

23 (E) The information is posted for purposes of law enforcement  
24 or preventing fraud.

25 (f) A person or entity that obtains a birth, death, or marriage  
26 data file, or any portion thereof, from a requester who has obtained  
27 the data file in accordance with subdivision (b) may not sell, assign,  
28 or otherwise transfer that data file, or any portion thereof, to any  
29 third party.

30 (g) This section shall be implemented only to the extent that  
31 funds for these purposes are appropriated by the Legislature in the  
32 annual Budget Act or other statute.

33 SEC. 3. Section 103525 of the Health and Safety Code is  
34 amended to read:

35 103525. (a) The State Registrar, local registrar, or county  
36 recorder shall, upon request and payment of the required fee, supply  
37 to any applicant a certified copy of the record of any birth, fetal  
38 death, death, marriage, or marriage dissolution registered with the  
39 official.

1 When the original forms of certificates of live birth furnished  
2 by the State Registrar contain a printed section at the bottom  
3 containing medical and social data or labeled “Confidential  
4 Information for Public Health Use Only,” that section shall not be  
5 reproduced in a certified copy of the record except as specifically  
6 authorized in Section 102430.

7 (b) Notwithstanding subdivision (a) or any other law, the State  
8 Registrar, local registrar, or county recorder shall provide certified  
9 copies of birth, death, and marriage records only as authorized  
10 under Section 103526 or 103526.5.

11 SEC. 4. Section 103525.5 of the Health and Safety Code is  
12 amended to read:

13 103525.5. (a) (1) Until January 1, 2006, in addition to the  
14 fees prescribed by Sections 103625 and 103626, an applicant for  
15 a certified copy of a birth or death record shall pay an additional  
16 fee of two dollars (\$2). Commencing January 1, 2006, this fee  
17 shall be reduced to one dollar (\$1).

18 (2) Commencing January 1, 2010, in addition to the fees  
19 prescribed by Sections 103625 and 103626, an applicant for a  
20 certified copy of a marriage record shall pay an additional fee of  
21 one dollar (\$1).

22 (b) Until January 1, 2006, each local registrar or county recorder  
23 collecting the fee pursuant to this section shall transmit one dollar  
24 and sixty-five cents (\$1.65) of the fee to the State Registrar by the  
25 10th day of the month following the month in which the fee was  
26 received. Commencing January 1, 2006, each local registrar or  
27 county recorder collecting the fee pursuant to this section shall  
28 transmit sixty-five cents (\$.65) of the fee to the State Registrar by  
29 the 10th day of the month in which the fee was received. These  
30 funds, and fees collected by the State Registrar pursuant to this  
31 section, shall be used by the State Registrar, upon appropriation  
32 by the Legislature, to develop safety and security measures to  
33 protect against fraudulent use of birth, death, and marriage records,  
34 including, but not limited to, computerizing records, redacting and  
35 removing signatures as required by law, and electronically  
36 distributing redacted records to local registrars and county recorders  
37 for their use in complying with Sections 103526 and 103526.5.

38 (c) Thirty-five cents (\$0.35) of the fee specified in subdivision  
39 (a) shall be retained by the public official charged with the

1 collection of the fee to defray the costs of the additional security  
2 features required by Sections 103526 and 103526.5.

3 (d) The entire amount of the fee collected pursuant to  
4 subdivision (a) by the State Registrar shall be retained and used  
5 by the State Registrar, upon appropriation by the Legislature, for  
6 the purpose specified in subdivision (b). The entire amount of the  
7 fee collected by the local registrar or county recorder pursuant to  
8 subdivision (c) shall be retained and used by that official for the  
9 purpose specified in subdivision (c).

10 SEC. 5. Section 103526 of the Health and Safety Code is  
11 amended to read:

12 103526. (a) If the State Registrar, local registrar, or county  
13 recorder receives a written or faxed request for a certified copy of  
14 a birth, death, or marriage record pursuant to Section 103525, or  
15 a military service record pursuant to Section 6107 of the  
16 Government Code, that is accompanied by a notarized statement  
17 sworn under penalty of perjury, or a faxed copy of a notarized  
18 statement sworn under penalty of perjury, that the requester is an  
19 authorized person, as defined in this section, that official may  
20 furnish a certified copy to the applicant in accordance with Section  
21 103525 and in accordance with Section 6107 of the Government  
22 Code. If a written request for a certified copy of a military service  
23 record is submitted to a county recorder by fax, the county recorder  
24 may furnish a certified copy of the military record to the applicant  
25 in accordance with Section 103525. A faxed notary  
26 acknowledgment accompanying a faxed request received pursuant  
27 to this subdivision for a certified copy of a birth, death, or marriage  
28 record or a military service record shall be legible and, if the  
29 notary's seal is not photographically reproducible, show the name  
30 of the notary, the county of the notary's principal place of business,  
31 the notary's telephone number, the notary's registration number,  
32 and the notary's commission expiration date typed or printed in a  
33 manner that is photographically reproducible below, or immediately  
34 adjacent to, the notary's signature in the acknowledgment. If a  
35 request for a certified copy of a birth, death, or marriage record is  
36 made in person, the official shall take a statement sworn under  
37 penalty of perjury that the requester is signing his or her own legal  
38 name and is an authorized person, and that official may then furnish  
39 a certified copy to the applicant.

1 (b) In all other circumstances, the certified copy provided to the  
2 applicant shall be an informational certified copy and shall display  
3 a legend that states “INFORMATIONAL, NOT A VALID  
4 DOCUMENT TO ESTABLISH IDENTITY.” The legend shall  
5 be placed on the certificate in a manner that will not conceal  
6 information.

7 (c) For purposes of this section, an “authorized person” is any  
8 of the following:

9 (1) The registrant or a parent or legal guardian of the registrant.

10 (2) A party entitled to receive the record as a result of a court  
11 order, or an attorney or a licensed adoption agency seeking the  
12 birth record in order to comply with the requirements of Section  
13 3140 or 7603 of the Family Code.

14 (3) A member of a law enforcement agency or a representative  
15 of another governmental agency, as provided by law, who is  
16 conducting official business.

17 (4) A child, grandparent, grandchild, sibling, spouse, or domestic  
18 partner of the registrant.

19 (5) An attorney representing the registrant or the registrant’s  
20 estate, or any person or agency empowered by statute or appointed  
21 by a court to act on behalf of the registrant or the registrant’s estate.

22 (6) Any agent or employee of a funeral establishment who acts  
23 within the course and scope of his or her employment and who  
24 orders certified copies of a death certificate on behalf of any  
25 individual specified in paragraphs (1) to (5), inclusive, of  
26 subdivision (a) of Section 7100.

27 (d) Any person who asks the agent or employee of a funeral  
28 establishment to request a death certificate on his or her behalf  
29 warrants the truthfulness of his or her relationship to the decedent,  
30 and is personally liable for all damages occasioned by, or resulting  
31 from, a breach of that warranty.

32 (e) Notwithstanding any other law:

33 (1) Any member of a law enforcement agency or a representative  
34 of a state or local government agency, as provided by law, who  
35 orders a copy of a record to which subdivision (a) applies in  
36 conducting official business may not be required to provide the  
37 notarized statement required by subdivision (a).

38 (2) An agent or employee of a funeral establishment who acts  
39 within the course and scope of his or her employment and who  
40 orders death certificates on behalf of individuals specified in

paragraphs (1) to (5), inclusive, of subdivision (a) of Section 7100 shall not be required to provide the notarized statement required by subdivision (a).

(f) Informational certified copies of birth and death certificates issued pursuant to subdivision (b) shall only be printed from the single statewide database prepared by the State Registrar and shall be electronically redacted to remove any signatures for purposes of compliance with this section. Local registrars and county recorders shall not issue informational certified copies of birth and death certificates from any source other than the statewide database prepared by the State Registrar. This subdivision shall become operative on July 1, 2007, but only after the statewide database becomes operational and the full calendar year of the birth and death indices and images is entered into the statewide database and is available for the respective year of the birth or death certificate for which an informational copy is requested. The State Registrar shall provide written notification to local registrars and county recorders as soon as a year becomes available for issuance from the statewide database.

SEC. 6. Section 103526.5 of the Health and Safety Code is amended to read:

103526.5. (a) Each certified copy of a birth, death, or marriage record issued pursuant to Section 103525 shall include the date issued, the name of the issuing officer, the signature of the issuing officer, whether that is the State Registrar, local registrar, county recorder, or county clerk, or an authorized facsimile thereof, and the seal of the issuing office.

(b) All certified copies of birth, death, and marriage records issued pursuant to Section 103525 shall be printed on chemically sensitized security paper that measures 8½ inches by 11 inches and that has the following features:

- (A) Intaglio print.
- (B) Latent image.
- (C) Fluorescent, consecutive numbering with matching barcode.
- (D) Microprint line.
- (E) Prismatic printing.
- (F) Watermark.
- (G) Void pantograph.
- (H) Fluorescent security threads.
- (I) Fluorescent fibers.

1 (J) Any other security features deemed necessary by the State  
2 Registrar.

3 (c) The State Registrar, local registrars, county recorders, and  
4 county clerks shall take precautions to ensure that uniform and  
5 consistent standards are used statewide to safeguard the security  
6 paper described in subdivision (b), including, but not limited to,  
7 the following measures:

8 (1) Security paper shall be maintained under secure conditions  
9 so as not to be accessible to the public.

10 (2) A log shall be kept of all visitors allowed in the area where  
11 security paper is stored.

12 (3) All spoilage shall be accounted for and subsequently  
13 destroyed by shredding on the premises.

14 SEC. 7. Section 103527 of the Health and Safety Code is  
15 amended to read:

16 103527. (a) The State Registrar shall appoint a Vital Records  
17 Protection Advisory Committee to study and make  
18 recommendations to protect individual privacy, inhibit identity  
19 theft, and prevent fraud involving birth, death, and marriage  
20 certificates while providing needed access to birth, death, and  
21 marriage record information to those seeking it for legitimate  
22 purposes. The committee shall have the following duties:

23 (1) Review and make recommendations as to the adequacy of  
24 procedures to safeguard individual privacy and prevent fraud,  
25 while ensuring appropriate access to birth, death, and marriage  
26 records.

27 (2) Make recommendations to the State Registrar as to items  
28 that should be redacted from informational certified copies of birth,  
29 death, and marriage certificates issued pursuant to Section 103526.

30 (3) Make recommendations to the State Registrar regarding  
31 fraud prevention measures concerning vital records.

32 (b) The committee shall include representatives from private  
33 and governmental entities that use vital records as identity or legal  
34 documents, consumers, law enforcement officials, genealogists,  
35 and organizations that research vital records for legal or social  
36 purposes. The State Registrar shall make every effort to ensure  
37 that committee membership also represents the community at large.

38 (c) (1) Except as provided in paragraph (2), membership on  
39 the committee shall be for a term of three years.

1 (2) Appointments shall be made on a staggered basis to allow  
2 for a change of one-third of the membership on an annual basis.  
3 One-third of the initial committee membership shall be appointed  
4 to one-year terms, and one-third of the initial committee  
5 membership shall be appointed to two-year terms.

6 SEC. 8. No reimbursement is required by this act pursuant to  
7 Section 6 of Article XIII B of the California Constitution for certain  
8 costs that may be incurred by a local agency or school district  
9 because, in that regard, this act creates a new crime or infraction,  
10 eliminates a crime or infraction, or changes the penalty for a crime  
11 or infraction, within the meaning of Section 17556 of the  
12 Government Code, or changes the definition of a crime within the  
13 meaning of Section 6 of Article XIII B of the California  
14 Constitution.

15 However, if the Commission on State Mandates determines that  
16 this act contains other costs mandated by the state, reimbursement  
17 to local agencies and school districts for those costs shall be made  
18 pursuant to Part 7 (commencing with Section 17500) of Division  
19 4 of Title 2 of the Government Code.