

AMENDED IN SENATE MARCH 23, 2011

SENATE BILL

No. 416

Introduced by Senator Kehoe

February 16, 2011

An act to amend Section 14771 of the Government Code, relating to state government forms.

LEGISLATIVE COUNSEL'S DIGEST

SB 416, as amended, Kehoe. Statewide forms management: personal data.

Existing law requires the Director of General Services, through the forms management center within the Department of General Services, to provide notice to state agencies, form management representatives, and departmental forms coordinators that in the usual course of reviewing and revising all public-use forms that refer to or use the terms spouse, husband, wife, father, mother, marriage, or marital status, appropriate references to state-registered domestic partner, parent, or state-registered domestic partnership are to be included.

This bill would additionally require the director to provide notice to these individuals and entities that, in the usual course of reviewing and revising all surveys that collect demographic data and that are administered, or funded fully or in part, by the state, appropriate voluntary self-identification information shall be collected by the surveys pertaining to sexual orientation and gender identity *and gender expression*. It would specify that surveys that ask about marital status shall also ask about registered domestic partnership status and about the sex of the spouse or partner.

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

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

SECTION 1. Section 14771 of the Government Code is amended to read:

14771. (a) The director, through the forms management center, shall do all of the following:

(1) Establish a State Forms Management Program for all state agencies, and provide assistance in establishing internal forms management capabilities.

(2) Study, develop, coordinate and initiate forms of interagency and common administrative usage, and establish basic state design and specification criteria to effect the standardization of public-use forms.

(3) Provide assistance to state agencies for economical forms design and forms artwork composition and establish and supervise control procedures to prevent the undue creation and reproduction of public-use forms.

(4) Provide assistance, training, and instruction in forms management techniques to state agencies, forms management representatives, and departmental forms coordinators, and provide direct administrative and forms management assistance to new state organizations as they are created.

(5) Maintain a central cross index of public-use forms to facilitate the standardization of these forms, to eliminate redundant forms, and to provide a central source of information on the usage and availability of forms.

(6) Utilize appropriate procurement techniques to take advantage of competitive bidding, consolidated orders, and contract procurement of forms, and work directly with the Office of State Publishing toward more efficient, economical and timely procurement, receipt, storage, and distribution of state forms.

(7) Coordinate the forms management program with the existing state archives and records management program to ensure timely disposition of outdated forms and related records.

(8) Conduct periodic evaluations of the effectiveness of the overall forms management program and the forms management practices of the individual state agencies, and maintain records which indicate net dollar savings which have been realized through centralized forms management.

1 (9) Develop and promulgate rules and standards to implement
2 the overall purposes of this section.

3 (10) Create and maintain by July 1, 1986, a complete and
4 comprehensive inventory of public-use forms in current use by
5 the state.

6 (11) Establish and maintain, by July 1, 1986, an index of all
7 public-use forms in current use by the state.

8 (12) Assign, by January 1, 1987, a control number to all
9 public-use forms in current use by the state.

10 (13) Establish a goal to reduce the existing burden of state
11 collections of public information by 30 percent by July 1, 1987,
12 and to reduce that burden by an additional 15 percent by July 1,
13 1988.

14 (14) Notwithstanding any other provision of law, including, but
15 not limited to, Section 14774, provide notice to state agencies,
16 forms management representatives, and departmental forms
17 coordinators, that in the usual course of reviewing and revising all
18 public-use forms that refer to or use the terms spouse, husband,
19 wife, father, mother, marriage, or marital status, appropriate
20 references to state-registered domestic partner, parent, or
21 state-registered domestic partnership are to be included.

22 (15) Notwithstanding any other provision of state law, including,
23 but not limited to, Section 14774, and to the extent permitted by
24 federal law, provide notice to state agencies, forms management
25 representatives, and departmental forms coordinators, that in the
26 usual course of reviewing and revising surveys that collect
27 demographic data and that are administered, or funded fully or in
28 part, by the state, appropriate voluntary self-identification
29 information shall be collected by the surveys pertaining to sexual
30 orientation and gender identity *and gender expression*. Surveys
31 that ask about marital status shall also ask about registered domestic
32 partnership status and about the gender of the spouse or partner.

33 (16) Delegate implementing authority to state agencies where
34 the delegation will result in the most timely and economical method
35 of accomplishing the responsibilities set forth in this section.

36 The director, through the forms management center, may require
37 any agency to revise any public-use form which the director
38 determines is inefficient.

39 (b) Due to the need for tax forms to be available to the public
40 on a timely basis, all tax forms, including returns, schedules,

1 notices, and instructions prepared by the Franchise Tax Board for
2 public use in connection with its administration of the Personal
3 Income Tax Law, Senior Citizens Property Tax Assistance and
4 Postponement Law, Bank and Corporation Tax Law, and the
5 Political Reform Act of 1974 and the State Board of Equalization's
6 administration of county assessment standards, state-assessed
7 property, timber tax, sales and use tax, hazardous substances tax,
8 alcoholic beverage tax, cigarette tax, motor vehicle fuel license
9 tax, use fuel tax, energy resources surcharge, emergency telephone
10 users surcharge, insurance tax, and universal telephone service tax
11 shall be exempt from subdivision (a), and, instead, each board
12 shall do all of the following:

13 (1) Establish a goal to standardize, consolidate, simplify,
14 efficiently manage, and, where possible, reduce the number of tax
15 forms.

16 (2) Create and maintain, by July 1, 1986, a complete and
17 comprehensive inventory of tax forms in current use by the board.

18 (3) Establish and maintain, by July 1, 1986, an index of all tax
19 forms in current use by the board.

20 (4) Report to the Legislature, by January 1, 1987, on its progress
21 to improve the effectiveness and efficiency of all tax forms.

22 (c) The director, through the forms management center, shall
23 develop and maintain, by December 31, 1995, an ongoing master
24 inventory of all nontax reporting forms required of businesses by
25 state agencies, including a schedule for notifying each state agency
26 of the impending expiration of certain report review requirements
27 pursuant to subdivision (b) of Section 14775.