

AMENDED IN ASSEMBLY AUGUST 24, 2012

AMENDED IN ASSEMBLY JUNE 28, 2012

AMENDED IN SENATE MAY 29, 2012

AMENDED IN SENATE MAY 1, 2012

AMENDED IN SENATE APRIL 12, 2012

SENATE BILL

No. 1258

Introduced by Senators Wolk and Correa
(Coauthors: Senators Berryhill, Calderon, Cannella, Huff,
Negrete McLeod, Rubio, and Runner)
(Coauthor: Assembly Member Cook)

February 23, 2012

An act to add Section 713 to the Military and Veterans Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 1258, as amended, Wolk. Department of Veterans Affairs: monitoring outcomes for veterans: Director of Employment Development: disclosure of information.

Existing law establishes the Department of Veterans Affairs, which is responsible for administering various programs and services for the benefit of veterans.

This bill would require the Department of Veterans Affairs to develop outcome and related indicators for veterans, for the purpose of assessing the status of veterans in California, for monitoring the quality of programs intended to serve those veterans, and to guide decisionmaking on how to improve those services. This bill would require the department

to report to the Senate and Assembly Committees on Veterans Affairs all of the outcome and related indicators developed by the department, recommendations on ways to establish a system for monitoring those indicators on a continual basis, and any regulatory or fiscal barriers that may hinder future progress on the development of a monitoring system, as provided.

Under existing law, the information obtained in the administration of the Unemployment Insurance Law is for the exclusive use and information of the Director of Employment Development in the discharge of his or her duties and is not open to the public. However, existing law requires the director to permit the use of specified information for specified purposes, and allows the director to require reimbursement for direct costs incurred. Existing law provides that a person who knowingly accesses, uses, or discloses this confidential information without authorization is guilty of a misdemeanor.

This bill would require the Director of Employment Development to permit the receipt of specified information to enable the Department of Veterans Affairs to develop outcome and related indicators for veterans. By providing this information to the Department of Veterans Affairs, this bill would expand the crime related to the unauthorized disclosure of this information, and impose a state-mandated local program.

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 no reimbursement is required by this act for a specified reason.

This bill would incorporate additional changes in Section 1095 of the Unemployment Insurance Code, proposed by AB 174 and SB 691 that would become operative only if this bill and either or both of those bills are chaptered and become effective January 1, 2013, and this bill is chaptered last.

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

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

- 1 SECTION 1. It is the intent of the Legislature in enacting this
- 2 act to authorize the California Department of Veterans Affairs to
- 3 receive information held by other state agencies as it relates to
- 4 outcomes for veterans in California, for purposes of monitoring

1 these outcomes and improving the operations of services and
2 programs intended to support the needs of veterans.

3 SEC. 2. Section 713 is added to the Military and Veterans
4 Code, to read:

5 713. (a) (1) The department shall develop outcome and related
6 indicators for veterans for the purpose of assessing the status of
7 veterans in California, for monitoring the quality of programs
8 intended to serve those veterans, and to guide decisionmaking on
9 how to improve those services.

10 (2) Indicators shall reflect the following issues, including, but
11 not limited to, employment and employment-related information
12 such as earnings, incidence of suicide, higher education including
13 access to higher education, involvement with the child welfare
14 system, and involvement with the criminal justice system.

15 (b) The department may receive any data, the access to which
16 is not restricted by any state or federal law, that is necessary to
17 develop outcome and related indicators as specified in subdivision
18 (a), including, but not limited to, data held by other state agencies
19 or departments.

20 (c) The department shall prescribe a manner in which to ensure
21 the confidentiality of information in the possession of the
22 department received pursuant to this section, that is equal to, or
23 greater than, the protections in place for data received by other
24 state agencies or departments.

25 (d) The department may establish one or more advisory bodies
26 to guide and inform the selection of outcome and related indicators
27 and the strategy for developing and reporting those indicators, as
28 determined by the Secretary of Veterans Affairs. An existing state
29 entity that involves diverse representation of state and local
30 veterans, including, but not limited to, the California Interagency
31 Council on Veterans, may act as an advisory body for purposes of
32 this section.

33 (e) (1) The department shall report to the Senate and Assembly
34 Committees on Veterans Affairs, on or before March 1, 2015, all
35 of the outcome and related indicators developed by the department
36 pursuant to subdivision (a). The report shall also include
37 recommendations on ways to establish a system for monitoring
38 those indicators on a continual basis, including additional staffing
39 or technology that might be necessary, as well as any regulatory

1 or fiscal barriers that may hinder future progress on the
2 development of a monitoring system.

3 (2) The report required to be submitted pursuant to this
4 subdivision shall be submitted in compliance with Section 9795
5 of the Government Code.

6 (3) The requirement for submitting a report under paragraph
7 (1) is inoperative on March 1, 2019, pursuant to Section 10231.5
8 of the Government Code.

9 SEC. 3. Section 1095 of the Unemployment Insurance Code
10 is amended to read:

11 1095. The director shall permit the use of any information in
12 his or her possession to the extent necessary for any of the
13 following purposes and may require reimbursement for all direct
14 costs incurred in providing any and all information specified in
15 this section, except information specified in subdivisions (a) to
16 (e), inclusive:

17 (a) To enable the director or his or her representative to carry
18 out his or her responsibilities under this code.

19 (b) To properly present a claim for benefits.

20 (c) To acquaint a worker or his or her authorized agent with his
21 or her existing or prospective right to benefits.

22 (d) To furnish an employer or his or her authorized agent with
23 information to enable him or her to fully discharge his or her
24 obligations or safeguard his or her rights under this division or
25 Division 3 (commencing with Section 9000).

26 (e) To enable an employer to receive a reduction in contribution
27 rate.

28 (f) To enable federal, state, or local government departments
29 or agencies, subject to federal law, to verify or determine the
30 eligibility or entitlement of an applicant for, or a recipient of, public
31 social services provided pursuant to Division 9 (commencing with
32 Section 10000) of the Welfare and Institutions Code, or Part A of
33 Title IV of the Social Security Act, where the verification or
34 determination is directly connected with, and limited to, the
35 administration of public social services.

36 (g) To enable county administrators of general relief or
37 assistance, or their representatives, to determine entitlement to
38 locally provided general relief or assistance, where the
39 determination is directly connected with, and limited to, the
40 administration of general relief or assistance.

1 (h) To enable state or local governmental departments or
2 agencies to seek criminal, civil, or administrative remedies in
3 connection with the unlawful application for, or receipt of, relief
4 provided under Division 9 (commencing with Section 10000) of
5 the Welfare and Institutions Code or to enable the collection of
6 expenditures for medical assistance services pursuant to Part 5
7 (commencing with Section 17000) of Division 9 of the Welfare
8 and Institutions Code.

9 (i) To provide any law enforcement agency with the name,
10 address, telephone number, birth date, social security number,
11 physical description, and names and addresses of present and past
12 employers, of any victim, suspect, missing person, potential
13 witness, or person for whom a felony arrest warrant has been
14 issued, when a request for this information is made by any
15 investigator or peace officer as defined by Sections 830.1 and
16 830.2 of the Penal Code, or by any federal law enforcement officer
17 to whom the Attorney General has delegated authority to enforce
18 federal search warrants, as defined under Sections 60.2 and 60.3
19 of Title 28 of the Code of Federal Regulations, as amended, and
20 when the requesting officer has been designated by the head of
21 the law enforcement agency and requests this information in the
22 course of and as a part of an investigation into the commission of
23 a crime when there is a reasonable suspicion that the crime is a
24 felony and that the information would lead to relevant evidence.
25 The information provided pursuant to this subdivision shall be
26 provided to the extent permitted by federal law and regulations,
27 and to the extent the information is available and accessible within
28 the constraints and configurations of existing department records.
29 Any person who receives any information under this subdivision
30 shall make a written report of the information to the law
31 enforcement agency that employs him or her, for filing under the
32 normal procedures of that agency.

33 (1) This subdivision shall not be construed to authorize the
34 release to any law enforcement agency of a general list identifying
35 individuals applying for or receiving benefits.

36 (2) The department shall maintain records pursuant to this
37 subdivision only for periods required under regulations or statutes
38 enacted for the administration of its programs.

1 (3) This subdivision shall not be construed as limiting the
2 information provided to law enforcement agencies to that pertaining
3 only to applicants for, or recipients of, benefits.

4 (4) The department shall notify all applicants for benefits that
5 release of confidential information from their records will not be
6 protected should there be a felony arrest warrant issued against
7 the applicant or in the event of an investigation by a law
8 enforcement agency into the commission of a felony.

9 (j) To provide public employee retirement systems in California
10 with information relating to the earnings of any person who has
11 applied for or is receiving a disability income, disability allowance,
12 or disability retirement allowance, from a public employee
13 retirement system. The earnings information shall be released only
14 upon written request from the governing board specifying that the
15 person has applied for or is receiving a disability allowance or
16 disability retirement allowance from its retirement system. The
17 request may be made by the chief executive officer of the system
18 or by an employee of the system so authorized and identified by
19 name and title by the chief executive officer in writing.

20 (k) To enable the Division of Labor Standards Enforcement in
21 the Department of Industrial Relations to seek criminal, civil, or
22 administrative remedies in connection with the failure to pay, or
23 the unlawful payment of, wages pursuant to Chapter 1
24 (commencing with Section 200) of Part 1 of Division 2 of, and
25 Chapter 1 (commencing with Section 1720) of Part 7 of Division
26 2 of, the Labor Code.

27 (l) To enable federal, state, or local governmental departments
28 or agencies to administer child support enforcement programs
29 under Title IV of the Social Security Act (42 U.S.C. Sec. 651 et
30 seq.).

31 (m) To provide federal, state, or local governmental departments
32 or agencies with wage and claim information in its possession that
33 will assist those departments and agencies in the administration
34 of the Victims of Crime Program or in the location of victims of
35 crime who, by state mandate or court order, are entitled to
36 restitution that has been or can be recovered.

37 (n) To provide federal, state, or local governmental departments
38 or agencies with information concerning any individuals who are
39 or have been:

(1) Directed by state mandate or court order to pay restitution, fines, penalties, assessments, or fees as a result of a violation of law.

(2) Delinquent or in default on guaranteed student loans or who owe repayment of funds received through other financial assistance programs administered by those agencies. The information released by the director for the purposes of this paragraph shall not include unemployment insurance benefit information.

(o) To provide an authorized governmental agency with any or all relevant information that relates to any specific workers' compensation insurance fraud investigation. The information shall be provided to the extent permitted by federal law and regulations. For the purposes of this subdivision, "authorized governmental agency" means the district attorney of any county, the office of the Attorney General, the Department of Industrial Relations, and the Department of Insurance. An authorized governmental agency may disclose this information to the State Bar of California, the Medical Board of California, or any other licensing board or department whose licensee is the subject of a workers' compensation insurance fraud investigation. This subdivision shall not prevent any authorized governmental agency from reporting to any board or department the suspected misconduct of any licensee of that body.

(p) To enable the Director of the Bureau for Private Postsecondary Education, or his or her representatives, to access unemployment insurance quarterly wage data on a case-by-case basis to verify information on school administrators, school staff, and students provided by those schools who are being investigated for possible violations of Chapter 8 (commencing with Section 94800) of Part 59 of Division 10 of Title 3 of the Education Code.

(q) To provide employment tax information to the tax officials of Mexico, if a reciprocal agreement exists. For purposes of this subdivision, "reciprocal agreement" means a formal agreement to exchange information between national taxing officials of Mexico and taxing authorities of the State Board of Equalization, the Franchise Tax Board, and the Employment Development Department. Furthermore, the reciprocal agreement shall be limited to the exchange of information that is essential for tax administration purposes only. Taxing authorities of the State of California shall be granted tax information only on California

1 residents. Taxing authorities of Mexico shall be granted tax
2 information only on Mexican nationals.

3 (r) To enable city and county planning agencies to develop
4 economic forecasts for planning purposes. The information shall
5 be limited to businesses within the jurisdiction of the city or county
6 whose planning agency is requesting the information, and shall
7 not include information regarding individual employees.

8 (s) To provide the State Department of Developmental Services
9 with wage and employer information that will assist in the
10 collection of moneys owed by the recipient, parent, or any other
11 legally liable individual for services and supports provided pursuant
12 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
13 and Chapter 2 (commencing with Section 7200) and Chapter 3
14 (commencing with Section 7500) of Division 7 of, the Welfare
15 and Institutions Code.

16 (t) To provide the State Board of Equalization with employment
17 tax information that will assist in the administration of tax
18 programs. The information shall be limited to the exchange of
19 employment tax information essential for tax administration
20 purposes to the extent permitted by federal law and regulations.

21 (u) Nothing in this section shall be construed to authorize or
22 permit the use of information obtained in the administration of this
23 code by a private collection agency.

24 (v) The disclosure of the name and address of an individual or
25 business entity that was issued an assessment that included
26 penalties under Section 1128 or 1128.1 shall not be in violation
27 of Section 1094 if the assessment is final. The disclosure may also
28 include any of the following:

29 (1) The total amount of the assessment.

30 (2) The amount of the penalty imposed under Section 1128 or
31 1128.1 that is included in the assessment.

32 (3) The facts that resulted in the charging of the penalty under
33 Section 1128 or 1128.1.

34 (w) To enable the Contractors' State License Board to verify
35 the employment history of an individual applying for licensure
36 pursuant to Section 7068 of the Business and Professions Code.

37 (x) To provide a peace officer with the Division of Investigation
38 in the Department of Consumer Affairs information pursuant to
39 subdivision (i) when the requesting peace officer has been
40 designated by the Chief of the Division of Investigation and

1 requests this information in the course of and as part of an
2 investigation into the commission of a crime or other unlawful act
3 when there is reasonable suspicion to believe that the crime or act
4 may be connected to the information requested and would lead to
5 relevant information regarding the crime or unlawful act.

6 (y) To enable the Labor Commissioner of the Division of Labor
7 Standards Enforcement in the Department of Industrial Relations
8 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
9 uninsured employers. The information shall be provided to the
10 extent permitted by federal law and regulations.

11 (z) To enable the Chancellor of the California Community
12 Colleges, in accordance with the requirements of Section 84754.5
13 of the Education Code, to obtain quarterly wage data, commencing
14 January 1, 1993, on students who have attended one or more
15 community colleges, to assess the impact of education on the
16 employment and earnings of students, to conduct the annual
17 evaluation of district level and individual college performance in
18 achieving priority educational outcomes, and to submit the required
19 reports to the Legislature and the Governor. The information shall
20 be provided to the extent permitted by federal statutes and
21 regulations.

22 (aa) To enable the Public Employees' Retirement System to
23 seek criminal, civil, or administrative remedies in connection with
24 the unlawful application for, or receipt of, benefits provided under
25 Part 3 (commencing with Section 20000) of Division 5 of Title 2
26 of the Government Code.

27 (ab) To enable the State Department of Education, the University
28 of California, the California State University, and the Chancellor
29 of the California Community Colleges, pursuant to the
30 requirements prescribed by the federal American Recovery and
31 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
32 wage data, commencing July 1, 2010, on students who have
33 attended their respective systems to assess the impact of education
34 on the employment and earnings of those students, to conduct the
35 annual analysis of district level and individual district or
36 postsecondary education system performance in achieving priority
37 educational outcomes, and to submit the required reports to the
38 Legislature and the Governor. The information shall be provided
39 to the extent permitted by federal statutes and regulations.

1 (ac) To enable the Department of Veterans Affairs to receive
2 quarterly wage data pursuant to the requirements of Section 713
3 of the Military and Veterans Code. The information shall be
4 provided to the extent permitted by federal law.

5 *SEC. 3.1. Section 1095 of the Unemployment Insurance Code*
6 *is amended to read:*

7 1095. The director shall permit the use of any information in
8 his or her possession to the extent necessary for any of the
9 following purposes and may require reimbursement for all direct
10 costs incurred in providing any and all information specified in
11 this section, except information specified in subdivisions (a) to
12 (e), inclusive:

13 (a) To enable the director or his or her representative to carry
14 out his or her responsibilities under this code.

15 (b) To properly present a claim for benefits.

16 (c) To acquaint a worker or his or her authorized agent with his
17 or her existing or prospective right to benefits.

18 (d) To furnish an employer or his or her authorized agent with
19 information to enable him or her to fully discharge his or her
20 obligations or safeguard his or her rights under this division or
21 Division 3 (commencing with Section 9000).

22 (e) To enable an employer to receive a reduction in contribution
23 rate.

24 (f) To enable federal, state, or local government departments
25 or agencies, subject to federal law, to verify or determine the
26 eligibility or entitlement of an applicant for, or a recipient of, public
27 social services provided pursuant to Division 9 (commencing with
28 Section 10000) of the Welfare and Institutions Code, or Part A of
29 Title IV of the Social Security Act, where the verification or
30 determination is directly connected with, and limited to, the
31 administration of public social services.

32 (g) To enable county administrators of general relief or
33 assistance, or their representatives, to determine entitlement to
34 locally provided general relief or assistance, where the
35 determination is directly connected with, and limited to, the
36 administration of general relief or assistance.

37 (h) To enable state or local governmental departments or
38 agencies to seek criminal, civil, or administrative remedies in
39 connection with the unlawful application for, or receipt of, relief
40 provided under Division 9 (commencing with Section 10000) of

1 the Welfare and Institutions Code or to enable the collection of
2 expenditures for medical assistance services pursuant to Part 5
3 (commencing with Section 17000) of Division 9 of the Welfare
4 and Institutions Code.

5 (i) To provide any law enforcement agency with the name,
6 address, telephone number, birth date, social security number,
7 physical description, and names and addresses of present and past
8 employers, of any victim, suspect, missing person, potential
9 witness, or person for whom a felony arrest warrant has been
10 issued, when a request for this information is made by any
11 investigator or peace officer as defined by Sections 830.1 and
12 830.2 of the Penal Code, or by any federal law enforcement officer
13 to whom the Attorney General has delegated authority to enforce
14 federal search warrants, as defined under Sections 60.2 and 60.3
15 of Title 28 of the Code of Federal Regulations, as amended, and
16 when the requesting officer has been designated by the head of
17 the law enforcement agency and requests this information in the
18 course of and as a part of an investigation into the commission of
19 a crime when there is a reasonable suspicion that the crime is a
20 felony and that the information would lead to relevant evidence.
21 The information provided pursuant to this subdivision shall be
22 provided to the extent permitted by federal law and regulations,
23 and to the extent the information is available and accessible within
24 the constraints and configurations of existing department records.
25 Any person who receives any information under this subdivision
26 shall make a written report of the information to the law
27 enforcement agency that employs him or her, for filing under the
28 normal procedures of that agency.

29 (1) This subdivision shall not be construed to authorize the
30 release to any law enforcement agency of a general list identifying
31 individuals applying for or receiving benefits.

32 (2) The department shall maintain records pursuant to this
33 subdivision only for periods required under regulations or statutes
34 enacted for the administration of its programs.

35 (3) This subdivision shall not be construed as limiting the
36 information provided to law enforcement agencies to that pertaining
37 only to applicants for, or recipients of, benefits.

38 (4) The department shall notify all applicants for benefits that
39 release of confidential information from their records will not be
40 protected should there be a felony arrest warrant issued against

1 the applicant or in the event of an investigation by a law
2 enforcement agency into the commission of a felony.

3 (j) To provide public employee retirement systems in California
4 with information relating to the earnings of any person who has
5 applied for or is receiving a disability income, disability allowance,
6 or disability retirement allowance, from a public employee
7 retirement system. The earnings information shall be released only
8 upon written request from the governing board specifying that the
9 person has applied for or is receiving a disability allowance or
10 disability retirement allowance from its retirement system. The
11 request may be made by the chief executive officer of the system
12 or by an employee of the system so authorized and identified by
13 name and title by the chief executive officer in writing.

14 (k) To enable the Division of Labor Standards Enforcement in
15 the Department of Industrial Relations to seek criminal, civil, or
16 administrative remedies in connection with the failure to pay, or
17 the unlawful payment of, wages pursuant to Chapter 1
18 (commencing with Section 200) of Part 1 of Division 2 of, and
19 Chapter 1 (commencing with Section 1720) of Part 7 of Division
20 2 of, the Labor Code.

21 (l) To enable federal, state, or local governmental departments
22 or agencies to administer child support enforcement programs
23 under Title IV of the Social Security Act (42 U.S.C. Sec. 651 et
24 seq.).

25 (m) To provide federal, state, or local governmental departments
26 or agencies with wage and claim information in its possession that
27 will assist those departments and agencies in the administration
28 of the Victims of Crime Program or in the location of victims of
29 crime who, by state mandate or court order, are entitled to
30 restitution that has been or can be recovered.

31 (n) To provide federal, state, or local governmental departments
32 or agencies with information concerning any individuals who are
33 or have been:

34 (1) Directed by state mandate or court order to pay restitution,
35 fines, penalties, assessments, or fees as a result of a violation of
36 law.

37 (2) Delinquent or in default on guaranteed student loans or who
38 owe repayment of funds received through other financial assistance
39 programs administered by those agencies. The information released

by the director for the purposes of this paragraph shall not include unemployment insurance benefit information.

(o) To provide an authorized governmental agency with any or all relevant information that relates to any specific workers' compensation insurance fraud investigation. The information shall be provided to the extent permitted by federal law and regulations. For the purposes of this subdivision, "authorized governmental agency" means the district attorney of any county, the office of the Attorney General, the Department of Industrial Relations, and the Department of Insurance. An authorized governmental agency may disclose this information to the State Bar *of California*, the Medical Board of California, or any other licensing board or department whose licensee is the subject of a workers' compensation insurance fraud investigation. This subdivision shall not prevent any authorized governmental agency from reporting to any board or department the suspected misconduct of any licensee of that body.

(p) To enable the Director of the Bureau for Private Postsecondary—~~and Vocational~~ Education, or his or her representatives, to access unemployment insurance quarterly wage data on a case-by-case basis to verify information on school administrators, school staff, and students provided by those schools who are being investigated for possible violations of Chapter ~~7 8~~ (commencing with Section ~~94700~~) 94800) of Part 59 of *Division 10 of Title 3 of the Education Code*.

(q) To provide employment tax information to the tax officials of Mexico, if a reciprocal agreement exists. For purposes of this subdivision, "reciprocal agreement" means a formal agreement to exchange information between national taxing officials of Mexico and taxing authorities of the State Board of Equalization, the Franchise Tax Board, and the Employment Development Department. Furthermore, the reciprocal agreement shall be limited to the exchange of information that is essential for tax administration purposes only. Taxing authorities of the State of California shall be granted tax information only on California residents. Taxing authorities of Mexico shall be granted tax information only on Mexican nationals.

(r) To enable city and county planning agencies to develop economic forecasts for planning purposes. The information shall be limited to businesses within the jurisdiction of the city or county

1 whose planning agency is requesting the information, and shall
2 not include information regarding individual employees.

3 (s) To provide the State Department of Developmental Services
4 with wage and employer information that will assist in the
5 collection of moneys owed by the recipient, parent, or any other
6 legally liable individual for services and supports provided pursuant
7 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
8 and Chapter 2 (commencing with Section 7200) and Chapter 3
9 (commencing with Section 7500) of Division 7 of, the Welfare
10 and Institutions Code.

11 (t) To provide the State Board of Equalization with employment
12 tax information that will assist in the administration of tax
13 programs. The information shall be limited to the exchange of
14 employment tax information essential for tax administration
15 purposes to the extent permitted by federal law and regulations.

16 (u) Nothing in this section shall be construed to authorize or
17 permit the use of information obtained in the administration of this
18 code by ~~any~~ a private collection agency.

19 (v) The disclosure of the name and address of an individual or
20 business entity that was issued an assessment that included
21 penalties under Section 1128 or 1128.1 shall not be in violation
22 of Section 1094 if the assessment is final. The disclosure may also
23 include any of the following:

24 (1) The total amount of the assessment.

25 (2) The amount of the penalty imposed under Section 1128 or
26 1128.1 that is included in the assessment.

27 (3) The facts that resulted in the charging of the penalty under
28 Section 1128 or 1128.1.

29 (w) To enable the Contractors' State License Board to verify
30 the employment history of an individual applying for licensure
31 pursuant to Section 7068 of the Business and Professions Code.

32 (x) To provide ~~any~~ a peace officer with the Division of
33 Investigation in the Department of Consumer Affairs information
34 pursuant to subdivision (i) when the requesting peace officer has
35 been designated by the Chief of the Division of Investigation and
36 requests this information in the course of and as part of an
37 investigation into the commission of a crime or other unlawful act
38 when there is reasonable suspicion to believe that the crime or act
39 may be connected to the information requested and would lead to
40 relevant information regarding the crime or unlawful act.

(y) To enable the Labor Commissioner of the Division of Labor Standards Enforcement in the Department of Industrial Relations to identify, pursuant to Section 90.3 of the Labor Code, unlawfully uninsured employers. The information shall be provided to the extent permitted by federal law and regulations.

(z) To enable the Chancellor of the California Community Colleges, in accordance with the requirements of Section 84754.5 of the Education Code, to obtain quarterly wage data, commencing January 1, 1993, on students who have attended one or more community colleges, to assess the impact of education on the employment and earnings of students, to conduct the annual evaluation of ~~district-level~~ *district level* and individual college performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(aa) To enable the Public Employees' Retirement System to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, benefits provided under Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code.

(ab) To enable the State Department of Education, the University of California, the California State University, and the Chancellor of the California Community Colleges, pursuant to the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of ~~district-level~~ *district level* and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(ac) (1) *To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports*

1 of wages and number of employees, and disability insurance and
2 unemployment insurance claim information, for the purpose of:

3 (A) Verifying or determining the eligibility of an applicant for,
4 or a recipient of, state health subsidy programs, limited to the
5 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
6 with Section 14000) of Part 3 of Division 9 of the Welfare and
7 Institutions Code, the Healthy Families Program, provided
8 pursuant to Part 6.2 (commencing with Section 12693) of Division
9 2 of the Insurance Code, and the Access for Infants and Mothers
10 Program, provided pursuant to Part 6.3 (commencing with Section
11 12695) of Division 2 of the Insurance Code, where the verification
12 or determination is directly connected with, and limited to, the
13 administration of the state health subsidy programs referenced in
14 this subparagraph.

15 (B) Verifying or determining the eligibility of an applicant for,
16 or a recipient of, federal subsidies offered through the California
17 Health Benefit Exchange, provided pursuant to Title 22
18 (commencing with Section 100500) of the Government Code,
19 including federal tax credits and cost-sharing assistance pursuant
20 to the federal Patient Protection and Affordable Care Act (Public
21 Law 111-148), as amended by the federal Health Care and
22 Education Reconciliation Act of 2010 (Public Law 111-152), where
23 the verification or determination is directly connected with, and
24 limited to, the administration of the California Health Benefit
25 Exchange.

26 (C) Verifying or determining the eligibility of employees and
27 employers for health coverage through the Small Business Health
28 Options Program, provided pursuant to Section 100502 of the
29 Government Code, where the verification or determination is
30 directly connected with, and limited to, the administration of the
31 Small Business Health Options Program.

32 (2) The information provided under this subdivision shall be
33 subject to the requirements of, and provided to the extent permitted
34 by, federal law and regulations, including Part 603 of Title 20 of
35 the Code of Federal Regulations.

36 (ad) To enable the Department of Veterans Affairs to receive
37 quarterly wage data pursuant to the requirements of Section 713
38 of the Military and Veterans Code. The information shall be
39 provided to the extent permitted by federal law.

SEC. 3.2. *Section 1095 of the Unemployment Insurance Code is amended to read:*

1095. The director shall permit the use of any information in his or her possession to the extent necessary for any of the following purposes and may require reimbursement for all direct costs incurred in providing any and all information specified in this section, except information specified in subdivisions (a) to (e), inclusive:

(a) To enable the director or his or her representative to carry out his or her responsibilities under this code.

(b) To properly present a claim for benefits.

(c) To acquaint a worker or his or her authorized agent with his or her existing or prospective right to benefits.

(d) To furnish an employer or his or her authorized agent with information to enable him or her to fully discharge his or her obligations or safeguard his or her rights under this division or Division 3 (commencing with Section 9000).

(e) To enable an employer to receive a reduction in contribution rate.

(f) To enable federal, state, or local government departments or agencies, subject to federal law, to verify or determine the eligibility or entitlement of an applicant for, or a recipient of, public social services provided pursuant to Division 9 (commencing with Section 10000) of the Welfare and Institutions Code, or Part A of Title IV of the Social Security Act, where the verification or determination is directly connected with, and limited to, the administration of public social services.

(g) To enable county administrators of general relief or assistance, or their representatives, to determine entitlement to locally provided general relief or assistance, where the determination is directly connected with, and limited to, the administration of general relief or assistance.

(h) To enable state or local governmental departments or agencies to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, relief provided under Division 9 (commencing with Section 10000) of the Welfare and Institutions Code or to enable the collection of expenditures for medical assistance services pursuant to Part 5 (commencing with Section 17000) of Division 9 of the Welfare and Institutions Code.

(i) To provide any law enforcement agency with the name, address, telephone number, birth date, social security number, physical description, and names and addresses of present and past employers, of any victim, suspect, missing person, potential witness, or person for whom a felony arrest warrant has been issued, when a request for this information is made by any investigator or peace officer as defined by Sections 830.1 and 830.2 of the Penal Code, or by any federal law enforcement officer to whom the Attorney General has delegated authority to enforce federal search warrants, as defined under Sections 60.2 and 60.3 of Title 28 of the Code of Federal Regulations, as amended, and when the requesting officer has been designated by the head of the law enforcement agency and requests this information in the course of and as a part of an investigation into the commission of a crime when there is a reasonable suspicion that the crime is a felony and that the information would lead to relevant evidence. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the law enforcement agency that employs him or her, for filing under the normal procedures of that agency.

(1) This subdivision shall not be construed to authorize the release to any law enforcement agency of a general list identifying individuals applying for or receiving benefits.

(2) The department shall maintain records pursuant to this subdivision only for periods required under regulations or statutes enacted for the administration of its programs.

(3) This subdivision shall not be construed as limiting the information provided to law enforcement agencies to that pertaining only to applicants for, or recipients of, benefits.

(4) The department shall notify all applicants for benefits that release of confidential information from their records will not be protected should there be a felony arrest warrant issued against the applicant or in the event of an investigation by a law enforcement agency into the commission of a felony.

(j) To provide public employee retirement systems in California with information relating to the earnings of any person who has

1 applied for or is receiving a disability income, disability allowance,
2 or disability retirement allowance, from a public employee
3 retirement system. The earnings information shall be released only
4 upon written request from the governing board specifying that the
5 person has applied for or is receiving a disability allowance or
6 disability retirement allowance from its retirement system. The
7 request may be made by the chief executive officer of the system
8 or by an employee of the system so authorized and identified by
9 name and title by the chief executive officer in writing.

10 (k) To enable the Division of Labor Standards Enforcement in
11 the Department of Industrial Relations to seek criminal, civil, or
12 administrative remedies in connection with the failure to pay, or
13 the unlawful payment of, wages pursuant to Chapter 1
14 (commencing with Section 200) of Part 1 of Division 2 of, and
15 Chapter 1 (commencing with Section 1720) of Part 7 of Division
16 2 of, the Labor Code.

17 (l) To enable federal, state, or local governmental departments
18 or agencies to administer child support enforcement programs
19 under Title IV of the *federal* Social Security Act (42 U.S.C. Sec.
20 651 et seq.).

21 (m) To provide federal, state, or local governmental departments
22 or agencies with wage and claim information in its possession that
23 will assist those departments and agencies in the administration
24 of the Victims of Crime Program or in the location of victims of
25 crime who, by state mandate or court order, are entitled to
26 restitution that has been or can be recovered.

27 (n) To provide federal, state, or local governmental departments
28 or agencies with information concerning any individuals who are
29 or have been:

30 (1) Directed by state mandate or court order to pay restitution,
31 fines, penalties, assessments, or fees as a result of a violation of
32 law.

33 (2) Delinquent or in default on guaranteed student loans or who
34 owe repayment of funds received through other financial assistance
35 programs administered by those agencies. The information released
36 by the director for the purposes of this paragraph shall not include
37 unemployment insurance benefit information.

38 (o) To provide an authorized governmental agency with any or
39 all relevant information that relates to any specific workers'
40 compensation insurance fraud investigation. The information shall

1 be provided to the extent permitted by federal law and regulations.
2 For the purposes of this subdivision, “authorized governmental
3 agency” means the district attorney of any county, the office of
4 the Attorney General, the *Contractors’ State License Board*, the
5 Department of Industrial Relations, and the Department of
6 Insurance. An authorized governmental agency may disclose this
7 information to the State Bar of *California*, the Medical Board of
8 California, or any other licensing board or department whose
9 licensee is the subject of a workers’ compensation insurance fraud
10 investigation. This subdivision shall not prevent any authorized
11 governmental agency from reporting to any board or department
12 the suspected misconduct of any licensee of that body.

13 (p) To enable the Director of the Bureau for Private
14 Postsecondary—~~and Vocational~~ Education, or his or her
15 representatives, to access unemployment insurance quarterly wage
16 data on a case-by-case basis to verify information on school
17 administrators, school staff, and students provided by those schools
18 who are being investigated for possible violations of Chapter ~~7 8~~
19 (commencing with Section ~~94700~~) 94800) of Part 59 of *Division*
20 *10 of Title 3 of the Education Code*.

21 (q) To provide employment tax information to the tax officials
22 of Mexico, if a reciprocal agreement exists. For purposes of this
23 subdivision, “reciprocal agreement” means a formal agreement to
24 exchange information between national taxing officials of Mexico
25 and taxing authorities of the State Board of Equalization, the
26 Franchise Tax Board, and the Employment Development
27 Department. Furthermore, the reciprocal agreement shall be limited
28 to the exchange of information that is essential for tax
29 administration purposes only. Taxing authorities of the State of
30 California shall be granted tax information only on California
31 residents. Taxing authorities of Mexico shall be granted tax
32 information only on Mexican nationals.

33 (r) To enable city and county planning agencies to develop
34 economic forecasts for planning purposes. The information shall
35 be limited to businesses within the jurisdiction of the city or county
36 whose planning agency is requesting the information, and shall
37 not include information regarding individual employees.

38 (s) To provide the State Department of Developmental Services
39 with wage and employer information that will assist in the
40 collection of moneys owed by the recipient, parent, or any other

legally liable individual for services and supports provided pursuant to Chapter 9 (commencing with Section 4775) of Division 4.5 of, and Chapter 2 (commencing with Section 7200) and Chapter 3 (commencing with Section 7500) of Division 7 of, the Welfare and Institutions Code.

(t) To provide the State Board of Equalization with employment tax information that will assist in the administration of tax programs. The information shall be limited to the exchange of employment tax information essential for tax administration purposes to the extent permitted by federal law and regulations.

(u) Nothing in this section shall be construed to authorize or permit the use of information obtained in the administration of this code by ~~any~~ a private collection agency.

(v) The disclosure of the name and address of an individual or business entity that was issued an assessment that included penalties under Section 1128 or 1128.1 shall not be in violation of Section 1094 if the assessment is final. The disclosure may also include any of the following:

- (1) The total amount of the assessment.
- (2) The amount of the penalty imposed under Section 1128 or 1128.1 that is included in the assessment.
- (3) The facts that resulted in the charging of the penalty under Section 1128 or 1128.1.

(w) To enable the Contractors' State License Board to verify the employment history of an individual applying for licensure pursuant to Section 7068 of the Business and Professions Code.

(x) To provide ~~any~~ a peace officer with the Division of Investigation in the Department of Consumer Affairs information pursuant to subdivision (i) when the requesting peace officer has been designated by the Chief of the Division of Investigation and requests this information in the course of and as part of an investigation into the commission of a crime or other unlawful act when there is reasonable suspicion to believe that the crime or act may be connected to the information requested and would lead to relevant information regarding the crime or unlawful act.

(y) To enable the Labor Commissioner of the Division of Labor Standards Enforcement in the Department of Industrial Relations to identify, pursuant to Section 90.3 of the Labor Code, unlawfully uninsured employers. The information shall be provided to the extent permitted by federal law and regulations.

1 (z) To enable the Chancellor of the California Community
2 Colleges, in accordance with the requirements of Section 84754.5
3 of the Education Code, to obtain quarterly wage data, commencing
4 January 1, 1993, on students who have attended one or more
5 community colleges, to assess the impact of education on the
6 employment and earnings of students, to conduct the annual
7 evaluation of ~~district-level~~ *district level* and individual college
8 performance in achieving priority educational outcomes, and to
9 submit the required reports to the Legislature and the Governor.
10 The information shall be provided to the extent permitted by federal
11 statutes and regulations.

12 (aa) To enable the Public Employees' Retirement System to
13 seek criminal, civil, or administrative remedies in connection with
14 the unlawful application for, or receipt of, benefits provided under
15 Part 3 (commencing with Section 20000) of Division 5 of Title 2
16 of the Government Code.

17 (ab) To enable the State Department of Education, the University
18 of California, the California State University, and the Chancellor
19 of the California Community Colleges, pursuant to the
20 requirements prescribed by the federal American Recovery and
21 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
22 wage data, commencing July 1, 2010, on students who have
23 attended their respective systems to assess the impact of education
24 on the employment and earnings of those students, to conduct the
25 annual analysis of ~~district-level~~ *district level* and individual district
26 or postsecondary education system performance in achieving
27 priority educational outcomes, and to submit the required reports
28 to the Legislature and the Governor. The information shall be
29 provided to the extent permitted by federal statutes and regulations.

30 (ac) *To provide the Agricultural Labor Relations Board with*
31 *employee, wage, and employer information, for use in the*
32 *investigation or enforcement of the*
33 *Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations*
34 *Act of 1975 (Part 3.5 (commencing with Section 1140) of Division*
35 *2 of the Labor Code). The information shall be provided to the*
36 *extent permitted by federal statutes and regulations.*

37 (ad) *To enable the Department of Veterans Affairs to receive*
38 *quarterly wage data pursuant to the requirements of Section 713*
39 *of the Military and Veterans Code. The information shall be*
40 *provided to the extent permitted by federal law.*

1 *SEC. 3.3. Section 1095 of the Unemployment Insurance Code*
2 *is amended to read:*

3 1095. The director shall permit the use of any information in
4 his or her possession to the extent necessary for any of the
5 following purposes and may require reimbursement for all direct
6 costs incurred in providing any and all information specified in
7 this section, except information specified in subdivisions (a) to
8 (e), inclusive:

9 (a) To enable the director or his or her representative to carry
10 out his or her responsibilities under this code.

11 (b) To properly present a claim for benefits.

12 (c) To acquaint a worker or his or her authorized agent with his
13 or her existing or prospective right to benefits.

14 (d) To furnish an employer or his or her authorized agent with
15 information to enable him or her to fully discharge his or her
16 obligations or safeguard his or her rights under this division or
17 Division 3 (commencing with Section 9000).

18 (e) To enable an employer to receive a reduction in contribution
19 rate.

20 (f) To enable federal, state, or local government departments
21 or agencies, subject to federal law, to verify or determine the
22 eligibility or entitlement of an applicant for, or a recipient of, public
23 social services provided pursuant to Division 9 (commencing with
24 Section 10000) of the Welfare and Institutions Code, or Part A of
25 Title IV of the Social Security Act, where the verification or
26 determination is directly connected with, and limited to, the
27 administration of public social services.

28 (g) To enable county administrators of general relief or
29 assistance, or their representatives, to determine entitlement to
30 locally provided general relief or assistance, where the
31 determination is directly connected with, and limited to, the
32 administration of general relief or assistance.

33 (h) To enable state or local governmental departments or
34 agencies to seek criminal, civil, or administrative remedies in
35 connection with the unlawful application for, or receipt of, relief
36 provided under Division 9 (commencing with Section 10000) of
37 the Welfare and Institutions Code or to enable the collection of
38 expenditures for medical assistance services pursuant to Part 5
39 (commencing with Section 17000) of Division 9 of the Welfare
40 and Institutions Code.

(i) To provide any law enforcement agency with the name, address, telephone number, birth date, social security number, physical description, and names and addresses of present and past employers, of any victim, suspect, missing person, potential witness, or person for whom a felony arrest warrant has been issued, when a request for this information is made by any investigator or peace officer as defined by Sections 830.1 and 830.2 of the Penal Code, or by any federal law enforcement officer to whom the Attorney General has delegated authority to enforce federal search warrants, as defined under Sections 60.2 and 60.3 of Title 28 of the Code of Federal Regulations, as amended, and when the requesting officer has been designated by the head of the law enforcement agency and requests this information in the course of and as a part of an investigation into the commission of a crime when there is a reasonable suspicion that the crime is a felony and that the information would lead to relevant evidence. The information provided pursuant to this subdivision shall be provided to the extent permitted by federal law and regulations, and to the extent the information is available and accessible within the constraints and configurations of existing department records. Any person who receives any information under this subdivision shall make a written report of the information to the law enforcement agency that employs him or her, for filing under the normal procedures of that agency.

(1) This subdivision shall not be construed to authorize the release to any law enforcement agency of a general list identifying individuals applying for or receiving benefits.

(2) The department shall maintain records pursuant to this subdivision only for periods required under regulations or statutes enacted for the administration of its programs.

(3) This subdivision shall not be construed as limiting the information provided to law enforcement agencies to that pertaining only to applicants for, or recipients of, benefits.

(4) The department shall notify all applicants for benefits that release of confidential information from their records will not be protected should there be a felony arrest warrant issued against the applicant or in the event of an investigation by a law enforcement agency into the commission of a felony.

(j) To provide public employee retirement systems in California with information relating to the earnings of any person who has

1 applied for or is receiving a disability income, disability allowance,
2 or disability retirement allowance, from a public employee
3 retirement system. The earnings information shall be released only
4 upon written request from the governing board specifying that the
5 person has applied for or is receiving a disability allowance or
6 disability retirement allowance from its retirement system. The
7 request may be made by the chief executive officer of the system
8 or by an employee of the system so authorized and identified by
9 name and title by the chief executive officer in writing.

10 (k) To enable the Division of Labor Standards Enforcement in
11 the Department of Industrial Relations to seek criminal, civil, or
12 administrative remedies in connection with the failure to pay, or
13 the unlawful payment of, wages pursuant to Chapter 1
14 (commencing with Section 200) of Part 1 of Division 2 of, and
15 Chapter 1 (commencing with Section 1720) of Part 7 of Division
16 2 of, the Labor Code.

17 (l) To enable federal, state, or local governmental departments
18 or agencies to administer child support enforcement programs
19 under Title IV of the *federal* Social Security Act (42 U.S.C. Sec.
20 651 et seq.).

21 (m) To provide federal, state, or local governmental departments
22 or agencies with wage and claim information in its possession that
23 will assist those departments and agencies in the administration
24 of the Victims of Crime Program or in the location of victims of
25 crime who, by state mandate or court order, are entitled to
26 restitution that has been or can be recovered.

27 (n) To provide federal, state, or local governmental departments
28 or agencies with information concerning any individuals who are
29 or have been:

30 (1) Directed by state mandate or court order to pay restitution,
31 fines, penalties, assessments, or fees as a result of a violation of
32 law.

33 (2) Delinquent or in default on guaranteed student loans or who
34 owe repayment of funds received through other financial assistance
35 programs administered by those agencies. The information released
36 by the director for the purposes of this paragraph shall not include
37 unemployment insurance benefit information.

38 (o) To provide an authorized governmental agency with any or
39 all relevant information that relates to any specific workers'
40 compensation insurance fraud investigation. The information shall

1 be provided to the extent permitted by federal law and regulations.
2 For the purposes of this subdivision, “authorized governmental
3 agency” means the district attorney of any county, the office of
4 the Attorney General, the *Contractors’ State License Board*, the
5 Department of Industrial Relations, and the Department of
6 Insurance. An authorized governmental agency may disclose this
7 information to the State Bar of *California*, the Medical Board of
8 California, or any other licensing board or department whose
9 licensee is the subject of a workers’ compensation insurance fraud
10 investigation. This subdivision shall not prevent any authorized
11 governmental agency from reporting to any board or department
12 the suspected misconduct of any licensee of that body.

13 (p) To enable the Director of the Bureau for Private
14 Postsecondary—~~and Vocational~~ Education, or his or her
15 representatives, to access unemployment insurance quarterly wage
16 data on a case-by-case basis to verify information on school
17 administrators, school staff, and students provided by those schools
18 who are being investigated for possible violations of Chapter ~~7 8~~
19 (commencing with Section ~~94700~~) 94800) of Part 59 of *Division*
20 *10 of Title 3 of the Education Code*.

21 (q) To provide employment tax information to the tax officials
22 of Mexico, if a reciprocal agreement exists. For purposes of this
23 subdivision, “reciprocal agreement” means a formal agreement to
24 exchange information between national taxing officials of Mexico
25 and taxing authorities of the State Board of Equalization, the
26 Franchise Tax Board, and the Employment Development
27 Department. Furthermore, the reciprocal agreement shall be limited
28 to the exchange of information that is essential for tax
29 administration purposes only. Taxing authorities of the State of
30 California shall be granted tax information only on California
31 residents. Taxing authorities of Mexico shall be granted tax
32 information only on Mexican nationals.

33 (r) To enable city and county planning agencies to develop
34 economic forecasts for planning purposes. The information shall
35 be limited to businesses within the jurisdiction of the city or county
36 whose planning agency is requesting the information, and shall
37 not include information regarding individual employees.

38 (s) To provide the State Department of Developmental Services
39 with wage and employer information that will assist in the
40 collection of moneys owed by the recipient, parent, or any other

1 legally liable individual for services and supports provided pursuant
2 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
3 and Chapter 2 (commencing with Section 7200) and Chapter 3
4 (commencing with Section 7500) of Division 7 of, the Welfare
5 and Institutions Code.

6 (t) To provide the State Board of Equalization with employment
7 tax information that will assist in the administration of tax
8 programs. The information shall be limited to the exchange of
9 employment tax information essential for tax administration
10 purposes to the extent permitted by federal law and regulations.

11 (u) Nothing in this section shall be construed to authorize or
12 permit the use of information obtained in the administration of this
13 code by ~~any~~ a private collection agency.

14 (v) The disclosure of the name and address of an individual or
15 business entity that was issued an assessment that included
16 penalties under Section 1128 or 1128.1 shall not be in violation
17 of Section 1094 if the assessment is final. The disclosure may also
18 include any of the following:

19 (1) The total amount of the assessment.

20 (2) The amount of the penalty imposed under Section 1128 or
21 1128.1 that is included in the assessment.

22 (3) The facts that resulted in the charging of the penalty under
23 Section 1128 or 1128.1.

24 (w) To enable the Contractors' State License Board to verify
25 the employment history of an individual applying for licensure
26 pursuant to Section 7068 of the Business and Professions Code.

27 (x) To provide ~~any~~ a peace officer with the Division of
28 Investigation in the Department of Consumer Affairs information
29 pursuant to subdivision (i) when the requesting peace officer has
30 been designated by the Chief of the Division of Investigation and
31 requests this information in the course of and as part of an
32 investigation into the commission of a crime or other unlawful act
33 when there is reasonable suspicion to believe that the crime or act
34 may be connected to the information requested and would lead to
35 relevant information regarding the crime or unlawful act.

36 (y) To enable the Labor Commissioner of the Division of Labor
37 Standards Enforcement in the Department of Industrial Relations
38 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
39 uninsured employers. The information shall be provided to the
40 extent permitted by federal law and regulations.

(z) To enable the Chancellor of the California Community Colleges, in accordance with the requirements of Section 84754.5 of the Education Code, to obtain quarterly wage data, commencing January 1, 1993, on students who have attended one or more community colleges, to assess the impact of education on the employment and earnings of students, to conduct the annual evaluation of ~~district-level~~ *district level* and individual college performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(aa) To enable the Public Employees' Retirement System to seek criminal, civil, or administrative remedies in connection with the unlawful application for, or receipt of, benefits provided under Part 3 (commencing with Section 20000) of Division 5 of Title 2 of the Government Code.

(ab) To enable the State Department of Education, the University of California, the California State University, and the Chancellor of the California Community Colleges, pursuant to the requirements prescribed by the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly wage data, commencing July 1, 2010, on students who have attended their respective systems to assess the impact of education on the employment and earnings of those students, to conduct the annual analysis of ~~district-level~~ *district level* and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(ac) *To provide the Agricultural Labor Relations Board with employee, wage, and employer information, for use in the investigation or enforcement of the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.*

(ad) (1) *To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages,*

1 California employer names and account numbers, employer reports
2 of wages and number of employees, and disability insurance and
3 unemployment insurance claim information, for the purpose of:

4 (A) Verifying or determining the eligibility of an applicant for,
5 or a recipient of, state health subsidy programs, limited to the
6 Medi-Cal Program, provided pursuant to Chapter 7 (commencing
7 with Section 14000) of Part 3 of Division 9 of the Welfare and
8 Institutions Code, the Healthy Families Program, provided
9 pursuant to Part 6.2 (commencing with Section 12693) of Division
10 2 of the Insurance Code, and the Access for Infants and Mothers
11 Program, provided pursuant to Part 6.3 (commencing with Section
12 12695) of Division 2 of the Insurance Code, where the verification
13 or determination is directly connected with, and limited to, the
14 administration of the state health subsidy programs referenced in
15 this subparagraph.

16 (B) Verifying or determining the eligibility of an applicant for,
17 or a recipient of, federal subsidies offered through the California
18 Health Benefit Exchange, provided pursuant to Title 22
19 (commencing with Section 100500) of the Government Code,
20 including federal tax credits and cost-sharing assistance pursuant
21 to the federal Patient Protection and Affordable Care Act (Public
22 Law 111-148), as amended by the federal Health Care and
23 Education Reconciliation Act of 2010 (Public Law 111-152), where
24 the verification or determination is directly connected with, and
25 limited to, the administration of the California Health Benefit
26 Exchange.

27 (C) Verifying or determining the eligibility of employees and
28 employers for health coverage through the Small Business Health
29 Options Program, provided pursuant to Section 100502 of the
30 Government Code, where the verification or determination is
31 directly connected with, and limited to, the administration of the
32 Small Business Health Options Program.

33 (2) The information provided under this subdivision shall be
34 subject to the requirements of, and provided to the extent permitted
35 by, federal law and regulations, including Part 603 of Title 20 of
36 the Code of Federal Regulations.

37 (ae) To enable the Department of Veterans Affairs to receive
38 quarterly wage data pursuant to the requirements of Section 713
39 of the Military and Veterans Code. The information shall be
40 provided to the extent permitted by federal law.

1 SEC. 4. (a) Section 3.1 of this bill incorporates all of the
2 substantive amendments to Section 1095 of the Unemployment
3 Insurance Code proposed by both this bill and Assembly Bill 174.
4 It shall only become operative if (1) both bills are enacted and
5 become effective on or before January 1, 2013, (2) each bill
6 amends Section 1095 of the Unemployment Insurance Code, and
7 (3) Senate Bill 691 is not enacted or as enacted does not amend
8 that section, and (4) this bill is enacted after Assembly Bill 174,
9 in which case Sections 3, 3.2, and 3.3 of this bill shall not become
10 operative.

11 (b) Section 3.2 of this bill incorporates all of the substantive
12 amendments to Section 1095 of the Unemployment Insurance Code
13 proposed by both this bill and Senate Bill 691. It shall only become
14 operative if (1) both bills are enacted and become effective on or
15 before January 1, 2013, (2) each bill amends Section 1095 of the
16 Unemployment Insurance Code, (3) Assembly Bill 174 is not
17 enacted or as enacted does not amend that section, and (4) this
18 bill is enacted after Senate Bill 691 in which case Sections 3, 3.1,
19 and 3.3 of this bill shall not become operative.

20 (c) Section 3.3 of this bill incorporates all of the substantive
21 amendments to Section 1095 of the Unemployment Insurance Code
22 proposed by this bill, Assembly Bill 174, and Senate Bill 691. It
23 shall only become operative if (1) all three bills are enacted and
24 become effective on or before January 1, 2013, (2) all three bills
25 amend Section 1095 of the Unemployment Insurance Code, and
26 (3) this bill is enacted after Assembly Bill 174 and Senate Bill 691,
27 in which case Sections 3, 3.1, and 3.2 of this bill shall not become
28 operative.

29 ~~SEC. 4.~~

30 SEC. 5. No reimbursement is required by this act pursuant to
31 Section 6 of Article XIII B of the California Constitution because
32 the only costs that may be incurred by a local agency or school
33 district will be incurred because this act creates a new crime or
34 infraction, eliminates a crime or infraction, or changes the penalty
35 for a crime or infraction, within the meaning of Section 17556 of
36 the Government Code, or changes the definition of a crime within
37 the meaning of Section 6 of Article XIII B of the California
38 Constitution.

O