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AB-1637 Local government: internet websites and email addresses. (2023-2024)

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Assembly Bill No. 1637

CHAPTER 586

An act to add Section 50034 to the Government Code, relating to local government.

[Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1637, Irwin. Local government: internet websites and email addresses.

(1) The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws.

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its internet website and directing a member of the public to the internet website, as specified.

This bill, no later than January 1, 2029, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a ".gov" top-level domain or a ".ca.gov" second-level domain and would require a local agency that maintains an internet website that is noncompliant with that requirement to redirect that internet website to a domain name that does utilize a ".gov" or ".ca.gov" domain. This bill, no later than January 1, 2029, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a ".gov" domain name or a ".ca.gov" domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

(2) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

(3) 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, if the Commission on State Mandates determines that the bill contains costs 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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) The Cybersecurity and Infrastructure Security Agency (CISA), within the Department of Homeland Security, sponsors the “.gov” top-level domain and makes it available solely to United States-based government organizations and publicly controlled entities, including California’s local agencies.

(b) California’s local agencies qualify for a “.gov” domain without paying any fee.

(c) Using “.gov” increases security by enforcing multifactor authentication on all accounts in the “.gov” registrar, requiring browsers to only use a Hypertext Transfer Protocol Secure (HTTPS) connection with “.gov” domains, and enabling the addition of a security contact, making it easier for the public to alert the agency about potential security issues with the agency’s online services.

(d) The Government Operations Agency oversees the “.ca.gov” domain name program, and the Department of Technology manages the registration, change, and renewal process for “.ca.gov” domains. Agencies are not required to pay any fee for a “.ca.gov” domain.

(e) To administer the “.ca.gov” second-level domain, the Department of Technology has established policies and protocols consistent with federal policy, including, but not limited to, the federal Interagency Committee on Government Information’s Recommended Policies and Guidelines for Federal Public Websites and the federal .gov Registrar administered by CISA.

(f) Users of websites or other internet services with a “.ca.gov” domain can be assured they are accessing an official California governmental resource.

SEC. 2. Section 50034 is added to the Government Code, to read:

50034. (a) (1) No later than January 1, 2029, a local agency that maintains an internet website for use by the public shall ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain.

(2) If a local agency that is subject to paragraph (1) maintains an internet website for use by the public that is noncompliant with paragraph (1) by January 1, 2029, that local agency shall redirect that internet website to a domain name that does comply with paragraph (1).

(b) No later than January 1, 2029, a local agency that maintains public email addresses for its employees shall ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name.

(c) For purposes of this section, “local agency” means a city, county, or city and county.

SEC. 3. The Legislature finds and declares that Section 2 of this act adding Section 50034 to the Government Code addresses a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act adding Section 50034 to the Government Code applies to all cities, including charter cities.

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