



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-1785 California Public Records Act. (2023-2024)

SHARE THIS:  

Date Published: 09/26/2024 10:00 AM

Assembly Bill No. 1785

CHAPTER 551

An act to amend Section 7928.205 of the Government Code, relating to public records.

[Approved by Governor September 25, 2024. Filed with Secretary of State September 25, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1785, Pacheco. California Public Records Act.

The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. The act prohibits a state or local agency from posting the home address or telephone number of any elected or appointed official on the internet without first obtaining the written permission of that individual.

This bill would instead prohibit a state or local agency from publicly posting, as defined, the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual. By expanding the scope of a current provision and thereby increasing the duties of local agencies, the bill would impose a state-mandated local program.

The bill would state the intent of the Legislature to enact legislation relating to the above-described provision to accomplish specified goals.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. It is the intent of the Legislature to enact legislation that accomplishes all of the following:

(a) Does not limit or prohibit the access to recorded documents, indices, and assessor data through electronic means by business entities, including title companies, title plants, credit reporting agencies, or lenders.

(b) Does not cause databases that currently provide the public with online access to recorded documents, indices, and assessor data to be taken offline or otherwise made unavailable to the public.

(c) Clarifies existing law and closes a loophole in obtaining an elected or appointed official's home addresses through the public posting of assessor parcel numbers associated with that home address, while continuing to allow the public to inspect and obtain copies of public records that are in the possession of a county recorder or assessor during business hours.

SEC. 2. Section 7928.205 of the Government Code is amended to read:

7928.205. (a) Notwithstanding subdivision (a) of Section 7922.545, no state or local agency shall publicly post the home address, telephone number, or both the name and assessor parcel number associated with the home address of any elected or appointed official on the internet without first obtaining the written permission of that individual.

(b) For purposes of this section, "publicly post" means to intentionally communicate or otherwise make available the information described in subdivision (a) on the internet in an unrestricted and publicly available manner.

(c) This section does not prohibit a state or local agency from publicly posting a legally required notice or publication of an elected or appointed official on the internet.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which amends Section 7928.205 of the Government Code, imposes a limitation on the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

It is necessary to protect the personal safety and privacy of public officials and their families by limiting access to assessor's parcel numbers in connection with the home address of those individuals.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.