

SUMMARY ANALYSIS OF AMENDED BILL

Author: Yee Analyst: Deborah Barrett Bill Number: SB 1696
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: April 1, 2008

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: California Public Records Act/State Agencies May Not Allow Another Party To Control The Disclosure Of Information Subject To Disclosure

- DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.
- AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- FURTHER AMENDMENTS NECESSARY.
- DEPARTMENT POSITION CHANGED TO _____.
- REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED February 22, 2008, STILL APPLIES.
- OTHER – See comments below.

SUMMARY

This bill would do the following:

- Prohibit a state agency from allowing another party to control the disclosure of information that is otherwise subject to the Public Records Act (PRA), and
- Require that a contract entered into by a state agency subject to the PRA that requires a private entity to review, audit, or report on any aspect of that agency is a public document.

SUMMARY OF AMENDMENTS

The April 1, 2008, amendments would add clarifying language to existing law prohibiting a state agency from allowing another party to control the disclosure of information otherwise subject to the PRA and clarifying language that a state agency's contract with private entities to report on aspects of the agency is a public document. The "This Bill" discussion has been revised. The remainder of the department's analysis of the bill as introduced February 22, 2008, still applies.

POSITION

Pending.

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| Board Position: | Legislative Director | Date |
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| <input type="checkbox"/> SA | Brian Putler | 4/23/08 |
| <input type="checkbox"/> N | | |
| <input type="checkbox"/> NA | | |
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| <input type="checkbox"/> NP | | |
| <input type="checkbox"/> NAR | | |
| <input checked="" type="checkbox"/> PENDING | | |

THIS BILL

This bill would provide, as declaratory of existing law, that a state agency may not allow another party to control the disclosure of information otherwise subject to the PRA. The bill would also provide that any contract entered into by a state or local agency, including the University of California, which requires a private entity to review, audit, or report on any aspect of that agency, is a public document to the extent it is otherwise subject to disclosure under the PRA.

LEGISLATIVE STAFF CONTACT

Legislative Analyst
Deborah Barrett
(916) 845-4301
deborah.barrett@ftb.ca.gov

Revenue Manager
Rebecca Schlussler
(916) 845-5986
rebecca.schlussler@ftb.ca.gov

Legislative Director
Brian Putler
(916) 845-6333
brian.putler@ftb.ca.gov