

SUMMARY ANALYSIS OF AMENDED BILL

Author: Simitian Analyst: Deborah Barrett Bill Number: SB 31
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: April 17, 2007
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: Identification Documents/Privacy

- _____ 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 DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.
- _____ FURTHER AMENDMENTS NECESSARY.
- _____ DEPARTMENT POSITION CHANGED TO _____.
- X _____ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS INTRODUCED December 4, 2006, STILL APPLIES.
- _____ OTHER – See comments below.

SUMMARY

This bill would make it a crime to read or attempt to read personal identification documents using radio waves without the owner’s knowledge or consent.

SUMMARY OF AMENDMENTS

The April 17, 2007, amendments would add sanctions for persons that knowingly disclose operational system keys and would provide that these sanctions are only operative if SB 30 of the 2007-08 regular session is also enacted and effective on or before January 1, 2008. The April 17, 2007, amendments also modified certain definitions. The “This Bill” and “Effective/Operative Date” discussions have been revised. This bill would not impact the department’s operations or programs and the remainder of the department’s analysis of the bill as introduced December 4, 2006, still applies.

Board Position:	Legislative Director	Date
_____ S	Brian Putler	5/30/07
_____ NA		
_____ NP		
_____ SA		
_____ O		
_____ NAR		
_____ N		
_____ OUA		
_____ X PENDING		

EFFECTIVE/OPERATIVE DATE

This bill would be effective January 1, 2008, and would apply to violations occurring on or after that date. The sanctions for disclosing operational system keys would be operative only if SB 30 of the 2007-08 regular Session is also enacted and effective on or before January 1, 2008.

POSITION

Pending

THIS BILL

This bill would make it a crime to intentionally read or attempt to read a person's identification documents remotely using radio waves without the owner's knowledge or prior consent. The crime established under this bill would be punishable by imprisonment in a county jail for up to one year, a fine of not more than \$5,000, or both.

The bill would exempt certain instances of reading identification documents by radio waves for purposes that range from providing medical services to law enforcement efforts. Because the department does not use radio waves in its daily operations, these exemptions are not discussed in this analysis. This bill would not impact FTB's operations or programs.

This bill would make it a crime for any person or entity that knowingly discloses, or causes to be disclosed, certain operational system keys identified under the Civil Code. The crime established under this bill would be punishable by imprisonment in a county jail for up to one year, a fine of not more than \$5,000, or both.

LEGISLATIVE STAFF CONTACT

Deborah Barrett
Franchise Tax Board
(916) 845-4301
deborah.barrett@ftb.ca.gov

Brian Putler
Franchise Tax Board
(916) 845-6333
brian.putler@ftb.ca.gov