

State of California

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Legislative Change No. 08-20
Bill Number: SB 31 Author: Simitian Chapter Number: 08-746

Laws Affecting Franchise Tax Board: Sections 1798.79 and 1798.795 of the Civil Code

Date Filed with the Secretary of State: September 30, 2008

SUBJECT: Identification Document/Privacy

Senate Bill 31 (Simitian), as enacted on September 30, 2008, made the following changes to laws impacting the Franchise Tax Board:

Section 1798.79 of the Civil Code is added.

This act establishes a crime for a person or entity that intentionally remotely reads or attempts to remotely read a person’s identification document, as defined, using radio frequency identification without his or her knowledge and prior consent. The crime is punishable by imprisonment in a county jail for up to one year, a fine of not more than \$1,500, or both that fine and imprisonment.

The act also establishes a crime for a person or entity that knowingly discloses or causes to be disclosed specific operational system keys. The crime is punishable by imprisonment in a county jail for up to one year, a fine of not more than \$1,500, or both that fine and imprisonment.

Section 1798.795 of the Civil Code is added.

This act provides definitions for terms such as “contactless identification document system,” “data,” “identification document,” “key,” “radio frequency identification document,” “reader,” and “remotely.”

This act is effective on January 1, 2009, and operative as of that date.

This act will not require any reports by the department to the Legislature.

Assistant Bureau Director
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Date
10/21/08