

Memorandum 2019-25

**California Public Records Act Clean-Up: Part 6. Other Exemptions
From Disclosure**

At the Legislature's request, the Commission has been preparing a proposed recodification of the California Public Records Act ("CPRA"),¹ which is intended to make the CPRA more user-friendly without altering its substance.² The Commission's proposed recodification would reorganize and relocate the substance of the CPRA in new Division 10 of Title 1 of the Government Code.³

Parts 1 to 5 of new Division 10 would recodify Article 1 of the CPRA (Government Code Sections 6250-6270.7), which contains the CPRA's substantive provisions. For purposes of a tentative recommendation, the Commission has already completed a draft of Parts 1 to 5.

Part 6 of new Division 10 would recodify Article 2 of the CPRA (Government Code Sections 6275-6276.48), which is sometimes known as the "CPRA index." It is essentially an alphabetical list of CPRA exemptions located throughout the codes. This memorandum discusses how to recodify that article.

A copy of Article 2 of the CPRA is attached for convenient reference.⁴ Also attached is a partial draft of a possible recodification of that article.

To make the list of CPRA exemptions more user-friendly, the draft would reorganize the list by subject matter. **Commissioners and other interested persons should examine the draft and consider whether to proceed with that approach for purposes of a tentative recommendation.**

1. Gov't Code §§ 6250-6276.48.

2. See 2018 Cal. Stat. res. ch. 158 (SCR 91 (Roth & Chau)).

3. For the current version of the Commission's tentative outline for the recodification, see Memorandum 2018-64.

Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

4. See Exhibit pp. 1-29.

To assist in evaluation of the attached draft, this memorandum begins with a discussion of the history and purposes of Article 2 of the CPRA. The memorandum then explores options for recodifying the list of CPRA exemptions in that article. Finally, the memorandum presents some minor issues for the Commission to consider if it decides to proceed with the recodification approach used in the attached draft.

HISTORY AND PURPOSE OF ARTICLE 2 OF THE CPRA

The CPRA was substantially revised in 1998, in a bill authored by Senator Quentin Kopp.⁵ The bill was “the product of negotiations conducted by the Task Force on Electronic Access to Public Records, which was organized by the Senate Select Committee on Procurement, Expenditures and Information Technology.”⁶ The bill was sponsored by the California Newspaper Publishers Association (“CNPA”),⁷ and supported by the California State Association of Counties (“CSAC”) and others.⁸

Among other things, Senator Kopp’s bill added Article 2 to the CPRA. The article begins with Government Code Section 6275, which explains the Legislature’s intent in enacting the list of exemptions and provides guidance on using that list. It currently provides:

6275. It is the intent of the Legislature to assist members of the public and state and local agencies in identifying exemptions to the California Public Records Act. It is the intent of the Legislature that, after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to subdivision (k) of Section 6254⁹ shall be listed and described in this article pursuant to a bill authorized by a standing committee of the Legislature to be introduced during

5. See 1998 Cal. Stat. ch. 620 (SB 143 (Kopp)). Senator Kopp was a member of the Law Revision Commission at the time, but the Commission was not involved in SB 143.

Governor Wilson vetoed several earlier efforts to revise the CPRA. See AB 179 (Bowen) (1997-1998 Sess.); SB 74 (Kopp) (1997-1998 Sess.); SB 323 (Kopp) (1995-1996 Sess.).

6. Senate Floor Analysis of SB 143 (Aug. 18, 1998).

7. *Id.*

8. *Id.*

9. Section 6254(k) says:

6254. Except as provided in Sections 6254.7 and 6254.13, this chapter [i.e., the CPRA] does not require the disclosure of any of the following records:

....

(k) Records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

....

the first year of each session of the Legislature. The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure. The statutes and constitutional provisions listed and described may not be inclusive of all exemptions. The listing of a statute or constitutional provision in this article does not itself create an exemption. Requesters of public records and public agencies are cautioned to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure.

Thus, the Legislature's goal in creating the list of exemptions was to help persons using the CPRA. As Senator Kopp pointed out when seeking enactment of his bill, there are hundreds of CPRA exemptions, most of which are not located within the CPRA itself.¹⁰ Article 2's list of exemptions "is intended to simply provide a tool to the public and to state and local agencies in identifying (as quickly as possible) those records that are exempt from a public records request"¹¹

Importantly, however, the list of exemptions does not purport to be complete. Section 6275 expressly warns that the "statutes and constitutional provisions listed and described may not be inclusive of all exemptions." Similarly, Government Code Section 6276 says that "[r]ecords or information not required to be disclosed pursuant to subdivision (k) of Section 6254 *may include, but shall not be limited to*, records or information identified in statutes listed in this article."¹²

Although the *purpose and effect* of the list of exemptions is discussed in Sections 6275 and 6276, as well as in legislative analyses of Senator Kopp's 1998 bill¹³ and other CPRA bills,¹⁴ information on the *formatting* of that list is less readily available. In particular, the legislative history does not shed any light on:

- Why the exemptions are in alphabetical order.
- Why each entry in the list is replete with commas (E.g., "Acquired Immune Deficiency Syndrome, blood test results, written

10. See Assembly Committee on Judiciary Analysis of SB 143 (June 30, 1998), p. 2.

11. Senate Committee on Judiciary Analysis of SB 359 (May 12, 2009), p. 4.

12. Emphasis added.

13. See, e.g., Assembly Committee on Judiciary Analysis of SB 143 (June 30, 1998), p. 2; Assembly Committee on Governmental Organization Analysis of SB 143 (June 22, 1998), p. 1.

14. See, e.g., Senate Committee on Judiciary Analysis of SB 359 (May 12, 2009); Senate Committee on Judiciary Analysis of SB 74 (March 11, 1997); Senate Committee on Judiciary Analysis of SB 323 (March 28, 1995).

authorization not necessary for disclosure, Section 121010, Health and Safety Code”¹⁵).

- Why the list repeatedly deviates from the standard legislative drafting practice for referring to a code section (E.g., “Section 121010, Health and Safety Code” instead of “Section 121010 of the Health and Safety Code”¹⁶).
- Whether the Legislature (or anyone else) considered using any other formats for the list of exemptions in Article 2.

The staff is attempting to learn more about these matters, but we have not had any success thus far. **Information about them would be helpful.**

When Article 2 was first enacted, the Legislature expressed its intent that “after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to subdivision (k) of Section 6254 shall be listed and described in this article.”¹⁷ However, the Legislature did not specify a mechanism for accomplishing such updating.

The only comprehensive effort to update Article 2 appears to have been in a 2009 bill authored by Senator Romero,¹⁸ which was sponsored by CNPA and supported by CSAC.¹⁹ That bill not only updated Article 2, but also revised Section 6275 to say that future updating shall be done “pursuant to a bill authorized by a standing committee of the Legislature to be introduced during the first year of each session of the Legislature.”²⁰

That directive does not appear to have been implemented. Article 2 has been frequently revised since its enactment, but on what seems to be a piecemeal basis, not in the systematic, comprehensive manner contemplated by Senator Romero’s bill.²¹

15. Gov’t Code § 6276.02.

16. *Id.*

17. 1998 Cal. Stat. ch. 620, § 11.

18. 2009 Cal. Stat. ch. 584 (SB 359 (Romero)).

19. See Senate Committee on Judiciary Analysis of SB 359 (May 12, 2009), p. 4.

20. 2009 Cal. Stat. ch. 584, § 1.

21. See 2000 Cal. Stat. ch. 198, § 2 (SB 1802 (Chesbro)); 2001 Cal. Stat. ch. 214, § 1 (AB 973 (Chan)); 2003 Cal. Stat. ch. 424, § 1 (AB 171 (Cohn)); 2004 Cal. Stat. ch. 193, § 30 (SB 111 (Knight)); 2004 Cal. Stat. ch. 182, § 38 (AB 3081 (Committee on Judiciary)); 2004 Cal. Stat. ch. 750, § 1 (AB 1298 (Hancock)); 2006 Cal. Stat. ch. 689, § 10 (SB 1743 (Bowen)); 2007 Cal. Stat. ch. 577, § 3 (AB 1750 (Committee on Health)); 2008 Cal. Stat. ch. 501, § 24 (AB 2749 (Gaines)); 2009 Cal. Stat. ch. 298, § 1 (Committee on Health); 2010 Cal. Stat. ch. 178, § 34 (SB 1115 (Committee on Public Safety)); 2011 Cal. Stat. ch. 227, § 6 (AB 1400 (Committee on Human Services)); 2012 Cal. Stat. ch. 697, § 2 (AB 2221 (Block)); 2013 Cal. Stat. ch. 352, § 108 (AB 1317 (Frazier)); 2014 Cal. Stat. ch. 144, § 17 (AB 1847 (Chesbro)); 2014 Cal. Stat. ch. 437, § 4 (SB 1066 (Galgiani)); 2014 Cal. Stat. ch. 593, § 11 (AB 1446 (Mullin)); 2014 Cal. Stat. ch. 830, § 1 (SB 193 (Monning)); 2015 Cal. Stat. ch. 303, § 184 (AB 731 (Gallagher)); 2015 Cal. Stat. ch. 537, § 21 (SB 387 (Jackson)); 2015

As discussed at the end of this memorandum, some of the provisions listed in Article 2 have been repealed, relocated, or revised in a way that makes inclusion in the list of exemptions inappropriate. The staff has not finished checking each provision in the list, so we do not yet know the full magnitude of that problem. Nor have we attempted to assess whether any newly enacted exemptions are missing from the list of exemptions.

Although the list may not be perfect, the Commission has received some input indicating that it is useful. For example, the California Public Records Act Committee (“CPRA Committee”) of the City Attorneys’ Department of the League of California Cities wrote that “Article 2 is a useful tool for implementing the CPRA and thus serves its intended purpose.”²² The CPRA Committee would thus “strongly discourage the CLRC from removing Article 2.”²³

RECODIFICATION OF THE CPRA INDEX

The goal of this study is to make the CPRA as user-friendly as possible, without altering its substance. With that goal in mind, the Commission needs to decide how to handle Article 2 in its recodification. Some possibilities are discussed below.

Relocate the Index Without Altering Its Format

One option would be to relocate the content of Article 2 to new Part 6 without making any changes (or only minimal changes to delete obsolete material and the like). The existing sections would just be renumbered.

That option has the advantage of simplicity. It would be easy to implement and likely unobjectionable, because it would be the same as in the current version of the CPRA. But it would not improve the utility of Article 2’s list of exemptions.

Move All of the CPRA Exemptions into the CPRA

In the memorandum introducing this study, the staff described Article 2’s list of exemptions and raised a number of questions about it. Among other things,

Cal. Stat. ch. 773, § 5 (AB 403 (Mark Stone)); 2016 Cal. Stat. ch. 31, § 61 (SB 836 (Committee on Budget & Fiscal Review)); 2017 Cal. Stat. ch. 233, § 2 (SB 157 (Wieckowski)); 2018 Cal. Stat. ch. 903, § 2 (SB 1504 (Committee on Public Employment & Retirement)); see also Gov. Reorg. Plan No. 2 of 2011-2012, § 87.

22. Memorandum 2017-24, Exhibit p. 2.

23. *Id.*; see also First Supplement to Memorandum 2017-48, Exhibit p. 4 (further comments of Jolie Houston on behalf of CPRA Committee); *id.* at Exhibit p. 5 (comments of Randi Johl on behalf of California City Clerks Ass’n).

we asked: “Should the provisions currently listed in Article 2 but located outside the CPRA be moved into the CPRA, thus separating them from the substantive material that currently surrounds them?”²⁴

The CPRA Committee reacted negatively to that possibility. The committee would “strongly discourage the CLRC from ... moving the provisions of law cited in Article 2 into the main text of the CPRA.”²⁵ The California City Clerks Association shares that view.²⁶

Having since become more familiar with the list of exemptions and their content, the staff tends to agree. Relocating them to the CPRA would be a massive undertaking and would greatly delay completion of the Commission’s work on this study. More importantly, such relocation generally appears inappropriate, because it would separate the exemptions from the substantive context in which they arise. For the most part, it seems advisable to keep the exemptions together with the pertinent substantive material. For example, the trade secret exemption relating to a facility diagram that identifies air toxics emissions points (Health and Safety Code Section 44346) probably should remain with the other statutes governing air toxics emission inventories (Health and Safety Code Sections 44340-44345), because it is likely easiest to find and comprehend in that location. In the absence of any support for the relocation concept that the staff raised early in this study, it would be unwise to pursue that approach.

Reorganize the Index by Subject Matter

It can be hard to find an exemption using Article 2’s current alphabetical list. For example, Government Code Sections 11126 and 11126.1 concern closed sessions of a state body. They repeatedly use the term “state body” and do not refer to the “executive branch” or anything similar. Nonetheless, they are described as follows in Article 2’s alphabetical list:

Executive Department, closed sessions and the record of topics discussed, Sections 11126 and 11126.1.²⁷

It seems unlikely that someone who might be interested in this exemption (such as a person who recalls that there is an exemption for a closed session of a state

24. Memorandum 2017-5, p. 10.

25. Memorandum 2017-24, Exhibit p. 2; see also First Supplement to Memorandum 2017-48, Exhibit p. 4.

26. See First Supplement to Memorandum 2017-48, Exhibit p. 5.

27. See Gov’t Code § 6276.16.

body but cannot recall where it is codified, or a person wondering if such an exemption exists) would think to search under the letter “E” in Article 2’s list.

In hopes of making the list of exemptions more user-friendly, the staff experimented with reorganizing the entries by subject matter. For example, Government Code Sections 11126 and 11126.1 could be placed in an article entitled “Government,” together with other government-related exemptions.

Reorganizing the list of exemptions in this manner is slow and time-consuming, because it is necessary to examine each listed exemption and carefully assess how to categorize it. The staff’s current draft is attached. It only incorporates the material now located in Government Code Sections 6275 to 6276.18, which is about 40% of the material located in Article 2 of the CPRA. Although it is only a partial draft, we hope it will be sufficient for the Commission to evaluate the subject matter approach and decide whether to proceed further with it.

A few points about the attached draft are worth mentioning here:

- In each proposed code section, the exemptions are listed alphabetically by code and numerically within each code. For example, an exemption located in the Health and Safety Code would precede an exemption located in the Penal Code, and an exemption located at the beginning of the Penal Code would precede a higher-numbered exemption located later in that code.
- To provide maximum assistance to persons using the index, some exemptions would be listed in more than one subject matter category. For example, Government Code Section 121065 concerns AIDS testing of an arrestee when a law enforcement officer was exposed to the arrestee’s blood or bodily fluids in the scope of the officer’s duties. In the attached draft, that section would be listed twice: in the article entitled “Health” and in the article entitled “Crimes, Weapons, and Law Enforcement.”
- The chapter and article headings in the draft would become part of the Government Code, but they would “not in any manner affect the scope, meaning, or intent of the provisions of this code.”²⁸
- The descriptive leadline for each proposed code section (e.g., “Exemptions relating to attorneys” for proposed Section 7930.100) would be included in the Commission’s report, but it would not become law if enacted, and it would not be included in the Government Code. However, a publisher might decide to include a similar descriptive leadline.

28. Gov’t Code § 6.

- Some of the proposed sections are long (e.g., proposed Sections 7930.185, 7930.435), while others are short (e.g., proposed Sections 7930.475, 7930.630, 7930.630). The staff has been constantly revising and re-revising the subject matter categories and subcategories as we work through Article 2's list of exemptions. Such changes are relatively easy to make, and **we encourage suggestions about the best means of categorization.** Importantly, however, using narrow categories necessarily entails more complicated categorization decisions than using broad categories.

Deciding Which Approach to Use

Commissioners should **examine Article 2 of the CPRA** (Exhibit pages 1-29) **and compare it to the staff's partial draft of "Part 6. Other Exemptions From Disclosure"** (attached immediately after the exhibit containing Article 2). Would the subject matter approach used in the staff draft make the list of exemptions more user-friendly? Would it be preferable to stick with the current approach? Is there a better way to handle Article 2's list of exemptions in the Commission's recodification? **The Commission needs to resolve this matter for purposes of a tentative recommendation. Comments on the options and best way to proceed would be helpful.**

ISSUES TO RESOLVE IF THE COMMISSION DECIDES TO REORGANIZE THE CPRA INDEX BY SUBJECT MATTER

If the Commission decides to proceed with the subject matter approach used in the staff's partial draft of "Part 6. Other Exemptions From Disclosure," there are some additional issues for the Commission to consider, as discussed below.

Possible New Provision Regarding the Effect of the CPRA Index

Section 6275 expressly states that "[t]he listing of a statute or constitutional provision in this article *does not itself create an exemption.*"²⁹ The section also cautions public agencies and requesters of public records "to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure."

The attached draft would recodify that language almost verbatim in proposed Section 7930.000(b). In addition, proposed Section 7930.005 would recodify Section 6276, which states that "[r]ecords or information not required to

29. Emphasis added.

be disclosed pursuant to subdivision (k) of Section 6254 *may include, but shall not be limited to*, records or information identified in statutes listed in this article.”³⁰

It occurred to the staff, however, that it might be helpful to provide further guidance emphasizing that the list of exemptions has no substantive effect. In particular, perhaps proposed Section 7930.005 should be expanded along the following lines:

§ 7930.005. Scope and effect of index

7930.005. (a) Records or information not required to be disclosed pursuant to Section 7927.705 may include, but shall not be limited to, records or information identified in statutes listed in Chapter 2 (commencing with Section 7930.100).

(b) The statutory descriptions in Chapter 2 (commencing with Section 7930.100) have no substantive effect and shall not be used in construing any statute.

(c) The subject matter categorizations in Chapter 2 (commencing with Section 7930.100) have no substantive effect. No conclusion shall be drawn from the placement of an exemption in one subject matter category rather than another.

Comment. Subdivision (a) of Section 7930.000 continues former Section 6276 without substantive change.

Subdivisions (b) and (c) are new. They underscore that Chapter 2 has no substantive effect and is purely intended to assist persons locate relevant exemptions to the California Public Records Act.

Would the Commission like to include this provision in “Part 6. Other Exemptions from Disclosure”?

Issues Relating to Specific Exemptions

In working through Article 2’s list of exemptions, the staff also found some problems relating to specific exemptions in the list. In particular, we spotted the following issues:

- (1) Section 6276.02 includes the following entry: “Acquired Immune Deficiency Syndrome, confidentiality of test results of person convicted of prostitution, Section 1202.6, Penal Code.” However, Penal Code Section 1202.6 was recently repealed and added, and the new provision has nothing to do with confidentiality of AIDS test results.³¹ The staff is unsure whether there is a new provision that should be cited instead of the repealed section. Because we could not readily find any clear replacement, and the list of

30. Emphasis added.

31. See 2017 Cal. Stat. ch. 537, § 17.

exemptions does not purport to be exhaustive, we just omitted Penal Code Section 1202.6 in preparing the attached draft.

- (2) Section 6276.04 includes the following entry: “Auditor General, access to records for audit purposes, Sections 10527 and 10527.1.” Section 6276.04 also includes an entry that says: “Auditor General, disclosure of audit records, Section 10525.” However, Government Code Sections 10525, 10527, and 10527.1 have been repealed.³² The staff is unsure whether there are any new provisions that should be cited instead of the repealed sections. Because we could not readily find any clear replacement, and the list of exemptions does not purport to be exhaustive, we just omitted Sections 110525, 10527, and 10527.1, and 10525 in preparing the attached draft.
- (3) Section 6276.06 includes the following entry: “Bank employees, confidentiality of criminal history information, Sections 777.5 and 4990, Financial Code.” However, Financial Code Section 777.5 has been repealed.³³ Again, the staff could not readily find any clear replacement, so we just omitted Section 777.5 in preparing the attached draft.
- (4) Section 6276.06 includes the following entry: “Bank reports, confidentiality of, Section 289, Financial Code.” However, Financial Code Section 289 has been repealed³⁴ and its substance has been moved to Financial Code Section 459.³⁵ The staff therefore included Financial Code Section 459 in the attached draft (see proposed Section 7930.325) and omitted former Financial Code Section 289.
- (5) Section 6276.10 includes the following entry: “Community care facilities, confidentiality of client information, Section 1557.5, Health and Safety Code.” There are two, almost identical versions of Section 1557.5 in the Health and Safety Code. Without further research, the staff does not fully understand why. Because the two sections are almost identical, there is no need to pursue the point in this study. In the attached draft, proposed Section 7930.435 (like existing Section 6276.10) would simply refer to Health and Safety Code Section 1557.5.
- (6) Section 6276.12 includes the following entry: “Contractor, license applicants, evidence of financial solvency, confidentiality of, Section 7067.5, Business and Professions Code.” However, Business and Professions Code Section 7067.5 has been repealed.³⁶ There does not appear to be any replacement; Section 7067.5’s requirement to submit evidence of financial solvency seems to have been eliminated in the bill that repealed the section and

32. See 2011 Cal. Stat. ch. 328, § 12.

33. See 2008 Cal. Stat. ch. 125, § 53.

34. See 2011 Cal. Stat. ch. 243, § 1.

35. Compare 2008 Cal. Stat. ch. 501, § 9 with Fin. Code § 458.

36. See 2015 Cal. Stat. ch. 656, § 8.

increased the amount of the required bond. The staff therefore omitted Section 7067.5 in preparing the attached draft.

- (7) Section 6276.14 includes the following entry: “Developmentally disabled person, confidentiality of patient records, state agencies, Section 4553, Welfare and Institutions Code.” However, Welfare and Institutions Code Section 4553 has been repealed and replaced by a new provision that has nothing to do with record disclosure.³⁷ The substance of former Section 4553 has been moved to Welfare and Institutions Code Section 4552.5.³⁸ The staff therefore included Welfare and Institutions Code Section 4552.5 in the attached draft (see proposed Sections 7930.430 and 7930.650) and omitted former Welfare and Institutions Code Section 4553.
- (8) Section 6276.16 includes the following entry: “Educational psychologist-patient, privileged communication, Section 1010.5, Evidence Code.” In determining how to recodify that entry, the staff noticed that Evidence Code Section 1010.5 contains an incorrect cross-reference: It refers to “an educational psychologist licensed under Article 5 (commencing with Section 4986) of Chapter 13 of Division 2 of the Business and Professions Code.” Educational psychologists are no longer licensed under that article; they are now licensed under Chapter 13.5 (commencing with Section 4989.10) of Division 2 of the Business and Professions Code. Instead of fixing this problematic cross-reference in this study, it is probably best to check if the Office of Legislative Counsel could fix it in the annual bill on maintenance of the codes. If that does not work out, the Commission could address it in a study on technical corrections.
- (9) Section 6276.18 includes the following entry: “Firearms, centralized list of exempted federal firearms licensees, disclosure of information compiled from, *Sections 24850 to 24890, inclusive, Penal Code.*”³⁹ The italicized cross-reference is incorrect; there are no such sections in the Penal Code. The numbers were inadvertently transposed in conforming the cross-reference when the Commission’s deadly weapons recodification was enacted. The correct cross-reference is to Penal Code Sections 28450 to 28490, inclusive.

However, this should perhaps be shortened to refer only to Penal Code Sections 28475 and 28480, because the other code sections in the specified range appear to have nothing to do with record disclosure. They were just included in the Section 6276.18 entry because historically they used to be in the same lengthy code section as the material that is now in Sections 28475 and 28480. To help persons using the exemption index focus on pertinent

37. See 2002 Cal. Stat. ch. 676, § 21.

38. Compare 1977 Cal. Stat. ch. 1252, § 550 with Welf. & Inst. Code § 4552.5.

39. Emphasis added.

material, the attached draft would only refer to Sections 28475 and 28480 (see proposed Section 7930.180).

- (10) Section 6276.18 includes the following entry: "Firearms, centralized list of dealers and licensees, disclosure of information compiled from, Sections 26700 to 26915, inclusive, Penal Code."⁴⁰ However, this should perhaps be shortened to refer only to Penal Code Section 26715, because the other code sections in the specified range appear to have nothing to do with record disclosure. They were just included in the Section 6276.18 entry because historically they used to be in the same lengthy code section as the material that is now in Section 26715. To help persons using the exemption index focus on pertinent material, the attached draft would only refer to Section 26715 (see proposed Section 7930.180).
- (11) Section 6276.18 includes the following entry: "Firearm sale or transfer, confidentiality of records, Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6, Penal Code."⁴¹ However, this should perhaps be shortened to refer only to Penal Code Section 28060, because the other code sections in the specified range appear to have nothing to do with record disclosure. They were just included in the Section 6276.18 entry because historically they used to be in the same lengthy code section as the material that is now in Section 28060. To help persons using the exemption index focus on pertinent material, the attached draft would only refer to Section 28060 (see proposed Section 7930.180).

Is the staff's proposed treatment of these points acceptable to the Commission? Should any of them be handled differently?

Comments on these matters would be helpful. It would be particularly to useful to hear about appropriate replacements, if any, for the repealed provisions that the staff found in Article 2's list of exemptions.

Respectfully submitted,

Barbara Gaal
Chief Deputy Counsel

40. Emphasis added.

41. Emphasis added.

CALIFORNIA PUBLIC RECORDS ACT: ARTICLE 2
(GOV'T CODE §§ 6275-6276.48)

TITLE 1. GENERAL

....

DIVISION 7. MISCELLANEOUS

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CHAPTER 3.5. INSPECTION OF PUBLIC RECORDS

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Article 2. Other Exemptions From Disclosure

6275. It is the intent of the Legislature to assist members of the public and state and local agencies in identifying exemptions to the California Public Records Act. It is the intent of the Legislature that, after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to subdivision (k) of Section 6254 shall be listed and described in this article pursuant to a bill authorized by a standing committee of the Legislature to be introduced during the first year of each session of the Legislature. The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure. The statutes and constitutional provisions listed and described may not be inclusive of all exemptions. The listing of a statute or constitutional provision in this article does not itself create an exemption. Requesters of public records and public agencies are cautioned to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure.

6276. Records or information not required to be disclosed pursuant to subdivision (k) of Section 6254 may include, but shall not be limited to, records or information identified in statutes listed in this article.

6276.01. Crime victims, confidential information or records, The Victims' Bill of Rights Act of 2008: Marsy's Law, Section 28 of Article I of the California Constitution.

6276.02. Acquired Immune Deficiency Syndrome, blood test results, written authorization not necessary for disclosure, Section 121010, Health and Safety Code.

Acquired Immune Deficiency Syndrome, blood test subject, compelling identity of, Section 120975, Health and Safety Code.

Acquired Immune Deficiency Syndrome, confidentiality of personal data of patients in State Department of Public Health programs, Section 120820, Health and Safety Code.

Acquired Immune Deficiency Syndrome, confidentiality of research records, Sections 121090, 121095, 121115, and 121120, Health and Safety Code.

Acquired Immune Deficiency Syndrome, confidentiality of vaccine volunteers, Section 121280, Health and Safety Code.

Acquired Immune Deficiency Syndrome, confidentiality of information obtained in prevention programs at correctional facilities and law enforcement agencies, Sections 7552 and 7554, Penal Code.

Acquired Immune Deficiency Syndrome, confidentiality of test results of person convicted of prostitution, Section 1202.6, Penal Code.

Acquired Immune Deficiency Syndrome, disclosure of results of HIV test, penalties, Section 120980, Health and Safety Code.

Acquired Immune Deficiency Syndrome, personal information, insurers tests, confidentiality of, Section 799, Insurance Code.

Acquired Immune Deficiency Syndrome, public safety and testing disclosure, Sections 121065 and 121070, Health and Safety Code.

Acquired Immune Deficiency Syndrome Research and Confidentiality Act, production or discovery of records for use in criminal or civil proceedings against subject prohibited, Section 121100, Health and Safety Code.

Acquired Immune Deficiency Syndrome Public Health Records Confidentiality Act, personally identifying information confidentiality, Section 121025, Health and Safety Code.

Acquired Immune Deficiency Syndrome, test of criminal defendant pursuant to search warrant requested by victim, confidentiality of, Section 1524.1, Penal Code.

Acquired Immune Deficiency Syndrome, test results, disclosure to patient's spouse and others, Section 121015, Health and Safety Code.

Acquired Immune Deficiency Syndrome, test of person under Youth Authority, disclosure of results, Section 1768.9, Welfare and Institutions Code.

Acquired Immune Deficiency Syndrome Research and Confidentiality Act, financial audits or program evaluations, Section 121085, Health and Safety Code.

Acquired Immune Deficiency Syndrome Research and Confidentiality Act, violations, Section 121100, Health and Safety Code.

Acquired Immune Deficiency Syndrome Research and Confidentiality Act, personally identifying research records not to be disclosed, Section 121075, Health and Safety Code.

Acquired Immune Deficiency Syndrome Research and Confidentiality Act, permittee disclosure, Section 121080, Health and Safety Code.

Administrative procedure, adjudicatory hearings, interpreters, Section 11513.
Adoption records, confidentiality of, Section 102730, Health and Safety Code.
Advance Health Care Directive Registry, exemption from disclosure for registration information provided to the Secretary of State, subdivision (ac), Section 6254.

6276.04. Aeronautics Act, reports of investigations and hearings, Section 21693, Public Utilities Code.

Agricultural producers marketing, access to records, Section 59616, Food and Agricultural Code.

Aiding disabled voters, Section 14282, Elections Code.

Air pollution data, confidentiality of trade secrets, Section 6254.7, and Sections 42303.2 and 43206, Health and Safety Code.

Air toxics emissions inventory plans, protection of trade secrets, Section 44346, Health and Safety Code.

Alcohol and drug abuse records and records of communicable diseases, confidentiality of, Section 123125, Health and Safety Code.

Alcoholic beverage licensees, confidentiality of corporate proprietary information, Section 25205, Business and Professions Code.

Ambulatory Surgery Data Record, confidentiality of identifying information, Section 128737, Health and Safety Code.

Apiary registration information, confidentiality of, Section 29041, Food and Agricultural Code.

Archaeological site information and reports maintained by state and local agencies, disclosure not required, Section 6254.10.

Arrest not resulting in conviction, disclosure or use of records, Sections 432.7 and 432.8, Labor Code.

Arsonists, registered, confidentiality of certain information, Section 457.1, Penal Code.

Artificial insemination, donor not natural father, confidentiality of records, Section 7613, Family Code.

Assessor's records, confidentiality of information in, Section 408, Revenue and Taxation Code.

Assessor's records, confidentiality of information in, Section 451, Revenue and Taxation Code.

Assessor's records, display of documents relating to business affairs or property of another, Section 408.2, Revenue and Taxation Code.

Assigned risk plans, rejected applicants, confidentiality of information, Section 11624, Insurance Code.

Attorney applicant, investigation by State Bar, confidentiality of, Section 6060.2, Business and Professions Code.

Attorney applicant, information submitted by applicant and State Bar admission records, confidentiality of, Section 6060.25, Business and Professions Code.

Attorney-client confidential communication, Section 6068, Business and Professions Code, and Sections 952 and 954, Evidence Code.

Attorney, disciplinary proceedings, confidentiality prior to formal proceedings, Section 6086.1, Business and Professions Code.

Attorney, disciplinary proceeding, State Bar access to nonpublic court records, Section 6090.6, Business and Professions Code.

Attorney, law corporation, investigation by State Bar, confidentiality of, Section 6168, Business and Professions Code.

Attorney work product confidentiality in administrative adjudication, Section 11507.6.

Attorney, work product, confidentiality of, Section 6202, Business and Professions Code.

Attorney work product, discovery, Chapter 4 (commencing with Section 2018.010) of Title 4 of Part 4 of the Code of Civil Procedure.

Auditor General, access to records for audit purposes, Sections 10527 and 10527.1.

Auditor General, disclosure of audit records, Section 10525.

Automated forward facing parking control devices, confidentiality of video imaging records from the devices, Section 40240, Vehicle Code.

Automated traffic enforcement system, confidentiality of photographic records made by the system, Section 21455.5, Vehicle Code.

Automobile Insurance Claims Depository, confidentiality of information, Section 1876.3, Insurance Code.

Automobile insurance, investigation of fraudulent claims, confidential information, Section 1872.8, Insurance Code.

Avocado handler transaction records, confidentiality of information, Section 44984, Food and Agricultural Code.

6276.06. Bank and Corporation Tax, disclosure of information, Article 2 (commencing with Section 19542), Chapter 7, Part 10.2, Division 2, Revenue and Taxation Code.

Bank employees, confidentiality of criminal history information, Sections 777.5 and 4990, Financial Code.

Bank reports, confidentiality of, Section 289, Financial Code.

Basic Property Insurance Inspection and Placement Plan, confidential reports, Section 10097, Insurance Code.

Beef Council of California, confidentiality of fee transactions information, Section 64691.1, Food and Agricultural Code.

Bids, confidentiality of, Section 10304, Public Contract Code.

Birth, death, and marriage licenses, confidential information contained in, Sections 102100, 102110, and 102230, Health and Safety Code.

Birth defects, monitoring, confidentiality of information collected, Section 103850, Health and Safety Code.

Birth, live, confidential portion of certificate, Sections 102430, 102475, 103525, and 103590, Health and Safety Code.

Blood tests, confidentiality of hepatitis and AIDS carriers, Section 1603.1, Health and Safety Code.

Blood-alcohol percentage test results, vehicular offenses, confidentiality of, Section 1804, Vehicle Code.

Business and professions licensee exemption for social security number, Section 30, Business and Professions Code.

6276.08. Cable television subscriber information, confidentiality of, Section 637.5, Penal Code.

CalFresh, disclosure of information, Section 18909, Welfare and Institutions Code.

California AIDS Program, personal data, confidentiality, Section 120820, Health and Safety Code.

California Apple Commission, confidentiality of lists of persons, Section 75598, Food and Agricultural Code.

California Apple Commission, confidentiality of proprietary information from producers or handlers, Section 75633, Food and Agricultural Code.

California Asparagus Commission, confidentiality of lists of producers, Section 78262, Food and Agricultural Code.

California Asparagus Commission, confidentiality of proprietary information from producers, Section 78288, Food and Agricultural Code.

California Avocado Commission, confidentiality of information from handlers, Section 67094, Food and Agricultural Code.

California Avocado Commission, confidentiality of proprietary information from handlers, Section 67104, Food and Agricultural Code.

California Cherry Commission, confidentiality of proprietary information from producers, processors, shippers, or grower-handlers, Section 76144, Food and Agricultural Code.

California Children's Services Program, confidentiality of factor replacement therapy contracts, Section 123853, Health and Safety Code.

California Cut Flower Commission, confidentiality of lists of producers, Section 77963, Food and Agricultural Code.

California Cut Flower Commission, confidentiality of proprietary information from producers, Section 77988, Food and Agricultural Code.

California Date Commission, confidentiality of proprietary information from producers and grower-handlers, Section 77843, Food and Agricultural Code.

California Egg Commission, confidentiality of proprietary information from handlers or distributors, Section 75134, Food and Agricultural Code.

California Forest Products Commission, confidentiality of lists of persons, Section 77589, Food and Agricultural Code.

California Forest Products Commission, confidentiality of proprietary information from producers, Section 77624, Food and Agricultural Code.

California Iceberg Lettuce Commission, confidentiality of information from handlers, Section 66624, Food and Agricultural Code.

California Kiwifruit Commission, confidentiality of proprietary information from producers or handlers, Section 68104, Food and Agricultural Code.

California Navel Orange Commission, confidentiality of proprietary information from producers or handlers and lists of producers and handlers, Section 73257, Food and Agricultural Code.

California Pepper Commission, confidentiality of lists of producers and handlers, Section 77298, Food and Agricultural Code.

California Pepper Commission, confidentiality of proprietary information from producers or handlers, Section 77334, Food and Agricultural Code.

California Pistachio Commission, confidentiality of proprietary information from producers or processors, Section 69045, Food and Agricultural Code.

California Salmon Commission, confidentiality of fee transactions records, Section 76901.5, Food and Agricultural Code.

California Salmon Commission, confidentiality of request for list of commercial salmon vessel operators, Section 76950, Food and Agricultural Code.

California Seafood Council, confidentiality of fee transaction records, Section 78553, Food and Agricultural Code.

California Seafood Council, confidentiality of information on volume of fish landed, Section 78575, Food and Agricultural Code.

California Sheep Commission, confidentiality of proprietary information from producers or handlers and lists of producers, Section 76343, Food and Agricultural Code.

California State University contract law, bids, questionnaires and financial statements, Section 10763, Public Contract Code.

California State University Investigation of Reported Improper Governmental Activities Act, confidentiality of investigative audits completed pursuant to the act, Section 89574, Education Code.

California Table Grape Commission, confidentiality of information from shippers, Section 65603, Food and Agricultural Code.

California Tomato Commission, confidentiality of lists of producers, handlers, and others, Section 78679, Food and Agricultural Code.

California Tomato Commission, confidentiality of proprietary information, Section 78704, Food and Agricultural Code.

California Tourism Marketing Act, confidentiality of information pertaining to businesses paying the assessment under the act, Section 13995.54.

California Victim Compensation Board, disclosure not required of records relating to assistance requests under Article 1 (commencing with Section 13950) of Chapter 5 of Part 4 of Division 3 of Title 2, Section 6254.17.

California Walnut Commission, confidentiality of lists of producers, Section 77101, Food and Agricultural Code.

California Walnut Commission, confidentiality of proprietary information from producers or handlers, Section 77154, Food and Agricultural Code.

California Wheat Commission, confidentiality of proprietary information from handlers and lists of producers, Section 72104, Food and Agricultural Code.

California Wheat Commission, confidentiality of requests for assessment refund, Section 72109, Food and Agricultural Code.

California Wine Commission, confidentiality of proprietary information from producers or vintners, Section 74655, Food and Agricultural Code.

California Wine Grape Commission, confidentiality of proprietary information from producers and vintners, Section 74955, Food and Agricultural Code.

6276.10. Cancer registries, confidentiality of information, Section 103885, Health and Safety Code.

Candidate for local nonpartisan elective office, confidentiality of ballot statement, Section 13311, Elections Code.

Child abuse information, exchange by multidisciplinary personnel teams, Section 830, Welfare and Institutions Code.

Child abuse report and those making report, confidentiality of, Sections 11167 and 11167.5, Penal Code.

Child care liability insurance, confidentiality of information, Section 1864, Insurance Code.

Child concealer, confidentiality of address, Section 278.7, Penal Code.

Child custody investigation report, confidentiality of, Section 3111, Family Code.

Child day care facility, nondisclosure of complaint, Section 1596.853, Health and Safety Code.

Child health and disability prevention, confidentiality of health screening and evaluation results, Section 124110, Health and Safety Code.

Child sexual abuse reports, confidentiality of reports filed in a contested proceeding involving child custody or visitation rights, Section 3118, Family Code.

Child support, confidentiality of income tax return, Section 3552, Family Code.

Child support, promise to pay, confidentiality of, Section 7614, Family Code.

Childhood lead poisoning prevention, confidentiality of blood lead findings, Section 124130, Health and Safety Code.

Children and families commission, local, confidentiality of individually identifiable information, Section 130140.1, Health and Safety Code.

Cigarette tax, confidential information, Section 30455, Revenue and Taxation Code.

Civil actions, delayed disclosure for 30 days after complaint filed, Section 482.050, Code of Civil Procedure.

Closed sessions, document assessing vulnerability of state or local agency to disruption by terrorist or other criminal acts, subdivision (aa), Section 6254.

Closed sessions, meetings of local governments, pending litigation, Section 54956.9.

Colorado River Board, confidential information and records, Section 12519, Water Code.

Commercial fishing licensee, confidentiality of records, Section 7923, Fish and Game Code.

Commercial fishing reports, Section 8022, Fish and Game Code.

Community care facilities, confidentiality of client information, Section 1557.5, Health and Safety Code.

Community college employee, candidate examination records, confidentiality of, Section 88093, Education Code.

Community college employee, notice and reasons for nonreemployment, confidentiality, Section 87740, Education Code.

6276.12. Conservatee, confidentiality of the conservatee's report, Section 1826, Probate Code.

Conservatee, estate plan of, confidentiality of, Section 2586, Probate Code.

Conservatee with disability, confidentiality of report, Section 1827.5, Probate Code.

Conservator, confidentiality of conservator's birthdate and driver's license number, Section 1834, Probate Code.

Conservator, supplemental information, confidentiality of, Section 1821, Probate Code.

Conservatorship, court review of, confidentiality of report, Section 1851, Probate Code.

Consumer fraud investigations, access to complaints and investigations, Section 26509.

Consumption or utilization of mineral materials, disclosure of, Section 2207.1, Public Resources Code.

Contractor, evaluations and contractor responses, confidentiality of, Section 10370, Public Contract Code.

Contractor, license applicants, evidence of financial solvency, confidentiality of, Section 7067.5, Business and Professions Code.

Controlled Substance Law violations, confidential information, Section 818.7.

Controlled substance offenders, confidentiality of registration information, Section 11594, Health and Safety Code.

Cooperative Marketing Association, confidential information disclosed to conciliator, Section 54453, Food and Agricultural Code.

Coroner, inquests, subpoena duces tecum, Section 27491.8.

County aid and relief to indigents, confidentiality of investigation, supervision, relief, and rehabilitation records, Section 17006, Welfare and Institutions Code.

County alcohol programs, confidential information and records, Section 11812, Health and Safety Code.

County Employees' Retirement, confidential statements and records, Section 31532.

County mental health system, confidentiality of client information, Section 5610, Welfare and Institutions Code.

County social services, investigation of applicant, confidentiality, Section 18491, Welfare and Institutions Code.

County social services rendered by volunteers, confidentiality of records of recipients, Section 10810, Welfare and Institutions Code.

County special commissions, disclosure of health care peer review and quality assessment records not required, Section 14087.58, Welfare and Institutions Code.

County special commissions, disclosure of records relating to the commission's rates of payment for publicly assisted medical care not required, Section 14087.58, Welfare and Institutions Code.

Court files, access to, restricted for 60 days, Section 1161.2, Code of Civil Procedure.

Court files, access to, restricted for 60 days, Section 1708.85, Civil Code.

Court reporters, confidentiality of records and reporters, Section 68525.

Court-appointed special advocates, confidentiality of information acquired or reviewed, Section 105, Welfare and Institutions Code.

Crane employers, previous business identities, confidentiality of, Section 7383, Labor Code.

Credit unions, confidentiality of investigation and examination reports, Section 14257, Financial Code.

Credit unions, confidentiality of employee criminal history information, Section 14409.2, Financial Code.

Criminal defendant, indigent, confidentiality of request for funds for investigators and experts, Section 987.9, Penal Code.

Criminal offender record information, access to, Sections 11076 and 13202, Penal Code.

Crop reports, confidential, subdivision (e), Section 6254.

Customer list of chemical manufacturers, formulators, suppliers, distributors, importers, and their agents, the quantities and dates of shipments, and the proportion of a specified chemical within a mixture, confidential, Section 147.2, Labor Code.

Customer list of employment agency, trade secret, Section 16607, Business and Professions Code.

Customer list of telephone answering service, trade secret, Section 16606, Business and Professions Code.

6276.14. Dairy Council of California, confidentiality of ballots, Section 64155, Food and Agricultural Code.

Death, report that physician's or podiatrist's negligence or incompetence may be cause, confidentiality of, Section 802.5, Business and Professions Code.

Dental hygienist drug and alcohol diversion program, confidentiality of records pertaining to treatment, Section 1966.5, Business and Professions Code.

Dentist advertising and referral contract exemption, Section 650.2, Business and Professions Code.

Dentist, alcohol or dangerous drug rehabilitation and diversion, confidentiality of records, Section 1698, Business and Professions Code.

Department of Consumer Affairs licensee exemption for alcohol or dangerous drug treatment and rehabilitation records, Section 156.1, Business and Professions Code.

Department of Human Resources, confidentiality of pay data furnished to, Section 19826.5.

Department of Motor Vehicles, confidentiality of information provided by an insurer, Section 4750.4, Vehicle Code.

Department of Motor Vehicles, confidentiality of the home address of specified persons in the records of the Department of Motor Vehicles, Section 1808.6, Vehicle Code.

Developmentally disabled conservatee confidentiality of reports and records, Sections 416.8 and 416.18, Health and Safety Code.

Developmentally disabled person, access to information provided by family member, Section 4727, Welfare and Institutions Code.

Developmentally disabled person and person with mental illness, access to and release of information about, by protection and advocacy agency, Section 4903, Welfare and Institutions Code.

Developmentally disabled person, confidentiality of patient records, state agencies, Section 4553, Welfare and Institutions Code.

Developmentally disabled person, confidentiality of records and information, Sections 4514 and 4518, Welfare and Institutions Code.

Diesel Fuel Tax information, disclosure prohibited, Section 60609, Revenue and Taxation Code.

Disability compensation, confidential medical records, Section 2714, Unemployment Insurance Code.

Disability insurance, access to registered information, Section 789.7, Insurance Code.

Discrimination complaint to Division of Labor Standards Enforcement, confidentiality of witnesses, Section 98.7, Labor Code.

Dispute resolution participants confidentiality, Section 471.5, Business and Professions Code.

Division of Workers' Compensation, confidentiality of data obtained by the administrative director and derivative works created by the division, Sections 3201.5, 3201.7, and 3201.9, Labor Code.

Division of Workers' Compensation, individually identifiable information and residence addresses obtained or maintained by the division on workers' compensation claims, confidentiality of, Section 138.7, Labor Code.

Division of Workers' Compensation, individually identifiable information of health care organization patients, confidentiality of, Section 4600.5, Labor Code.

Division of Workers' Compensation, individual workers' compensation claim files and auditor's working papers, confidentiality of, Section 129, Labor Code.

Division of Workers' Compensation, peer review proceedings and employee medical records, confidentiality of, Section 4600.6, Labor Code.

Domestic violence counselor and victim, confidentiality of communication, Sections 1037.2 and 1037.5, Evidence Code.

Driver arrested for traffic violation, notice of reexamination for evidence of incapacity, confidentiality of, Section 40313, Vehicle Code.

Driving school and driving instructor licensee records, confidentiality of, Section 11108, Vehicle Code.

6276.16. Educational psychologist-patient, privileged communication, Section 1010.5, Evidence Code.

Electronic and appliance repair dealer, service contractor, financial data in applications, subdivision (x), Section 6254.

Electronic Recording Delivery Act of 2004, exemption from disclosure for computer security reports, Section 27394.

Emergency Care Data Record, exemption from disclosure for identifying information, Section 128736, Health and Safety Code.

Emergency Medical Services Fund, patient named, Section 1797.98c, Health and Safety Code.

Emergency medical technicians, confidentiality of disciplinary investigation information, Section 1798.200, Health and Safety Code.

Emergency Medical Technician-Paramedic (EMT-P), exemption from disclosure for records relating to personnel actions against, or resignation of, an EMT-P for disciplinary cause or reason, Section 1799.112, Health and Safety Code.

Eminent domain proceedings, use of state tax returns, Section 1263.520, Code of Civil Procedure.

Employment agency, confidentiality of customer list, Section 16607, Business and Professions Code.

Employment application, nondisclosure of arrest record or certain convictions, Sections 432.7 and 432.8, Labor Code.

Employment Development Department, furnishing materials, Section 307, Unemployment Insurance Code.

Enteral nutrition products, confidentiality of contracts by the State Department of Health Care Services with manufacturers of enteral nutrition products, Section 14105.8, Welfare and Institutions Code.

Equal wage rate violation, confidentiality of complaint, Section 1197.5, Labor Code.

Equalization, State Board of, prohibition against divulging information, Section 15619.

Escrow Agents' Fidelity Corporation, confidentiality of examination and investigation reports, Section 17336, Financial Code.

Escrow agents' confidentiality of reports on violations, Section 17414, Financial Code.

Escrow agents' confidentiality of state summary criminal history information, Section 17414.1, Financial Code.

Estate tax, confidential records and information, Section 14251, Revenue and Taxation Code.

Excessive rates or complaints, reports, Section 1857.9, Insurance Code.

Executive Department, closed sessions and the record of topics discussed, Sections 11126 and 11126.1.

Executive Department, investigations and hearings, confidential nature of information acquired, Section 11183.

6276.18. Family Court, records, Section 1818, Family Code.

Farm product processor license, confidentiality of financial statements, Section 55523.6, Food and Agricultural Code.

Farm product processor licensee, confidentiality of grape purchases, Section 55601.5, Food and Agricultural Code.

Fee payer information, prohibition against disclosure by Board of Equalization and others, Section 55381, Revenue and Taxation Code.

Financial institutions, issuance of securities, reports and records of state agencies, subdivision (d), Section 6254.

Financial statements of insurers, confidentiality of information received, Section 925.3, Insurance Code.

Financial statements and questionnaires, of prospective bidders for the state, confidentiality of, Section 10165, Public Contract Code.

Financial statements and questionnaires, of prospective bidders for California State University contracts, confidentiality of, Section 10763, Public Contract Code.

Firearms, centralized list of exempted federal firearms licensees, disclosure of information compiled from, Sections 24850 to 24890, inclusive, Penal Code.

Firearms, centralized list of dealers and licensees, disclosure of information compiled from, Sections 26700 to 26915, inclusive, Penal Code.

Firearm license applications, subdivision (u), Section 6254.

Firearm sale or transfer, confidentiality of records, Chapter 5 (commencing with Section 28050) of Division 6 of Title 4 of Part 6, Penal Code.

Fishing and hunting licenses, confidentiality of names and addresses contained in records submitted to the Department of Fish and Game to obtain recreational fishing and hunting licenses, Section 1050.6, Fish and Game Code.

Foreign marketing of agricultural products, confidentiality of financial information, Section 58577, Food and Agricultural Code.

Forest fires, anonymity of informants, Section 4417, Public Resources Code.

Foster homes, identifying information, Section 1536, Health and Safety Code.

Franchise Tax Board, access to Franchise Tax Board information by the State Department of Social Services, Section 11025, Welfare and Institutions Code.

Franchise Tax Board, auditing, confidentiality of, Section 90005.

Franchises, applications, and reports filed with Commissioner of Corporations, disclosure and withholding from public inspection, Section 31504, Corporations Code.

Fur dealer licensee, confidentiality of records, Section 4041, Fish and Game Code.

6276.22. Gambling Control Act, exemption from disclosure for records of the California Gambling Control Commission and the Department of Justice, Sections 19819 and 19821, Business and Professions Code.

Genetically Handicapped Persons Program, confidentiality of factor replacement therapy contracts, Section 125191, Health and Safety Code.

Governor, correspondence of and to Governor and Governor's office, subdivision (l), Section 6254.

Governor, transfer of public records in control of, restrictions on public access, Section 6268.

Grand jury, confidentiality of request for special counsel, Section 936.7, Penal Code.

Grand jury, confidentiality of transcription of indictment or accusation, Section 938.1, Penal Code.

Group Insurance, public employees, Section 53202.25.

Guardianship, confidentiality of report regarding the suitability of the proposed guardian, Section 1543, Probate Code.

Guardianship, disclosure of report and recommendation concerning proposed guardianship of person or estate, Section 1513, Probate Code.

6276.24. Hazardous substance tax information, prohibition against disclosure, Section 43651, Revenue and Taxation Code.

Hazardous waste control, business plans, public inspection, Section 25506, Health and Safety Code.

Hazardous waste control, notice of unlawful hazardous waste disposal, Section 25180.5, Health and Safety Code.

Hazardous waste control, trade secrets, disclosure of information, Sections 25511 and 25538, Health and Safety Code.

Hazardous waste control, trade secrets, procedures for release of information, Section 25358.2, Health and Safety Code.

Hazardous waste generator report, protection of trade secrets, Sections 25244.21 and 25244.23, Health and Safety Code.

Hazardous waste licensee disclosure statement, confidentiality of, Section 25186.5, Health and Safety Code.

Hazardous waste recycling, information clearing house, confidentiality of trade secrets, Section 25170, Health and Safety Code.

Hazardous waste recycling, list of specified hazardous wastes, trade secrets, Section 25175, Health and Safety Code.

Hazardous waste recycling, trade secrets, confidential nature, Sections 25173 and 25180.5, Health and Safety Code.

Healing arts licensees, central files, confidentiality, Section 800, Business and Professions Code.

Health authorities, special county, confidentiality of records, Sections 14087.35, 14087.36, and 14087.38, Welfare and Institutions Code.

Health care provider disciplinary proceeding, confidentiality of documents, Section 805.1, Business and Professions Code.

Health care service plans, review of quality of care, privileged communications, Sections 1370 and 1380, Health and Safety Code.

Health commissions, special county, confidentiality of peer review proceedings, rates of payment, and trade secrets, Section 14087.31, Welfare and Institutions Code.

Health facilities, patient's rights of confidentiality, subdivision (c) of Section 128745 and Sections 128735, 128736, 128737, 128755, and 128765, Health and Safety Code.

Health personnel, data collection by the Office of Statewide Health Planning and Development, confidentiality of information on individual licentiates, Section 127780, Health and Safety Code.

Health plan governed by a county board of supervisors, exemption from disclosure for records relating to provider rates or payments for a three-year period after execution of the provider contract, Sections 6254.22 and 54956.87.

Hereditary Disorders Act, legislative finding and declaration, confidential information, Sections 124975 and 124980, Health and Safety Code.

Hereditary Disorders Act, rules, regulations, and standards, breach of confidentiality, Section 124980, Health and Safety Code.

HIV, disclosures to blood banks by department or county health officers, Section 1603.1, Health and Safety Code.

Home address of public employees and officers in Department of Motor Vehicles, records, confidentiality of, Sections 1808.2 and 1808.4, Vehicle Code.

Horse racing, horses, blood or urine test sample, confidentiality, Section 19577, Business and Professions Code.

Hospital district and municipal hospital records relating to contracts with insurers and service plans, subdivision (t), Section 6254.

Hospital final accreditation report, subdivision (s), Section 6254.

Housing authorities, confidentiality of rosters of tenants, Section 34283, Health and Safety Code.

Housing authorities, confidentiality of applications by prospective or current tenants, Section 34332, Health and Safety Code.

6276.26. Improper governmental activities reporting, confidentiality of identity of person providing information, Section 8547.5.

Improper governmental activities reporting, disclosure of information, Section 8547.6.

Industrial loan companies, confidentiality of financial information, Section 18496, Financial Code.

Industrial loan companies, confidentiality of investigation and examination reports, Section 18394, Financial Code.

Influenza vaccine, trade secret information and information relating to recipient of vaccine, Section 120155, Health and Safety Code.

In forma pauperis litigant, rules governing confidentiality of financial information, Section 68511.3.

Infrastructure information, exemption from disclosure for information voluntarily submitted to the Office of Emergency Services, subdivision (ab), Section 6254.

In-Home Supportive Services Program, exemption from disclosure for information regarding persons paid by the state to provide in-home supportive services, Section 6253.2.

Initiative, referendum, recall, and other petitions, confidentiality of names of signers, Section 6253.5.

Insurance claims analysis, confidentiality of information, Section 1875.16, Insurance Code.

Insurance Commissioner, confidential information, Sections 735.5, 1067.11, 1077.3, and 12919, Insurance Code.

Insurance Commissioner, informal conciliation of complaints, confidential communications, Section 1858.02, Insurance Code.

Insurance Commissioner, information from examination or investigation, confidentiality of, Sections 1215.7, 1433, and 1759.3, Insurance Code.

Insurance Commissioner, writings filed with nondisclosure, Section 855, Insurance Code.

Insurance fraud reporting, information acquired not part of public record, Section 1873.1, Insurance Code.

Insurance licensee, confidential information, Section 1666.5, Insurance Code.

Insurer application information, confidentiality of, Section 925.3, Insurance Code.

Insurer financial analysis ratios and examination synopses, confidentiality of, Section 933, Insurance Code.

Department of Resources Recycling and Recovery information, prohibition against disclosure, Section 45982, Revenue and Taxation Code.

International wills, confidentiality of registration information filed with the Secretary of State, Section 6389, Probate Code.

Intervention in regulatory and ratemaking proceedings, audit of customer seeking and award, Section 1804, Public Utilities Code.

Investigation and security records, exemption from disclosure for records of the Attorney General, the Department of Justice, the Office of Emergency Services, and state and local police agencies, subdivision (f), Section 6254.

Investigative consumer reporting agency, limitations on furnishing an investigative consumer report, Section 1786.12, Civil Code.

6276.28. Joint Legislative Ethics Committee, confidentiality of reports and records, Section 8953.

Judicial candidates, confidentiality of communications concerning, Section 12011.5.

Judicial proceedings, confidentiality of employer records of employee absences, Section 230.2, Labor Code.

Jurors' lists, lists of registered voters and licensed drivers as source for, Section 197, Code of Civil Procedure.

Juvenile court proceedings to adjudge a person a dependent child of court, sealing records of, Section 389, Welfare and Institutions Code.

Juvenile criminal records, dissemination to schools, Section 828.1, Welfare and Institutions Code.

Juvenile delinquents, notification of chief of police or sheriff of escape of minor from secure detention facility, Section 1155, Welfare and Institutions Code.

Labor dispute, investigation and mediation records, confidentiality of, Section 65, Labor Code.

Lanterman-Petris-Short Act, mental health services recipients, confidentiality of information and records, mental health advocate, Sections 5540, 5541, 5542, and 5550, Welfare and Institutions Code.

Law enforcement vehicles, registration disclosure, Section 5003, Vehicle Code.

Legislative Counsel records, subdivision (m), Section 6254.

Library circulation records and other materials, subdivision (i), Section 6254 and Section 6267.

Life and disability insurers, actuarial information, confidentiality of, Section 10489.15, Insurance Code.

Litigation, confidentiality of settlement information, Section 68513.

Local agency legislative body, closed sessions, disclosure of materials, Section 54956.9.

Local government employees, confidentiality of records and claims relating to group insurance, Section 53202.25.

Local summary criminal history information, confidentiality of, Sections 13300 and 13305, Penal Code.

Local agency legislative body, closed session, nondisclosure of minute book, Section 54957.2.

Local agency legislative body, meeting, disclosure of agenda, Section 54957.5.

Long-term health facilities, confidentiality of complaints against, Section 1419, Health and Safety Code.

Long-term health facilities, confidentiality of records retained by State Department of Public Health, Section 1439, Health and Safety Code.

Los Angeles County Tourism Marketing Commission, confidentiality of information obtained from businesses to determine their assessment, Section 13995.108.

6276.30. Managed care health plans, confidentiality of proprietary information, Section 14091.3 of the Welfare and Institutions Code.

Managed Risk Medical Insurance Board, negotiations with entities contracting or seeking to contract with the board, subdivisions (v) and (y) of Section 6254.

Mandated blood testing and confidentiality to protect public health, prohibition against compelling identification of test subjects, Section 120975 of the Health and Safety Code.

Mandated blood testing and confidentiality to protect public health, unauthorized disclosures of identification of test subjects, Sections 1603.1, 1603.3, and 121022 of the Health and Safety Code.

Mandated blood testing and confidentiality to protect public health, disclosure to patient's spouse, sexual partner, needle sharer, or county health officer, Section 121015 of the Health and Safety Code.

Manufactured home, mobilehome, floating home, confidentiality of home address of registered owner, Section 18081 of the Health and Safety Code.

Marital confidential communications, Sections 980, 981, 982, 983, 984, 985, 986, and 987 of the Evidence Code.

Market reports, confidential, subdivision (e) of Section 6254.

Marketing of commodities, confidentiality of financial information, Section 58781 of the Food and Agricultural Code.

Marketing orders, confidentiality of processors' or distributors' information, Section 59202 of the Food and Agricultural Code.

Marriage, confidential, certificate, Section 511 of the Family Code.

Medi-Cal Benefits Program, confidentiality of information, Section 14100.2 of the Welfare and Institutions Code.

Medi-Cal Benefits Program, Request of Department for Records of Information, Section 14124.89 of the Welfare and Institutions Code.

Medi-Cal Fraud Bureau, confidentiality of complaints, Section 12528.

Medi-Cal managed care program, exemption from disclosure for financial and utilization data submitted by Medi-Cal managed care health plans to establish rates, Section 14301.1 of the Welfare and Institutions Code.

Medi-Cal program, exemption from disclosure for best price contracts between the State Department of Health Care Services and drug manufacturers, Section 14105.33 of the Welfare and Institutions Code.

Medical information, disclosure by provider unless prohibited by patient in writing, Section 56.16 of the Civil Code.

Medical information, types of information not subject to patient prohibition of disclosure, Section 56.30 of the Civil Code.

Medical and other hospital committees and peer review bodies, confidentiality of records, Section 1157 of the Evidence Code.

Medical or dental licensee, action for revocation or suspension due to illness, report, confidentiality of, Section 828 of the Business and Professions Code.

Medical or dental licensee, disciplinary action, denial or termination of staff privileges, report, confidentiality of, Sections 805, 805.1, and 805.5 of the Business and Professions Code.

Meetings of state agencies, disclosure of agenda, Section 11125.1.

Mentally abnormal sex offender committed to state hospital, confidentiality of records, Section 4135 of the Welfare and Institutions Code.

Mentally disordered and developmentally disabled offenders, access to criminal histories of, Section 1620 of the Penal Code.

Mentally disordered persons, court-ordered evaluation, confidentiality of reports, Section 5202 of the Welfare and Institutions Code.

Mentally disordered or mentally ill person, confidentiality of written consent to detention, Section 5326.4 of the Welfare and Institutions Code.

Mentally disordered or mentally ill person, voluntarily or involuntarily detained and receiving services, confidentiality of records and information, Sections 5328, 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9 of the Welfare and Institutions Code.

Mentally disordered or mentally ill person, weapons restrictions, confidentiality of information about, Section 8103 of the Welfare and Institutions Code.

Milk marketing, confidentiality of records, Section 61443 of the Food and Agricultural Code.

Milk product certification, confidentiality of, Section 62121 of the Food and Agricultural Code.

Milk, market milk, confidential records and reports, Section 62243 of the Food and Agricultural Code.

Milk product registration, confidentiality of information, Section 38946 of the Food and Agricultural Code.

Milk equalization pool plan, confidentiality of producers' voting, Section 62716 of the Food and Agricultural Code.

Mining report, confidentiality of report containing information relating to mineral production, reserves, or rate of depletion of mining operation, Section 2207 of the Public Resources Code.

Minor, criminal proceeding testimony closed to public, Section 859.1 of the Penal Code.

Minors, material depicting sexual conduct, records of suppliers to be kept and made available to law enforcement, Section 1309.5 of the Labor Code.

Misdemeanor and felony reports by police chiefs and sheriffs to Department of Justice, confidentiality of, Sections 11107 and 11107.5 of the Penal Code.

Monetary instrument transaction records, confidentiality of, Section 14167 of the Penal Code.

Missing persons' information, disclosure of, Sections 14204 and 14205 of the Penal Code.

Morbidity and mortality studies, confidentiality of records, Section 100330 of the Health and Safety Code.

Motor vehicle accident reports, disclosure, Sections 16005, 20012, and 20014 of the Vehicle Code.

Motor vehicles, department of, public records, exceptions, Sections 1808 to 1808.7, inclusive, of the Vehicle Code.

Motor vehicle insurance fraud reporting, confidentiality of information acquired, Section 1874.3 of the Insurance Code.

Motor vehicle liability insurer, data reported to Department of Insurance, confidentiality of, Section 11628 of the Insurance Code.

Multijurisdictional drug law enforcement agency, closed sessions to discuss criminal investigation, Section 54957.8.

6276.32. Narcotic addict outpatient revocation proceeding, confidentiality of reports, Section 3152.5, Welfare and Institutions Code.

Narcotic and drug abuse patients, confidentiality of records, Section 11845.5, Health and Safety Code.

Native American graves, cemeteries and sacred places, records of, subdivision (r), Section 6254.

Notary public, confidentiality of application for appointment and commission, Section 8201.5.

Nurse, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 2770.12, Business and Professions Code.

Obscene matter, defense of scientific or other purpose, confidentiality of recipients, Section 311.8, Penal Code.

Occupational safety and health investigations, confidentiality of complaints and complainants, Section 6309, Labor Code.

Occupational safety and health investigations, confidentiality of trade secrets, Section 6322, Labor Code.

Official information acquired in confidence by public employee, disclosure of, Sections 1040 and 1041, Evidence Code.

Oil and gas, confidentiality of proposals for the drilling of a well, Section 3724.4, Public Resources Code.

Oil and gas, disclosure of onshore and offshore exploratory well records, Section 3234, Public Resources Code.

Oil and gas, disclosure of well records, Section 3752, Public Resources Code.

Oil and gas leases, surveys for permits, confidentiality of information, Section 6826, Public Resources Code.

Oil spill feepayer information, prohibition against disclosure, Section 46751, Revenue and Taxation Code.

Older adults receiving county services, providing information between county agencies, confidentiality of, Section 9401, Welfare and Institutions Code.

Organic food certification organization records, release of, Section 110845, Health and Safety Code.

Osteopathic physician and surgeon, rehabilitation and diversion records, confidentiality of, Section 2369, Business and Professions Code.

6276.34. Parole revocation proceedings, confidentiality of information in reports, Section 3063.5, Penal Code.

Passenger fishing boat licenses, records, Section 7923, Fish and Game Code.

Paternity, acknowledgement, confidentiality of records, Section 102760, Health and Safety Code.

Patient-physician confidential communication, Sections 992 and 994, Evidence Code.

Patient records, confidentiality of, Section 123135, Health and Safety Code.

Payment instrument licensee records, inspection of, Section 33206, Financial Code.

Payroll records, confidentiality of, Section 1776, Labor Code.

Peace officer personnel records, confidentiality of, Sections 832.7 and 832.8, Penal Code.

Penitential communication between penitent and clergy, Sections 1032 and 1033, Evidence Code.

Personal Care Services Program, exemption from disclosure for information regarding persons paid by the state to provide personal care services, Section 6253.2.

Personal Income Tax, disclosure of information, Article 2 (commencing with Section 19542), Chapter 7, Part 10.2, Division 2, Revenue and Taxation Code.

Personal information, Information Practices Act, prohibitions against disclosure by state agencies, Sections 1798.24 and 1798.75, Civil Code.

Personal information, subpoena of records containing, Section 1985.4, Code of Civil Procedure.

Personal representative, confidentiality of personal representative's birth date and driver's license number, Section 8404, Probate Code.

Persons formerly classified as mentally abnormal sex offenders committed to a state hospital, confidentiality of records, Section 4135, Welfare and Institutions Code.

Persons with mental health disorders, court-ordered evaluation, confidentiality of reports, Section 5202, Welfare and Institutions Code.

Persons with mental health disorders, confidentiality of written consent to detainment, Section 5326.4, Welfare and Institutions Code.

Persons with mental health disorders voluntarily detained and receiving services, confidentiality of records and information, Sections 5328, 5328.15, 5328.2, 5328.4, 5328.8, and 5328.9, Welfare and Institutions Code.

Persons with mental health disorders, weapons restrictions, confidentiality of information about, Section 8103, Welfare and Institutions Code.

Petition signatures, Section 18650, Elections Code.

Petroleum supply and pricing, confidential information, Sections 25364 and 25366, Public Resources Code.

Pharmacist, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 4372, Business and Professions Code.

Physical therapist or assistant, records of dangerous drug or alcohol diversion and rehabilitation, confidentiality of, Section 2667, Business and Professions Code.

Physical or mental condition or conviction of controlled substance offense, records in Department of Motor Vehicles, confidentiality of, Section 1808.5, Vehicle Code.

Physician and surgeon, rehabilitation and diversion records, confidentiality of, Section 2355, Business and Professions Code.

Physician assistant, alcohol or dangerous drug diversion and rehabilitation records, confidentiality of, Section 3534.7, Business and Professions Code.

Physician competency examination, confidentiality of reports, Section 2294, Business and Professions Code.

Physicians and surgeons, confidentiality of reports of patients with a lapse of consciousness disorder, Section 103900, Health and Safety Code.

Physician Services Account, confidentiality of patient names in claims, Section 16956, Welfare and Institutions Code.

Pilots, confidentiality of personal information, Section 1157.1, Harbors and Navigation Code.

Pollution Control Financing Authority, financial data submitted to, subdivision (o), Section 6254.

Postmortem or autopsy photos, Section 129, Code of Civil Procedure.

6276.36. Pregnancy tests by local public health agencies, confidentiality of, Section 123380, Health and Safety Code.

Pregnant women, confidentiality of blood tests, Section 125105, Health and Safety Code.

Prehospital emergency medical care, release of information, Sections 1797.188 and 1797.189, Health and Safety Code.

Prenatal syphilis tests, confidentiality of, Section 120705, Health and Safety Code.

Prescription drug discounts, confidentiality of corporate proprietary information, Section 130506, Health and Safety Code.

Prisoners, behavioral research on, confidential personal information, Section 3515, Penal Code.

Prisoners, confidentiality of blood tests, Section 7530, Penal Code.

Prisoners, medical testing, confidentiality of records, Sections 7517 and 7540, Penal Code.

Prisoners, transfer from county facility for mental treatment and evaluation, confidentiality of written reasons, Section 4011.6, Penal Code.

Private industry wage data collected by public entity, confidentiality of, Section 6254.6.

Private railroad car tax, confidentiality of information, Section 11655, Revenue and Taxation Code.

Probate referee, disclosure of materials, Section 8908, Probate Code.

Probation officer reports, inspection of, Section 1203.05, Penal Code.

Produce dealer, confidentiality of financial statements, Section 56254, Food and Agricultural Code.

Products liability insurers, transmission of information, Section 1857.9, Insurance Code.

Professional corporations, financial statements, confidentiality of, Section 13406, Corporations Code.

Property on loan to museum, notice of intent to preserve an interest in, not subject to disclosure, Section 1899.5, Civil Code.

Property taxation, confidentiality of change of ownership, Section 481, Revenue and Taxation Code.

Property taxation, confidentiality of exemption claims, Sections 63.1, 69.5, and 408.2, Revenue and Taxation Code.

Property taxation, confidentiality of property information, Section 15641, Government Code and Section 833, Revenue and Taxation Code.

Proprietary information, availability only to the director and other persons authorized by the operator and the owner, Section 2778, Public Resources Code.

Psychologist and client, confidential relations and communications, Section 2918, Business and Professions Code.

Psychotherapist-patient confidential communication, Sections 1012 and 1014, Evidence Code.

Public employees' home addresses and telephone numbers, confidentiality of, Section 6254.3.

Public Employees' Medical and Hospital Care Act, confidentiality of data relating to health care services rendered by participating hospitals to members and annuitants, Section 22854.5.

Public Employees' Retirement System, confidentiality of data filed by member or beneficiary with board of administration, Section 20134.

Public investment funds, exemption from disclosure for records regarding alternative investments, Section 6254.26.

Public school employees organization, confidentiality of proof of majority support submitted to Public Employment Relations Board, Sections 3544, 3544.1, and 3544.5.

Public social services, confidentiality of digest of decisions, Section 10964, Welfare and Institutions Code.

Public social services, confidentiality of information regarding child abuse or elder or dependent persons abuse, Section 10850.1, Welfare and Institutions Code.

Public social services, confidentiality of information regarding eligibility, Section 10850.2, Welfare and Institutions Code.

Public social services, confidentiality of records, Section 10850, Welfare and Institutions Code.

Public social services, disclosure of information to law enforcement agencies, Section 10850.3, Welfare and Institutions Code.

Public social services, disclosure of information to law enforcement agencies regarding deceased applicant or recipient, Section 10850.7, Welfare and Institutions Code.

Public utilities, confidentiality of information, Section 583, Public Utilities Code.

Pupil, confidentiality of personal information, Section 45345, Education Code.

Pupil drug and alcohol use questionnaires, confidentiality of, Section 11605, Health and Safety Code.

Pupil, expulsion hearing, disclosure of testimony of witness and closed session of district board, Section 48918, Education Code.

Pupil, personal information disclosed to school counselor, confidentiality of, Section 49602, Education Code.

Pupil record contents, records of administrative hearing to change contents, confidentiality of, Section 49070, Education Code.

Pupil records, access authorized for specified parties, Section 49076, Education Code.

Pupil records, disclosure in hearing to dismiss or suspend school employee, Section 44944.1, Education Code.

Pupil records, release of directory information to private entities, Sections 49073 and 49073.5, Education Code.

6276.38. Radioactive materials, dissemination of information about transportation of, Section 33002, Vehicle Code.

Railroad infrastructure protection program, disclosure not required for risk assessments filed with the Public Utilities Commission, the Director of Emergency Services, or the Office of Emergency Services, Section 6254.23.

Real estate broker, annual report to Bureau of Real Estate of financial information, confidentiality of, Section 10232.2, Business and Professions Code.

Real property, acquisition by state or local government, information relating to feasibility, subdivision (h), Section 6254.

Real property, change in ownership statement, confidentiality of, Section 27280.

Records described in Section 1620 of the Penal Code.

Records of contract purchasers, inspection by public prohibited, Section 85, Military and Veterans Code.

Records of persons committed to a state hospital pursuant to Section 4135 of the Welfare and Institutions Code.

Registered public obligations, inspection of records of security interests in, Section 5060.

Registration of exempt vehicles, nondisclosure of name of person involved in alleged violation, Section 5003, Vehicle Code.

Rehabilitation, Department of, confidential information, Section 19016, Welfare and Institutions Code.

Reinsurance intermediary-broker license information, confidentiality of, Section 1781.3, Insurance Code.

Relocation assistance, confidential records submitted to a public entity by a business or farm operation, Section 7262.

Rent control ordinance, confidentiality of information concerning accommodations sought to be withdrawn from, Section 7060.4.

Report of probation officer, inspection, copies, Section 1203.05, Penal Code.

Repossession agency licensee application, confidentiality of information, Sections 7503, 7504, and 7506.5, Business and Professions Code.

Reproductive health facilities, disclosure not required for personal information regarding employees, volunteers, board members, owners, partners, officers, and contractors of a reproductive health services facility who have provided requisite notification, Section 6254.18.

Residence address in any record of Department of Housing and Community Development, confidentiality of, Section 6254.1.

Residence address in any record of Department of Motor Vehicles, confidentiality of, Section 6254.1, Government Code, and Section 1808.21, Vehicle Code.

Residence and mailing addresses in records of Department of Motor Vehicles, confidentiality of, Section 1810.7, Vehicle Code.

Residential care facilities, confidentiality of resident information, Section 1568.08, Health and Safety Code.

Residential care facilities for the elderly, confidentiality of client information, Section 1569.315, Health and Safety Code.

Resource families, identifying information, Section 16519.55, Welfare and Institutions Code.

Respiratory care practitioner, professional competency examination reports, confidentiality of, Section 3756, Business and Professions Code.

Restraint of trade, civil action by district attorney, confidential memorandum, Section 16750, Business and Professions Code.

Reward by Governor for information leading to arrest and conviction, confidentiality of person supplying information, Section 1547, Penal Code.

Safe surrender site, confidentiality of information pertaining to a parent or individual surrendering a child, Section 1255.7, Health and Safety Code.

6276.40. Sales and use tax, disclosure of information, Section 7056, Revenue and Taxation Code.

Santa Barbara Regional Health Authority, exemption from disclosure for records maintained by the authority regarding negotiated rates for the California Medical Assistance Program, Section 14499.6, Welfare and Institutions Code.

Savings association employees, disclosure of criminal history information, Section 6525, Financial Code.

Savings associations, inspection of records by shareholders, Section 6050, Financial Code.

School district governing board, disciplinary action, disclosure of pupil information, Section 35146, Education Code.

School employee, merit system examination records, confidentiality of, Section 45274, Education Code.

School employee, notice and reasons for hearing on nonreemployment of employee, confidentiality of, Sections 44948.5 and 44949, Education Code.

School meals for needy pupils, confidentiality of records, Section 49558, Education Code.

Sealed records, arrest for misdemeanor, Section 851.7, Penal Code.

Sealed records, misdemeanor convictions, Section 1203.45, Penal Code.

Sealing and destruction of arrest records, determination of innocence, Section 851.8, Penal Code.

Search warrants, special master, Section 1524, Penal Code.

Sex change, confidentiality of birth certificate, Section 103440, Health and Safety Code.

Sex offenders, registration form, Section 290.021, Penal Code.

Sexual assault forms, confidentiality of, Section 13823.5, Penal Code.

Sexual assault counselor and victim, confidential communication, Sections 1035.2, 1035.4, and 1035.8, Evidence Code.

Shorthand reporter's complaint, Section 8010, Business and Professions Code.

Small family day care homes, identifying information, Section 1596.86, Health and Safety Code.

Social security number, applicant for driver's license or identification card, nondisclosure of, Section 1653.5, Vehicle Code, and Section 6254.29.

Social security number, official record or official filing, nondisclosure of, Section 9526.5, Commercial Code, and Sections 6254.27 and 6254.28.

Social Security Number Truncation Program, Article 3.5 (commencing with Section 27300), Chapter 6, Part 3, Division 2, Title 3.

Social security numbers within records of local agencies, nondisclosure of, Section 6254.29.

6276.42. State agency activities relating to unrepresented employees, subdivision (p) of Section 6254.

State agency activities relating to providers of health care, subdivision (a) of Section 6254.

State Auditor, access to barred records, Section 8545.2.

State Auditor, confidentiality of records, Sections 8545, 8545.1, and 8545.3.

State civil service employee, confidentiality of appeal to state personnel board, Section 18952.

State civil service employees, confidentiality of reports, Section 18573.

State civil service examination, confidentiality of application and examination materials, Section 18934.

State Compensation Insurance Fund, exemption from disclosure for various records maintained by the State Compensation Insurance Fund, subdivision (ad), Section 6254.

State Contract Act, bids, questionnaires and financial statements, Section 10165, Public Contract Code.

State Contract Act, bids, sealing, opening and reading bids, Section 10304, Public Contract Code.

State Energy Resources Conservation and Development Commission, confidentiality of proprietary information submitted to, Section 25223, Public Resources Code.

State hospital patients, information and records in possession of Superintendent of Public Instruction, confidentiality of, Section 56863, Education Code.

State Long-Term Care Ombudsman, access to government agency records, Section 9723, Welfare and Institutions Code.

State Long-Term Care Ombudsman office, confidentiality of records and files, Section 9725, Welfare and Institutions Code.

State Long-Term Care Ombudsman office, disclosure of information or communications, Section 9715, Welfare and Institutions Code.

State Lottery Evaluation Report, disclosure, Section 8880.46.

State prisoners, exemption from disclosure for surveys by the California Research Bureau of children of female prisoners, Section 7443, Penal Code.

State summary criminal history information, confidentiality of information, Sections 11105, 11105.1, 11105.3, and 11105.4, Penal Code.

State Teachers' Retirement System, confidentiality of information filed with the system by a member, participant, or beneficiary, Sections 22306 and 26215, Education Code.

Sterilization of disabled, confidentiality of evaluation report, Section 1955, Probate Code.

Strawberry marketing information, confidentiality of, Section 63124, Food and Agricultural Code.

Structural pest control licensee records relating to pesticide use, confidentiality of, Section 15205, Food and Agricultural Code.

Student driver, records of physical or mental condition, confidentiality of, Section 12661, Vehicle Code.

Student, community college, information received by school counselor, confidentiality of, Section 72621, Education Code.

Student, community college, records, limitations on release, Section 76243, Education Code.

Student, community college, record contents, records of administrative hearing to change contents, confidentiality of, Section 76232, Education Code.

Student, sexual assault on private higher education institution campus, confidentiality of information, Section 94385, Education Code.

Student, sexual assault on public college or university, confidentiality of information, Section 67385, Education Code.

Sturgeon egg processors, records, Section 10004, Fish and Game Code.

6276.44. Taxpayer information, confidentiality, local taxes, subdivision (i), Section 6254.

Tax preparer, disclosure of information obtained in business of preparing tax returns, Section 17530.5, Business and Professions Code.

Teacher, credential holder or applicant, information provided to Commission on Teacher Credentialing, confidentiality of, Section 44341, Education Code.

Teacher, certified school personnel examination results, confidentiality of, Section 44289, Education Code.

Telephone answering service customer list, trade secret, Section 16606, Business and Professions Code.

Timber yield tax, disclosure to county assessor, Section 38706, Revenue and Taxation Code.

Timber yield tax, disclosure of information, Section 38705, Revenue and Taxation Code.

Title insurers, confidentiality of notice of noncompliance, Section 12414.14, Insurance Code.

Tobacco products, exemption from disclosure for distribution information provided to the State Department of Public Health, Section 22954, Business and Professions Code.

Tow truck driver, information in records of California Highway Patrol, Department of Motor Vehicles, or other agencies, confidentiality of, Sections 2431 and 2432.3, Vehicle Code.

Toxic substances, Department of, inspection of records of, Section 25152.5, Health and Safety Code.

Trade secrets, Section 1060, Evidence Code.

Trade secrets, confidentiality of, occupational safety and health inspections, Section 6322, Labor Code.

Trade secrets, disclosure of public records, Section 3426.7, Civil Code.

Trade secrets, food, drugs, cosmetics, nondisclosure, Sections 110165 and 110370, Health and Safety Code.

Trade secrets, protection by Director of the Department of Pesticide Regulation, Section 6254.2.

Trade secrets and proprietary information relating to pesticides, confidentiality of, Sections 14022 and 14023, Food and Agricultural Code.

Trade secrets, protection by Director of Industrial Relations, Section 6396, Labor Code.

Trade secrets relating to hazardous substances, disclosure of, Sections 25358.2 and 25358.7, Health and Safety Code.

Traffic violator school licensee records, confidentiality of, Section 11212, Vehicle Code.

Traffic offense, dismissed for participation in driving school or program, record of, confidentiality of, Section 1808.7, Vehicle Code.

Transit districts, questionnaire and financial statement information in bids, Section 99154, Public Utilities Code.

Tribal-state gaming contracts, exemption from disclosure for records of an Indian tribe relating to securitization of annual payments, Section 63048.63.

Trust companies, disclosure of private trust confidential information, Section 1582, Financial Code.

6276.46. Unclaimed property, Controller records of, disclosure, Section 1582, Code of Civil Procedure.

Unemployment compensation, disclosure of confidential information, Section 2111, Unemployment Insurance Code.

Unemployment compensation, information obtained in administration of code, Section 1094, Unemployment Insurance Code.

Unemployment fund contributions, publication of annual tax paid, Section 989, Unemployment Insurance Code.

University of California, exemption from disclosure for information submitted by bidders for award of best value contracts, Section 10506.6, Public Contract Code.

Unsafe working condition, confidentiality of complainant, Section 6309, Labor Code.

Use fuel tax information, disclosure prohibited, Section 9255, Revenue and Taxation Code.

Utility systems development, confidential information, subdivision (e), Section 6254.

Utility user tax return and payment records, exemption from disclosure, Section 7284.6, Revenue and Taxation Code.

Vehicle registration, confidentiality of information, Section 4750.4, Vehicle Code.

Vehicle accident reports, disclosure of, Sections 16005, 20012, and 20014, Vehicle Code and Section 27177, Streets and Highways Code.

Vehicular offense, record of, confidentiality five years after conviction, Section 1807.5, Vehicle Code.

Veterans Affairs, Department of, confidentiality of records of contract purchasers, Section 85, Military and Veterans Code.

Veterinarian or animal health technician, alcohol or dangerous drugs diversion and rehabilitation records, confidentiality of, Section 4871, Business and Professions Code.

Victims' Legal Resource Center, confidentiality of information and records retained, Section 13897.2, Penal Code.

Voter, affidavit or registration, confidentiality of information contained in, Section 6254.4.

Voter, registration by confidential affidavit, Section 2194, Elections Code.

Voting, secrecy, Section 1050, Evidence Code.

Wards and dependent children, inspection of juvenile court documents, Section 827, Welfare and Institutions Code.

6276.48. Wards, petition for sealing records, Section 781, Welfare and Institutions Code.

Winegrowers of California Commission, confidentiality of producers' or vintners' proprietary information, Sections 74655 and 74955, Food and Agricultural Code.

Workers' Compensation Appeals Board, injury or illness report, confidentiality of, Section 6412, Labor Code.

Workers' compensation insurance, dividend payment to policyholder, confidentiality of information, Section 11739, Insurance Code.

Workers' compensation insurance fraud reporting, confidentiality of information, Section 1877.4, Insurance Code.

Workers' compensation insurer or rating organization, confidentiality of notice of noncompliance, Section 11754, Insurance Code.

Workers' compensation insurer, rating information, confidentiality of, Section 11752.7, Insurance Code.

Workers' compensation, notice to correct noncompliance, Section 11754, Insurance Code.

Workers' compensation, release of information to other governmental agencies, Section 11752.5, Insurance Code.

Workers' compensation, self-insured employers, confidentiality of financial information, Section 3742, Labor Code.

Workplace inspection photographs, confidentiality of, Section 6314, Labor Code.

Youth Authority, parole revocation proceedings, confidentiality of, Section 1767.6, Welfare and Institutions Code.

Youth Authority, release of information in possession of Youth Authority for offenses under Sections 676, 1764.1, and 1764.2, Welfare and Institutions Code.

PARTIAL DRAFT OF “PART 6. OTHER EXEMPTIONS FROM DISCLOSURE” OF
PROPOSED NEW DIVISION 10 OF TITLE 1 OF THE GOVERNMENT CODE

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DRAFT LEGISLATION

Staff Note. This is a partial draft of “Part 6. Other Exemptions From Disclosure” of the Commission’s proposed recodification of the California Public Records Act (CPRA). It is work in progress. The material shown below may be changed.

The Commission tentatively plans to recodify the entirety of Article 2 of the CPRA (Gov’t Code §§ 6275-6276.48) in proposed “Part 6. Other Exemptions From Disclosure.” **This draft does not include the entirety of that article.**

Rather, the draft only incorporates the material now located in Government Code Sections 6275-6276.18. That is about 40% of the material located in Article 2 of the CPRA.

The staff hopes that this partial draft will be sufficient for the Commission to evaluate the approach used in it and make a preliminary determination about whether to proceed with that approach. **Input on this matter would be helpful.**

If the Commission decides to proceed with the approach, the staff will later prepare a complete draft of “Part 6. Other Exemptions From Disclosure” in the same manner as this draft and present it to the Commission for review.

Each of the proposed code sections in this draft has an accompanying official Commission “Comment.” Such Comments will be included in any final recommendation. Courts have routinely held that the Commission’s Comments are evidence of legislative intent with regard to any legislation that implements a Commission recommendation.

All of the proposed provisions would be located in the Government Code. All references are to the Government Code unless otherwise indicated.

A few of the provisions listed in Article 2 of the CPRA are currently located in Article 1 of the CPRA. Those provisions would be renumbered in the Commission’s proposed CPRA recodification. This draft of “Part 6. Other Exemptions From Disclosure” uses the proposed new numbers for those provisions but also includes the existing numbers in brackets to facilitate review. The bracketed numbers would be deleted before the Commission finalizes its recommendation.

The Commission welcomes public comment on any issue relating to its ongoing CPRA Clean-Up study. Comments should be directed to Barbara Gaal (bgaal@clrc.ca.gov).

Gov’t Code §§ 7920.000-7930.650 (added). California Public Records Act

SEC. _____. Division 10 (commencing with Section 7920.000) is added to Title 1 of the Government Code, to read:

DIVISION 10. ACCESS TO PUBLIC RECORDS

....

PART 6. OTHER EXEMPTIONS FROM DISCLOSURE

CHAPTER 1. INTRODUCTORY PROVISIONS

§ 7930.000. Legislative intent and instructions

7930.000. (a) It is the intent of the Legislature to assist members of the public and state and local agencies in identifying exemptions to the California Public Records

Act. It is the intent of the Legislature that, after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to Section 7927.705 shall be listed and described in Chapter 2 (commencing with Section 7930.100) pursuant to a bill authorized by a standing committee of the Legislature to be introduced during the first year of each session of the Legislature.

(b) The statutes and constitutional provisions listed in Chapter 2 (commencing with Section 7930.100) may operate to exempt certain records, or portions thereof, from disclosure. The statutes and constitutional provisions listed and described may not be inclusive of all exemptions. The listing of a statute or constitutional provision in Chapter 2 (commencing with Section 7930.100) does not itself create an exemption. Requesters of public records and public agencies are cautioned to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure.

Comment. Section 7930.000 continues former Section 6275 without substantive change.

See Sections 7920.505 (“local agency”), 7920.510 (“member of the public”), 7920.525 (“public records”), 7920.535 (“state agency”).

§ 7930.005. Scope and effect of index

7930.005. Records or information not required to be disclosed pursuant to Section 7927.705 may include, but shall not be limited to, records or information identified in statutes listed in Chapter 2 (commencing with Section 7930.100).

Comment. Section 7930.000 continues former Section 6276 without substantive change.

CHAPTER 2. INDEX

Article 1. Business and Professions

§ 7930.100. Exemptions relating to attorneys

7930.100. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 6060.2 of the Business and Professions Code, relating to State Bar investigations of attorney applicants.

(2) Section 6060.25 of the Business and Professions Code, relating to State Bar admission records and information submitted by attorney applicants.

(3) Section 6068 of the Business and Professions Code, relating to confidential attorney-client communications.

(4) Section 6086.1 of the Business and Professions Code, relating to State Bar disciplinary proceedings.

(5) Section 6090.6 of the Business and Professions Code, relating to State Bar disciplinary proceedings.

(6) Section 6168 of the Business and Professions Code, relating to a State Bar investigation of a law corporation.

(7) Section 6202 of the Business and Professions Code, relating to arbitration of attorney's fees.

(8) Chapter 4 (commencing with Section 2018.010) of Title 4 of Part 4 of the Code of Civil Procedure, relating to attorney work product.

(9) Sections 952 and 954 of the Evidence Code, relating to confidential attorney-client communications.

(10) Section 11507.6, relating to administrative adjudication, attorney work product, and privileged communications.

Comment. Section 7930.100 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.105. Miscellaneous exemptions relating to business or professions

7930.105. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 30 of the Business and Professions Code, relating to social security numbers, federal employer identification numbers, and individual taxpayer numbers of license applicants.

(2) Section 156.1 of the Business and Professions Code, relating to the Department of Consumer Affairs, contracted services for drug and alcohol treatment of licentiates, and records of those services.

(3) Section 156.1 of the Business and Professions Code, relating to statistical data that dispute resolution programs are required to submit to counties.

(4) Section 650.2 of the Business and Professions Code, relating to a standard form contract used by a group advertising referral service for dentists.

(5) Section 802.5 of the Business and Professions Code, relating to preparation of a confidential report that a death may be due to negligence of a physician, a podiatrist, or a physician's assistant.

(6) Section 1698 of the Business and Professions Code, relating to records of a dentist's participation in a drug and alcohol diversion program.

(7) Section 1966.5 of the Business and Professions Code, relating to records of a dental hygienist's participation in a drug and alcohol diversion program.

(8) Section 16607 of the Business and Professions Code, relating to customer lists of telephone answering services.

(9) Section 16607 of the Business and Professions Code, relating to customer lists of employment agencies.

(10) Section 25205 of the Business and Professions Code, relating to corporate proprietary information submitted by an alcoholic beverage licensee.

(11) Section 31504 of the Corporations Code, relating to applications, reports, and other papers and documents filed with the Commissioner of Corporations under the Franchise Investment Law (Division 5 (commencing with Section 31000) of Title 4 of the Corporations Code).

(12) Section 4990 of the Financial Code, relating to criminal history information submitted by a person seeking employment with, or a controlling position in, a financial institution.

(13) Section 4990 of the Financial Code, relating to credit union investigation and examination reports.

(14) Section 14409.2 of the Financial Code, relating to criminal history information on an applicant for employment at a credit union.

(15) Section 7925.010 [Section 6254(x)], relating to service contractors and their financial data.

(16) Section 13995.54, relating to the California Tourism Marketing Act and information that the director obtains relating to assessed businesses.

(17) Section 15619, relating to information concerning the business affairs of companies reporting to the Board of Equalization.

(18) Sections 3201.5 and 3201.9 of the Labor Code, relating to information that the director of the Department of Industrial Relations obtains about a collective bargaining agreement in the construction industry or another specified industry, and disclosure of derivative works created by the Division of Workers' Compensation.

(19) Section 7383 of the Labor Code, relating to previous business identities of a crane employer.

(20) Section 60609 of the Revenue and Taxation Code, relating to diesel fuel taxation and disclosure of related information.

Comment. Section 7930.105 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 2. Customers and Consumers

§ 7930.125. Exemptions relating to customers and consumers

7930.125. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 16607 of the Business and Professions Code, relating to customer lists of telephone answering services.

(2) Section 16607 of the Business and Professions Code, relating to customer lists of employment agencies.

(3) Section 26509, relating to consumer complaints and consumer fraud investigations.

(4) Section 637.5 of the Penal Code, relating to cable television subscriber information.

Comment. Section 7930.125 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 3. Courts, Litigation, Administrative Adjudication, and Other Dispute Resolution Procedures

§ 7930.150. Exemptions relating to courts, litigation, administration adjudication, or other dispute resolution procedures

7930.150. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 156.1 of the Business and Professions Code, relating to statistical data that dispute resolution programs are required to submit to counties.

(2) Section 6202 of the Business and Professions Code, relating to arbitration of attorney’s fees.

(3) Section 1708.85 of the Civil Code, relating to a civil action for intentional distribution of a reproduction of another person’s intimate body part or sexual act without that person’s consent.

(4) Section 482.050 of the Code of Civil Procedure, relating to attachment and delayed disclosure of a complaint.

(5) Section 1161.2 of the Code of Civil Procedure, restricting access to the court file in certain summary proceedings for possession of real property.

(6) Chapter 4 (commencing with Section 2018.010) of Title 4 of Part 4 of the Code of Civil Procedure, relating to attorney work product.

(7) Sections 952 and 954 of the Evidence Code, relating to confidential attorney-client communications.

(8) Section 1010.5 of the Evidence Code, relating to confidential communications between an educational psychologist and a patient.

(9) Sections 1037.2 and 1037.5 of the Evidence Code, relating to confidential communications between a victim of domestic violence and a domestic violence counselor.

(10) Section 1818 of the Family Code, relating to files and proceedings of a family conciliation court.

(11) Section 11507.6, relating to administrative adjudication, attorney work product, and privileged communications.

(12) Section 11513, relating to adjudicatory hearings.

(13) Section 19826.5, relating to inadmissibility of pay data provided to the Department of Human Resources on a confidential basis.

(14) Section 27491.8, relating to coroner inquests and privileged communications.

(15) Section 54956.9, relating to a closed session held by a local agency to discuss pending litigation.

(16) Section 68525, relating to annual reports of official reporters and official temporary reporters, and the underlying records.

(17) Section 121100 of the Health and Safety Code, generally prohibiting use of an AIDS research record in a criminal or civil proceeding against a research subject.

(18) Section 105 of the Welfare and Institutions Code, relating to confidential records reviewed or acquired by a court-appointed special advocate.

(19) Section 830 of the Welfare and Institutions Code, relating to communications between members of a multidisciplinary personnel team on child abuse.

Comment. Section 7930.150 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 4. Crimes, Weapons, and Law Enforcement

§ 7930.175. Constitutionally-based exemption

7930.175. The following constitutional provision may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Section 28 of Article I of the California Constitution (The Victims’ Bill of Rights Act of 2008: Marsy’s Law), relating to confidential information or records of crime victims.

Comment. Section 7930.175 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.180. Statutory exemptions relating to solely to firearms or other weapons

7930.180. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 7923.000 [6254(u)(1)], relating to specified sensitive information in an application for a license to carry a firearm.

(2) Section 7923.805 [6254(u)(2)-(3)], relating to the home address or telephone number of a prosecutor, public defender, peace officer, judge, court commissioner, or magistrate in a license to carry a firearm or an application for a license to carry a firearm.

(3) Section 26715 of the Penal Code, relating to preparation and use of a centralized list of firearms dealers licensed pursuant to subdivisions (a) to (e), inclusive, of Section 26700 of the Penal Code.

(4) Section 28060 of the Penal Code, relating to confidentiality of records of a private party firearms transaction.

(5) Sections 28475 and 28480 of the Penal Code, relating to use of the centralized list of exempted federal firearms licensees.

Comment. Section 7930.180 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.185. Other statutory exemptions relating to crimes, weapons, or law enforcement

7930.185. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 3118 of the Family Code, relating to a child sexual abuse report or investigation in a contested proceeding involving child custody or visitation.

(2) Section 4990 of the Financial Code, relating to criminal history information submitted by a person seeking employment with, or a controlling position in, a financial institution.

(3) Section 14409.2 of the Financial Code, relating to criminal history information on an applicant for employment at a credit union.

(4) Section 17414 of the Financial Code, relating to escrows, prohibited conduct, and reports of violations.

(5) Section 17414.1 of the Financial Code, relating to criminal records, summary criminal history information, and serving as an escrow agent in any capacity.

(6) Section 818.7, relating to controlled substance violations and lack of governmental liability for information published to school personnel for educational purposes.

(7) Section 7923.755 [6254.17], relating to records of the California Victim Compensation Board.

(8) Section 7929.200 [6254(aa)], relating to documents that assess a state or local agency's vulnerability to a terrorist attack or other criminal act intended to disrupt agency operations.

(9) Section 11183, relating to information or evidence that a government officer acquired when assisting with an activity at the request of a prosecuting attorney or the Attorney General.

(10) Section 27491.8, relating to coroner inquests and privileged communications.

(11) Section 11594 of the Health and Safety Code, relating to registration information for a controlled substance offender.

(12) Section 11812 of the Health and Safety Code, relating to county alcohol and drug abuse programs.

(13) Sections 121065 and 121070 of the Health and Safety Code, relating to AIDS public safety testing and disclosure.

(14) Section 121100 of the Health and Safety Code, generally prohibiting use of an AIDS research record in a criminal or civil proceeding against a research subject.

(15) Sections 432.7 and 432.8 of the Labor Code, relating to arrests that do not result in conviction.

(16) Section 278.7 of the Penal Code, relating to the address and phone number of a child concealer and a concealed child.

(17) Section 457.1 of the Penal Code, relating to information submitted for purposes of arsonist registration.

(18) Section 987.9 of the Penal Code, relating to an indigent criminal defendant's request for funds for an investigator, expert, or other person assisting in the defense.

(19) Section 1524.1 of the Penal Code, relating to HIV testing of a criminal defendant pursuant a search warrant requested by a victim.

(20) Sections 7552 and 7554 of the Penal Code, relating to information obtained in AIDS prevention programs at correctional facilities and law enforcement agencies.

(21) Section 11076 of the Penal Code, relating to criminal offender record information.

(22) Sections 11167 and 11167.5 of the Penal Code, relating to child abuse reports.

(23) Section 13202 of the Penal Code, relating to criminal offender record information.

(24) Section 4417 of the Public Resources Code, relating to anonymity of an individual who provides information leading to a conviction or commitment for willfully or maliciously setting fire to a state responsibility area, or attempting to do so.

(25) Section 1808.6 of the Vehicle Code, relating to home addresses of certain persons associated with the Board of Prison Terms or the Youthful Offender Parole Board.

(26) Section 105 of the Welfare and Institutions Code, relating to confidential records reviewed or acquired by a court-appointed special advocate.

(27) Section 830 of the Welfare and Institutions Code, relating to communications between members of a multidisciplinary personnel team on child abuse.

(28) Section 1768.9 of the Welfare and Institutions Code, relating to AIDS testing of a person under the jurisdiction or control of the Department of the Youth Authority.

(29) Section 17006 of the Welfare and Institutions Code, relating to county relief to indigents and disclosure of confidential information for purposes of a crime investigation.

Comment. Section 7930.185 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 5. Education

§ 7930.225. Exemptions relating to education

7930.225. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 87740 of the Education Code, relating to notice of, and reasons for, non-reemployment of a community college employee.

(2) Section 88093 of the Education Code, relating to examination records of candidates for employment at a community college.

(3) Section 89574 of the Education Code, relating to the California State University, reported improper governmental activities, and investigative audits.

(4) Section 818.7, relating to controlled substance violations and lack of governmental liability for information published to school personnel for educational purposes.

(5) Section 1010.5 of the Evidence Code, relating to confidential communications between an educational psychologist and a patient.

(6) Section 10763 of the Public Contract Code, relating to questionnaires and financial statements for bids under the California State University Contract Law.

Comment. Section 7930.225 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 6. Elections

§ 7930.250. Exemptions relating to elections

7930.250. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 13311 of the Elections Code, relating to a ballot statement of a candidate for a local nonpartisan elective office.

(2) Section 14282 of the Elections Code, relating to assistance for voters with disabilities.

(3) Section 64155 of the Food and Agricultural Code, relating to ballots filed pursuant to the Dairy Council of California Law.

(4) Section 90005, relating to records, documents, and information received by personnel of the Franchise Tax Board or the Fair Political Practices Commission in an audit under Chapter 10 (commencing with Section 90000) of Title 9.

Comment. Section 7930.250 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 7. Environmental Protection, Building Standards, and Safety Requirements

§ 7930.275. Exemptions relating to environmental protection, building standards, or safety requirements

7930.275. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 7924.510 [6254.7], relating to trade secrets and air pollution data.

(2) Section 42303.2 of the Health and Safety Code, relating to trade secrets and air pollution data.

(3) Section 43206 of the Health and Safety Code, relating to trade secrets and air pollution data.

(4) Section 44346 of the Health and Safety Code, relating to trade secrets and facility diagrams for air toxics emissions inventory plans.

(5) Section 147.2 of the Labor Code, relating to the Hazard Evaluation System and Information Service (HESIS) and records relating to its repository of data on toxic materials and harmful physical agents in places of employment.

Comment. Section 7930.275 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”).

That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 8. Families, Children, and Related Matters

§ 7930.300. Exemptions relating to families, children, or related matters

7930.300. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 1818 of the Family Code, relating to files and proceedings of a family conciliation court.

(2) Section 3111 of the Family Code, relating to a child custody investigation report.

(3) Section 3118 of the Family Code, relating to a child sexual abuse report or investigation in a contested proceeding involving child custody or visitation.

(4) Section 3552 of the Family Code, relating to an income tax return submitted in a proceeding involving child, family, or spousal support.

(5) Section 7613 of the Family Code, relating to an artificial insemination record.

(6) Section 7614 of the Family Code, relating to a promise to pay child support.

(7) Section 1536 of the Health and Safety Code, relating to foster family homes, certified family homes or resource families of foster family agencies, other licensed community care facilities, and related records.

(8) Section 1596.853 of the Health and Safety Code, relating to a request for inspection of a child day care facility.

(9) Sections 102100, 102110, and 102230 of the Health and Safety Code, relating to birth, death, and marriage certificates.

(10) Sections 102430 and 102475 of the Health and Safety Code, relating to birth certificates.

(11) Section 102730 of the Health and Safety Code, relating to adoption records.

(12) Section 103525 of the Health and Safety Code, relating to birth, fetal death, death, marriage, marital dissolution, legal separation, and marital annulment certificates.

(13) Section 103590 of the Health and Safety Code, relating to birth certificates.

(14) Section 124110 of the Health and Safety Code, relating to health screening and evaluation of children in the Child Health and Disability Prevention Program.

(15) Section 124130 of the Health and Safety Code, relating to a report on a blood lead analysis under the Childhood Lead Poisoning Prevention Act.

(16) Section 130140.1 of the Health and Safety Code, relating to individually identifiable information provided to a county commission under the California Children and Families Program.

(17) Section 1864 of the Insurance Code, relating to child care liability insurance.

(18) Section 278.7 of the Penal Code, relating to the address and phone number of child concealer or concealed child.

(19) Sections 11167 and 11167.5 of the Penal Code, relating to a child abuse report.

(20) Section 105 of the Welfare and Institutions Code, relating to confidential records reviewed or acquired by a court-appointed special advocate.

(21) Section 830 of the Welfare and Institutions Code, relating to a communication between members of a multidisciplinary personnel team on child abuse.

Comment. Section 7930.300 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 9. Financial Records, Tax Records, and Financial Institutions

§ 7930.325. Exemptions relating to financial records, tax records, or financial institutions

7930.325. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 3552 of the Code of Civil Procedure, relating to tax returns provided to a court by a business seeking compensation for loss of goodwill under the Eminent Domain Law.

(2) Section 3552 of the Family Code, relating to an income tax return submitted in a proceeding involving child, family, or spousal support.

(3) Section 459 of the Financial Code, relating to bank reports.

(4) Section 4990 of the Financial Code, relating to criminal history information submitted by a person seeking employment with, or a controlling position in, a financial institution.

(5) Section 4990 of the Financial Code, relating to credit union investigation and examination reports.

(6) Section 14409.2 of the Financial Code, relating to criminal history information on an applicant for employment at a credit union.

(7) Section 17336 of the Financial Code, relating to the Escrow Agents’ Fidelity Corporation, its examinations and investigations, and related records.

(8) Section 17414 of the Financial Code, relating to escrows, prohibited conduct, and reports of violations.

(9) Section 17414.1 of the Financial Code, relating to criminal records, summary criminal history information, and serving as an escrow agent in any capacity.

(10) Section 55523.6 of the Food and Agricultural Code, relating to confidentiality of a financial statement submitted in licensing of a farm product processor.

(11) Section 7925.010 [Section 6254(x)], relating to service contractors and their financial data.

(12) Section 7929.000 [Section 6254(d)], relating to records of a state agency that regulates or supervises financial institutions or the issuance of securities.

(13) Section 15619, relating to information concerning the business affairs of companies reporting to the Board of Equalization.

(14) Section 925.3 of the Insurance Code, relating to supplemental accounting, financial, and actuarial information of or about an insurer.

(15) Section 10165 of the Public Contract Code, relating to questionnaires and financial statements of bidders for state contracts.

(16) Section 408 of the Revenue and Taxation Code, relating to assessor's records.

(17) Section 408.2 of the Revenue and Taxation Code, relating to assessor's records.

(18) Section 451 of the Revenue and Taxation Code, relating to assessor's records.

(19) Section 14251 of the Revenue and Taxation Code, relating to estate taxation and information and records acquired by the Controller.

(20) Article 2 (commencing with Section 19542) of Chapter 7 of Part 10.2 or Division 2 of the Revenue and Taxation Code, relating to disclosure of tax information.

(21) Section 30455 of the Revenue and Taxation Code, relating to records relevant to cigarette taxation.

(22) Section 55381 of the Revenue and Taxation Code, relating to feepayer information submitted to the Board of Equalization.

(23) Section 60609 of the Revenue and Taxation Code, relating to diesel fuel taxation and disclosure of related information.

(24) Section 11025 of the Welfare and Institutions Code, relating to use of Franchise Tax Board records by the State Department of Social Services and the State Department of Health Services.

Comment. Section 7930.325 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 10. Fish and Wildlife

§ 7930.350. Exemptions relating to fish or wildlife

7930.350. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 1050.6 of the Fish and Game Code, relating to name and address information submitted to the Department of Fish and Wildlife to obtain a recreational fishing or hunting license.

(2) Section 4041 of the Fish and Game Code, relating to receipts, records, and reports required for fur dealer licensing.

(3) Section 7923 of the Fish and Game Code, relating to records kept by commercial fishing licensees.

(4) Section 8022 of the Fish and Game Code, relating to commercial fishing reports.

Comment. Section 7930.350 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 11. Food and Agriculture

§ 7930.375. Exemptions relating specifically to fruits, nuts, vegetables, or wine

7930.375. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 44984 of the Food and Agricultural Code, relating to avocado handler transaction records.

(2) Section 55601.5 of the Food and Agricultural Code, relating to reports on grape purchases and grape crushing.

(3) Section 65603 of the Food and Agricultural Code, relating to information that the California Table Grape Commission obtains from shippers.

(4) Section 66624 of the Food and Agricultural Code, relating to information that the California Iceberg Lettuce Commission obtains from handlers.

(5) Section 67094 of the Food and Agricultural Code, relating to the California Avocado Commission, handler identities, and information obtained from handlers.

(6) Section 67104 of the Food and Agricultural Code, relating to proprietary information that the California Avocado Commission obtains from handlers.

(7) Section 68104 of the Food and Agricultural Code, relating to proprietary information that the California Kiwifruit Commission obtains from producers or handlers.

(8) Section 69045 of the Food and Agricultural Code, relating to proprietary information that the California Pistachio Commission obtains from producers, processors, or producer-suppliers.

(9) Section 73257 of the Food and Agricultural Code, relating to the California Navel Orange Commission, proprietary information it obtains from producers and handlers, and lists of producers and handlers.

(10) Section 74655 of the Food and Agricultural Code, relating to lists of vintners and proprietary information that the California Wine Commission obtains from producers and vintners.

(11) Section 74955 of the Food and Agricultural Code, relating to lists of vintners and proprietary information that the California Wine Grape Commission obtains from producers and vintners.

(12) Section 75598 of the Food and Agricultural Code, relating to the California Apple Commission and lists of persons.

(13) Section 75633 of the Food and Agricultural Code, relating to proprietary information that the California Apple Commission obtains from producers and handlers.

(14) Section 76144 of the Food and Agricultural Code, relating to proprietary information that the California Cherry Commission obtains from producers, processors, shippers, and grower-handlers.

(15) Section 77101 of the Food and Agricultural Code, relating to the California Walnut Commission and lists of producers.

(16) Section 77154 of the Food and Agricultural Code, relating to proprietary information that the California Walnut Commission obtains from producers and handlers.

(17) Section 77843 of the Food and Agricultural Code, relating to proprietary information that the California Date Commission obtains from handlers.

(18) Section 78262 of the Food and Agricultural Code, relating to producer lists possessed by the California Asparagus Commission.

(19) Section 78288 of the Food and Agricultural Code, relating to proprietary information that the California Asparagus Commission obtains from producers.

(20) Section 78679 of the Food and Agricultural Code, relating to the California Tomato Commission and lists of producers, handlers, and others.

(21) Section 78704 of the Food and Agricultural Code, relating to proprietary information obtained by the California Tomato Commission.

Comment. Section 7930.375 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.380. Other exemptions relating to food or agriculture

7930.380. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 7923 of the Fish and Game Code, relating to records kept by commercial fishing licensees.

(2) Section 8022 of the Fish and Game Code, relating to commercial fishing reports.

(3) Section 29041 of the Food and Agricultural Code, relating to apiary registration information.

(4) Section 54453 of the Food and Agricultural Code, relating to Cooperative Bargaining Associations and confidential information disclosed to a conciliator.

(5) Section 55523.6 of the Food and Agricultural Code, relating to confidentiality of a financial statement submitted in licensing of a farm product processor.

(6) Section 58577 of the Food and Agricultural Code, relating to foreign marketing and confidentiality of information submitted by individual marketing organizations.

(7) Section 59616 of the Food and Agricultural Code, governing the director's access to marketing records.

(8) Section 64155 of the Food and Agricultural Code, relating to ballots filed pursuant to the Dairy Council of California Law.

(9) Section 64691.1 of the Food and Agricultural Code, relating to fee transactions information under the California Beef Council Law.

(10) Section 72104 of the Food and Agricultural Code, relating to the California Wheat Commission, proprietary information it obtains, and lists of producers.

(11) Section 72109 of the Food and Agricultural Code, relating to the California Wheat Commission and assessment refund requests.

(12) Section 75134 of the Food and Agricultural Code, relating to proprietary information that the California Egg Commission obtains from handlers.

(13) Section 76343 of the Food and Agricultural Code, relating to the California Sheep Commission, proprietary information it obtains from handlers, and lists of producers.

(14) Section 76901.5 of the Food and Agricultural Code, relating to the California Salmon Council and fee transaction records.

(15) Section 76950 of the Food and Agricultural Code, relating to preparation of the California Salmon Council's list of commercial salmon vessel operators.

(16) Section 77298 of the Food and Agricultural Code, relating to the California Pepper Commission and lists of producers and handlers.

(17) Section 77334 of the Food and Agricultural Code, relating to proprietary information that the California Pepper Commission obtains from producers and handlers.

(18) Section 78553 of the Food and Agricultural Code, relating to the California Seafood Council and audits or inspections of fee transaction records.

(19) Section 78575 of the Food and Agricultural Code, relating to the California Seafood Council and information on the volume of fish landings.

(20) Section 77589 of the Food and Agricultural Code, relating to the California Forest Products Commission and lists of persons.

(21) Section 77624 of the Food and Agricultural Code, relating to proprietary information that the California Forest Products Commission obtains from producers.

(22) Section 77963 of the Food and Agricultural Code, relating to the California Cut Flower Commission and lists of producers.

(23) Section 77988 of the Food and Agricultural Code, relating to proprietary information that the California Cut Flower Commission obtains from producers.

(24) Section 7927.305 [6254(e)], relating to crop reports.

Comment. Section 7930.380 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 12. Government

§ 7930.400. Exemptions relating to government

7930.400. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 89574 of the Education Code, relating to the California State University, reported improper governmental activities, and investigative audits.

(2) Section 818.7, relating to controlled substance violations and lack of governmental liability for information published to school personnel for educational purposes.

(3) Section 7929.000 [Section 6254(d)], relating to records of a state agency that regulates or supervises financial institutions or the issuance of securities.

(4) Section 7929.200 [6254(aa)], relating to documents that assess a state or local agency’s vulnerability to a terrorist attack or other criminal act intended to disrupt agency operations.

(5) Sections 11126 and 11126.1, relating to closed sessions of state bodies.

(6) Section 11183, relating to information or evidence that a government officer acquired when assisting with an activity at the request of a prosecuting attorney or the Attorney General.

(7) Section 12519, relating to information and records of the Colorado River Board.

(8) Section 19826.5, relating to pay data provided to the Department of Human Resources on a confidential basis.

(9) Section 27394, relating to computer security testing of an electronic recording delivery system used by a county recorder.

(10) Section 27491.8, relating to the County Employees' Retirement Law and sworn statements and individual records of members.

(11) Section 31532, relating to coroner inquests and privileged communications.

(12) Section 54956.9, relating to a closed session held by a local agency to discuss pending litigation.

(13) Section 90005, relating to records, documents, and information received by personnel of the Franchise Tax Board or the Fair Political Practices Commission in an audit under Chapter 10 (commencing with Section 90000) of Title 9.

(14) Section 10165 of the Public Contract Code, relating to questionnaires and financial statements of bidders for state contracts.

(15) Section 10304 of the Public Contract Code, relating to confidentiality of bids.

(16) Section 10370 of the Public Contract Code, relating to evaluations and contractor responses.

(17) Section 10763 of the Public Contract Code, relating to questionnaires and financial statements for bids under the California State University Contract Law.

Comment. Section 7930.400 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 13. Health

§ 7930.425. Exemptions relating specifically to AIDS, HIV, hepatitis, or similar matters

7930.425. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 1603.1 of the Health and Safety Code, relating to blood tests for HIV, AIDs, and viral hepatitis.

(2) Section 120820 of the Health and Safety Code, relating to personal data in AIDS reports, investigations, and related information.

(3) Section 121025 of the Health and Safety Code, relating to public health records that relate to HIV or AIDS and contain personally identifying information.

(4) Section 120975 of the Health and Safety Code, relating to the identity of the subject of an AIDS blood test.

(5) Section 120980 of the Health and Safety Code, relating to HIV test results.

(6) Section 121010 of the Health and Safety Code, relating to AIDS blood test results.

(7) Section 121015 of the Health and Safety Code, relating to disclosure of a positive HIV test to the patient's spouse and others.

(8) Sections 121065 and 121070 of the Health and Safety Code, relating to AIDS public safety testing and disclosure.

(9) Section 121075 of the Health and Safety Code, generally prohibiting disclosure of HIV and AIDS research records in personally identifying form.

(10) Section 121080 of the Health and Safety Code, specifying conditions for disclosure of AIDS research records upon prior written consent of the research subject.

(11) Section 121085 of the Health and Safety Code, relating to use of AIDS research records in a financial audit or a program evaluation.

(12) Sections 121090 and 121095 of the Health and Safety Code, relating to AIDS research records.

(13) Section 121100 of the Health and Safety Code, generally prohibiting use of an AIDS research record in a criminal or civil proceeding against a research subject.

(14) Sections 121115 and 121120 of the Health and Safety Code, relating to AIDS research records.

(15) Section 121280 of the Health and Safety Code, relating to AIDS vaccine volunteers.

(16) Section 799 of the Insurance Code, relating to insurer tests for HIV and similar matters.

(17) Section 1524.1 of the Penal Code, relating to HIV testing of a criminal defendant pursuant a search warrant requested by a victim.

(18) Sections 7552 and 7554 of the Penal Code, relating to information obtained in AIDS prevention programs at correctional facilities and law enforcement agencies.

(19) Section 1768.9 of the Welfare and Institutions Code, relating to AIDS testing of a person under the jurisdiction or control of the Department of the Youth Authority.

Comment. Section 7930.425 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.430. Exemptions relating specifically to persons with developmental disabilities

7930.430. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 416.8 of the Health and Safety Code, relating to an evaluation report for a conservatorship of a person with developmental disabilities.

(2) Section 416.18 of the Health and Safety Code, relating to an annual review of a conservatorship of a person with developmental disabilities.

(3) Section 1827.5 of the Probate Code, relating to a regional center’s report on conservatorship of a person with developmental disabilities.

(4) Sections 4514 and 4518 of the Welfare and Institutions Code, relating to information and records obtained in providing intake, assessment, and services to a person with developmental disabilities.

(5) Section 4552.5 of the Welfare and Institutions Code, relating to confidential patient records and record requests by the State Council on Developmental Disabilities.

(6) Section 4727 of the Welfare and Institutions Code, relating to information provided to a professional person in confidence by a family member of an applicant for, or a recipient of, services for persons with developmental disabilities.

Comment. Section 7930.430 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.435. Other exemptions relating to health

7930.435. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 156.1 of the Business and Professions Code, relating to the Department of Consumer Affairs, contracted services for drug and alcohol treatment of licentiates, and records of those services.

(2) Section 802.5 of the Business and Professions Code, relating to preparation of a confidential report that a death may be due to negligence of a physician, a podiatrist, or a physician’s assistant.

(3) Section 1698 of the Business and Professions Code, relating to records of a dentist’s participation in a drug and alcohol diversion program.

(4) Section 1966.5 of the Business and Professions Code, relating to records of a dental hygienist’s participation in a drug and alcohol diversion program.

(5) Section 14282 of the Elections Code, relating to assistance for voters with disabilities.

(6) Section 1010.5 of the Evidence Code, relating to confidential communications between an educational psychologist and a patient.

(7) Section 3118 of the Family Code, relating to a child sexual abuse report or investigation in a contested proceeding involving child custody or visitation.

(8) Section 7613 of the Family Code, relating to artificial insemination records.

(9) Section 7926.100 [6254(ac)], relating to registration information for the Advance Health Care Directive Registry.

(10) Section 1797.98c of the Health and Safety Code, relating to reimbursement of a physician or surgeon from the Maddy Emergency Medical Services Fund and confidentiality of patient names.

(11) Section 1798.200 of the Health and Safety Code, relating to discipline of an emergency medical technician.

(12) Section 1799.112 of the Health and Safety Code, relating to discipline of an Emergency Medical Technician-Paramedic (EMT-P).

(13) Section 1557.5 of the Health and Safety Code, relating to client information kept by a community care facility.

(14) Section 1596.853 of the Health and Safety Code, relating to requests for inspection of a child day care facility.

(15) Section 11594 of the Health and Safety Code, relating to registration information for a controlled substance offender.

(16) Section 11812 of the Health and Safety Code, relating to county alcohol and drug abuse programs.

(17) Sections 102100, 102110, and 102230 of the Health and Safety Code, relating to birth, death, and marriage certificates.

(18) Sections 102430 and 102475 of the Health and Safety Code, relating to birth certificates.

(19) Section 103525 of the Health and Safety Code, relating to birth, fetal death, death, marriage, marital dissolution, legal separation, and marital annulment certificates.

(20) Section 103590 of the Health and Safety Code, relating to birth certificates.

(21) Section 103850 of the Health and Safety Code, relating to birth defects monitoring.

(22) Section 103885 of the Health and Safety Code, relating to cancer registries.

(23) Section 123125 of the Health and Safety Code, relating to alcohol and drug abuse records and records regarding communicable disease carriers.

(24) Section 123852 of the Health and Safety Code, relating to the California Children's Services Program and factor replacement therapy contracts.

(25) Section 124110 of the Health and Safety Code, relating to health screening and evaluation of children in the Child Health and Disability Prevention Program.

(26) Section 124130 of the Health and Safety Code, relating to reports on blood lead analyses under the Childhood Lead Poisoning Prevention Act.

(27) Section 128736 of the Health and Safety Code, relating to individually identifiable information in an Emergency Care Data Record.

(28) Section 128737 of the Health and Safety Code, relating to identifying information in an Ambulatory Surgery Data Record.

(29) Section 130140.1 of the Health and Safety Code, relating to individually identifiable information provided to a county commission under the California Children and Families Program.

(30) Section 789.7 of the Insurance Code, relating to access to registered information relating to disability insurance, Medicare supplement insurance, or long-term care insurance.

(31) Section 138.7 of the Labor Code, relating to individually identifiable information obtained or maintained by the Division of Workers' Compensation regarding a claim for workers' compensation benefits.

(32) Section 147.2 of the Labor Code, relating to the Hazard Evaluation System and Information Service (HESIS) and records relating to its repository of data on toxic materials and harmful physical agents in places of employment.

(33) Sections 4600.5 and 4600.6 of the Labor Code, relating to certification of a health care organization to provide health care to employees for injuries and diseases compensable through the workers' compensation system.

(34) Sections 11167 and 11167.5 of the Penal Code, relating to child abuse reports.

(35) Section 2714 of the Unemployment Insurance Code, relating to medical records that the Employment Development Department obtains in filing, determination, and payment of disability benefit claims.

(36) Section 1804 of the Vehicle Code, relating to blood-alcohol tests.

(37) Section 40313 of the Vehicle Code, relating to a notice of reexamination issued to a driver exhibiting evidence of incapacity.

(38) Section 830 of the Welfare and Institutions Code, relating to communications between members of a multidisciplinary personnel team on child abuse.

(39) Section 4903 of the Welfare and Institutions Code, relating to a protection and advocacy agency's access to, and handling of, records relating to persons with disabilities.

(40) Section 5610 of the Welfare and Institutions Code, relating to county mental health systems and client information.

(41) Section 10810 of the Welfare and Institutions Code, relating to records of a county special commission on health care.

(42) Section 11025 of the Welfare and Institutions Code, relating to use of Franchise Tax Board records by the State Department of Social Services and the State Department of Health Services.

(43) Section 14105.8 of the Welfare and Institutions Code, relating to contracts between the State Department of Health Care Services and manufacturers of enteral nutrition products.

Comment. Section 7930.435 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 ("The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure."). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 14. Historically or Culturally Significant Matters

§ 7930.475. Exemption relating to historically or culturally significant matters

7930.475. The following provision may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Section 7927.005 [6254.10], relating to archaeological site information and reports.

Comment. Section 7930.475 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 15. Insurance

§ 7930.500. Exemptions relating to insurance

7930.500. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 789.7 of the Insurance Code, relating to access to registered information relating to disability insurance, Medicare supplement insurance, or long-term care insurance.

(2) Section 799 of the Insurance Code, relating to insurer tests for HIV and similar matters.

(3) Section 925.3 of the Insurance Code, relating to supplemental accounting, financial, and actuarial information of or about an insurer.

(4) Section 1857.9 of the Insurance Code, relating to information that an insurer is required to report to the Insurance Commissioner.

(5) Section 1864 of the Insurance Code, relating to child care liability insurance.

(6) Section 1872.8 of the Insurance Code, relating to investigation of fraudulent automobile insurance claims.

(7) Section 1876.3 of the Insurance Code, relating to the Automobile Insurance Claims Depository.

(8) Section 10097 of the Insurance Code, relating to reports under the Basic Property Insurance Inspection and Placement Plan.

(9) Section 11624 of the Insurance Code, relating to assigned risk plans and rejected applicants.

(10) Section 2714 of the Unemployment Insurance Code, relating to medical records that the Employment Development Department obtains in filing, determination, and payment of disability benefit claims.

(11) Section 4750.4 of the Vehicle Code, relating to information that an insurer provides to the Department of Motor Vehicles.

Comment. Section 7930.500 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 16. Labor

§ 7930.525. Exemptions relating to labor law

7930.525. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 16607 of the Business and Professions Code, relating to customer lists of employment agencies.

(2) Section 14409.2 of the Financial Code, relating to criminal history information on an applicant for employment at a credit union.

(3) Section 19826.5, relating to pay data provided to the Department of Human Resources on a confidential basis.

(4) Section 98.7 of the Labor Code, relating to unlawful discharge claims and confidentiality of witness identities.

(5) Section 129 of the Labor Code, relating to audits of insurers, self-insured employers, and third-party administrators to determine if they have met their workers’ compensation obligations.

(6) Section 138.7 of the Labor Code, relating to individually identifiable information obtained or maintained by the Division of Workers’ Compensation regarding a claim for workers’ compensation benefits.

(7) Section 147.2 of the Labor Code, relating to the Hazard Evaluation System and Information Service (“HESIS”) and records relating to its repository of data on toxic materials and harmful physical agents in places of employment.

(8) Sections 432.7 and 432.8 of the Labor Code, relating to arrests that do not result in conviction.

(9) Section 1197.5 of the Labor Code, relating to equal wage requirements and complaints for violation of those requirements.

(10) Sections 3201.5, 3201.7, and 3201.9 of the Labor Code, relating to information that the director of the Department of Industrial Relations obtains about labor-management agreements and certain types of collective bargaining agreements, and disclosure of derivative works created by the Division of Workers’ Compensation.

(11) Sections 4600.5 and 4600.6 of the Labor Code, relating to certification of a health care organization to provide health care to employees for injuries and diseases compensable through the workers’ compensation system.

(12) Section 7383 of the Labor Code, relating to previous business identities of a crane employer.

(13) Section 307 of the Unemployment Insurance Code, relating to requests for the rules, regulations, guidelines, bulletins, manuals, and other materials of the Employment Development Department.

(14) Section 2714 of the Unemployment Insurance Code, relating to medical records that the Employment Development Department obtains in filing, determination, and payment of disability benefit claims.

Comment. Section 7930.525 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 17. Probate, Estate Planning, and Similar Matters

§ 7930.550. Exemptions relating to probate, estate planning, and similar matters

7930.550. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 416.8 of the Health and Safety Code, relating to an evaluation report for a conservatorship of a person with developmental disabilities.

(2) Section 416.18 of the Health and Safety Code, relating to an annual review of a conservatorship of a person with developmental disabilities.

(3) Section 7926.100 [6254(ac)], relating to registration information for the Advance Health Care Directive Registry.

(4) Section 1821 of the Probate Code, relating to supplemental information for a conservatorship petition.

(5) Section 1826 of the Probate Code, relating to a court investigator’s report on a proposed conservatorship.

(6) Section 1827.5 of the Probate Code, relating to a regional center’s report on conservatorship of a person with developmental disabilities.

(7) Section 1834 of the Probate Code, relating to a conservator’s birthdate and driver’s license number.

(8) Section 1851 of the Probate Code, relating to a court investigator’s report on a conservatee.

(9) Section 2586 of the Probate Code, relating to a conservatee’s estate plan.

(10) Section 14251 of the Revenue and Taxation Code, relating to estate taxation and information and records acquired by the Controller.

Comment. Section 7930.550 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”).

That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 18. Public Resources

§ 7930.575. Exemptions relating to public resources

7930.575. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 12519, relating to information and records of the Colorado River Board.

(2) Section 2207.1 of the Public Resources Code, relating to consumption and utilization of mineral materials.

(3) Section 4417 of the Public Resources Code, relating to anonymity of an individual who provides information leading to a conviction or commitment for willfully or maliciously setting fire to a state responsibility area, or attempting to do so.

Comment. Section 7930.575 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 19. Real Property

§ 7930.600. Exemption relating to real property

7930.600. The following provision may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Section 3552 of the Code of Civil Procedure, relating to tax returns provided to a court by a business seeking compensation for loss of goodwill under the Eminent Domain Law.

Comment. Section 7930.600 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 20. Vehicles and Other Means of Transportation

§ 7930.625. Exemptions relating to motor vehicles, the DMV, or related matters

7930.625. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

(1) Section 1804 of the Vehicle Code, relating to blood-alcohol tests.

(2) Section 1808.6 of the Vehicle Code, relating to home addresses of certain persons associated with the Board of Prison Terms or the Youthful Offender Parole Board.

(3) Section 1872.8 of the Insurance Code, relating to investigation of fraudulent automobile insurance claims.

(4) Section 1876.3 of the Insurance Code, relating to the Automobile Insurance Claims Depository.

(5) Section 4750.4 of the Vehicle Code, relating to information that an insurer provides to the Department of Motor Vehicles.

(6) Section 11108 of the Vehicle Code, relating to records kept by driving schools and driving instructors.

(7) Section 21455.5 of the Vehicle Code, relating to photographic records made by an automated traffic enforcement system.

(8) Section 40240 of the Vehicle Code, relating to video imaging records from an automated forward facing parking control device.

(9) Section 40313 of the Vehicle Code, relating to a notice of reexamination issued to a driver exhibiting evidence of incapacity.

(10) Section 60609 of the Revenue and Taxation Code, relating to diesel fuel taxation and disclosure of related information.

Comment. Section 7930.625 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

§ 7930.630. Exemption relating to other means of transportation

7930.630. The following provision may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

Section 21693 of the Public Utilities Code, relating to investigations, hearings, and reports relating to aeronautics.

Comment. Section 7930.630 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).

Article 21. Welfare, Other Public Assistance Programs, and Similar Matters

§ 7930.650. Exemptions relating to welfare, other public assistance programs, or similar matters

7930.650. The following provisions may operate to exempt certain records, or portions thereof, from disclosure pursuant to this division:

- (1) Sections 11167 and 11167.5 of the Penal Code, relating to child abuse reports.
- (2) Section 105 of the Welfare and Institutions Code, relating to confidential records reviewed or acquired by a court-appointed special advocate.
- (3) Section 830 of the Welfare and Institutions Code, relating to communications between members of a multidisciplinary personnel team on child abuse.
- (4) Sections 4514 and 4518 of the Welfare and Institutions Code, relating to information and records obtained in providing intake, assessment, and services to a person with developmental disabilities.
- (5) Section 4552.5 of the Welfare and Institutions Code, relating to confidential patient records and record requests by the State Council on Developmental Disabilities.
- (6) Section 4727 of the Welfare and Institutions Code, relating to information provided to a professional person in confidence by a family member of an applicant for, or a recipient of, services for persons with developmental disabilities.
- (7) Section 4903 of the Welfare and Institutions Code, relating to a protection and advocacy agency's access to, and handling of, records relating to persons with disabilities.
- (8) Section 5610 of the Welfare and Institutions Code, relating to county mental health systems and client information.
- (9) Section 10810 of the Welfare and Institutions Code, relating to use of volunteers in county programs and maintaining confidentiality of recipient records.
- (10) Section 10810 of the Welfare and Institutions Code, relating to records of a county special commission on health care.
- (11) Section 11025 of the Welfare and Institutions Code, relating to use of Franchise Tax Board records by the State Department of Social Services and the State Department of Health Services.
- (12) Section 14105.8 of the Welfare and Institutions Code, relating to contracts between the State Department of Health Care Services and manufacturers of enteral nutrition products.
- (13) Section 18491 of the Welfare and Institutions Code, relating to relief and applications for relief under the Relief Law of 1945.
- (14) Section 18909 of the Welfare and Institutions Code, relating to CalFresh.

Comment. Section 7930.650 and the other provisions in this chapter continue former Sections 6276.01-6276.18 without substantive change.

See also the third sentence of former Section 6275 (“The statutes and constitutional provisions listed in this article may operate to exempt certain records, or portions thereof, from disclosure.”). That sentence is continued without substantive change in Section 7930.000 and essentially repeated in each section in this chapter.

For guidance on using this chapter, see Sections 7930.000 (legislative intent & instructions) and 7930.005 (scope and effect of index).