Ed Chau, Chair

2015 Legislative Summary
Assembly Committee on Privacy and Consumer Protection

Members

Scott Wilk, Vice Chair

Catharine B. Baker

Ian C. Calderon

Ling Ling Chang

Jim Cooper

Matthew Dababneh

*Mike Gatto

Richard S. Gordon

Evan Low

Kristin Olsen

*Chair during 2015

Staff

Hank Dempsey, Chief Consultant

Jennie Bretschneider, Consultant

Jessica Langtry, Committee Secretary

Brandon Bjerke, Law Clerk

Table of Contents

Introduction

The jurisdiction of the Assembly Privacy and Consumer Protection Committee spans a wide range of technology-related issues, and includes matters affecting consumer protection in both the digital and analog worlds.

Specifically, the Committee has jurisdiction over matters related to privacy, the protection of personal information (including digital information), the security of data, and information technology, as well as false advertising, charitable solicitations, weights and measures, and consumer protection generally. The Committee is also responsible for oversight of the Department of Technology within the State's Government Operations Agency.

During the 2015 Legislative year, the Committee held a total of 11 hearings, consisting of eight bill hearings, an informational hearing on cybersecurity with the Select Committee on Cybersecurity, an oversight hearing on the Department of Technology's implementation of CalCloud with the Assembly Accountability and Administrative Review Committee, and a first-of-its-kind informational hearing about the Committee itself held online in conjunction with the social media website Reddit.com.

A total of 52 bills were referred to the Committee during 2015, and Committee staff drafted a total of 52 policy committee bill analyses. 43 bills were heard by the Committee, 21 of which were ultimately chaptered into law.

Bills were distributed among the Committee's nine areas of jurisdiction as follows:

Privacy:	18 bills
Protection of personal information:	7 bills
Security of data:	3 bills
Information technology:	9 bills
Department of Technology:	3 bills
Consumer protection:	7 bills
False advertising:	2 bills
Charitable solicitations:	2 bills
Weights and measures:	1 bill

Common themes in legislation referred to the Committee this year involved the regulation of law enforcement surveillance technologies, restrictions on the private use of drones and cybersecurity.

* * *

Top Ten Referred Assembly and Senate Bills (2015)

AB-66 (Weber) - Peace officers: body-worn cameras.
Establishes mandatory requirements and recommended guidelines for the use of body-worn cameras by peace officers and the handling of the resulting video and audio data, including authorization for a peace officer to review his or her body-worn camera video before making his or her initial statement and report, and restrictions on the disclosure of video files that depict victims of certain kinds of sexual or domestic violence.
Status: Assembly-In Committee Process – Appropriations

AB-287 (Gordon, Eggman, Mark Stone) - Vehicle safety: recalls.
Enacts the Consumer Automotive Recall Safety Act, which requires a motor vehicle dealer to obtain a recall database report within 30 days before sale or offer of a used car, generally requires a used car to be repaired prior to transfer or accepted by the consumer unrepaired after providing informed consent, and prohibits the rental of vehicles subject to a recall.
Status: Senate-In Committee Process – Transportation and Housing

AB-670 (Irwin) - Security assessments.
Requires the Department of Technology to conduct, or require to be conducted, no fewer than 35 independent security assessments of state agencies, departments or offices annually.
Status: Chapter 518, Statutes of 2015

AB-691 (Calderon) - The Privacy Expectation Afterlife and Choices Act (PEAC).
Establishes the Privacy Expectation Afterlife and Choices Act, and provides for the voluntary disclosure of electronic records, information, or contents of electronic communications by an electronic communication or remote computing service provider to the personal representative of the estate or the trustee of the trust of a deceased user. Also authorizes a provider to decline to respond to a request because of a concern that complying with the request may violate other legal authority, may be contrary to the wishes of the user, or may be otherwise inappropriate.
Status: Senate-In Floor Process

AB-1116 (Committee on Privacy and Consumer Protection) - Connected televisions.
Prohibits the collection and use of spoken words and conversations captured by Internet-connected televisions, commonly known as "connected televisions" or "smart TVs," without first informing the user, and prohibits using or selling for advertising purposes any spoken words or sounds that were collected through a connected television for the specific purpose of improving the voice recognition feature.
Status: Chapter 524, Statutes of 2015

SB-34 (Hill) - Automated license plate recognition systems: use of data.
Imposes a variety of security, privacy, and public hearing requirements on the use of automated license plate recognition systems, as well as a private right of action and specified remedies for a violation.
Status: Chapter 532, Statutes of 2015

SB-142 (Jackson) - Civil law: unmanned aerial vehicles.
Makes it a trespass to operate an unmanned aircraft system less than 350 feet above the ground in the airspace overlying the property of another without permission or legal authority, while providing an exception for the lawful activities of law enforcement agencies and other public or private entities.
Status: Vetoed; Senate-In Floor Process

SB-168 (Gaines, Jackson) - Unmanned aircraft systems.
Increases fines for unmanned aircraft system interference with firefighting activities and grants civil immunity to public entities, public employees, unpaid volunteers and private entities acting within the scope of delegated authority that damage a UAS in the course of providing a variety of emergency services.
Status: Vetoed; Senate-In Floor Process

SB-178 (Leno, Anderson) - Privacy: electronic communications: search warrant.
Creates the California Electronic Communications Privacy Act, which generally requires law enforcement entities to obtain a search warrant before accessing data on an electronic device or from an online service provider.
Status: Chapter 651, Statutes of 2015

SB-633 (Hill) - Consumer protection: "Made in U.S.A." label.
Permits merchandise with the words "Made in U.S.A." to be offered for sale if no more than 5% of the final wholesale value of the product is foreign-made, or no more than 10% is foreign-made, if the content could not be produced or obtained domestically, regardless of cost.
Status: Chapter 238, Statutes of 2015

* * *

Assembly Privacy and Consumer Protection Committee
2015 Legislative Summary

Privacy

AB-56 (Quirk) - Unmanned aircraft systems.
Requires law enforcement agencies to develop and follow an unmanned aircraft system (UAS) policy; to obtain a warrant based on probable cause unless exigent circumstances exist before each UAS use; to keep data collected from a UAS secure; and to purge UAS data after one year, with certain exceptions. Also requires a law enforcement agency to present the UAS policy to its governing body at a regularly scheduled public meeting, post the UAS policy on the agency's website, and review the policy every three years.
Status: Senate-In Floor Process

AB-66 (Weber) - Peace officers: body-worn cameras.
Establishes mandatory requirements and recommended guidelines for the use of body-worn cameras by peace officers and the handling of the resulting video and audio data, including authorization for a peace officer to review his or her body-worn camera video before making his or her initial statement and report, and restrictions on the disclosure of video files that depict victims of certain kinds of sexual or domestic violence.
Status: Assembly-In Committee Process – Appropriations

AB-69 (Rodriguez) - Peace officers: body-worn cameras.
Requires law enforcement agencies to consider specified best practices when establishing policies and procedures for downloading and storing data from body-worn cameras.
Status: Chapter 461, Statutes of 2015

AB-634 (Calderon) - Vacation ownership and time-shares: owners list.
Provides a process for a time-share property owner to communicate with other owners within a time-share association on matters related to legitimate association business, but without requiring the release of the owner list.
Status: Senate-In Committee Process – Judiciary

AB-691 (Calderon) - The Privacy Expectation Afterlife and Choices Act (PEAC).
Establishes the Privacy Expectation Afterlife and Choices Act, and provides for the voluntary disclosure of electronic records, information, or contents of electronic communications by an electronic communication or remote computing service provider to the personal representative of the estate or the trustee of the trust of a deceased user. Also authorizes a provider to decline to respond to a request because of a concern that complying with the request may violate other legal authority, may be contrary to the wishes of the user, or may be otherwise inappropriate.
Status: Senate-In Floor Process

AB-817 (Calderon) - Privacy: students.
Narrows the breadth of the Student Online Personal Information Protection Act so that its restrictions on the use of online websites or mobile applications to collect data on students and target advertising to them no longer apply to parents or students 14 years of age or older regarding postsecondary or extracurricular educational, military, or career products or services.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

AB-856 (Calderon) - Invasion of privacy.
Expands the scope of the cause of action in existing law for the physical invasion of privacy by specifying that a person is liable for physical invasion of privacy if the person enters "into the airspace" above the land of another person without permission. Also requires that the entry must be made in order to capture a visual image, sound recording, or other physical impression of a person engaging in a private, personal, or familial activity and the invasion occurs in a manner that is offensive to a reasonable person.
Status: Chapter 521, Statutes of 2015

AB-886 (Chau) - Transportation service network provider: passenger privacy.
Requires transportation service network providers to adopt certain privacy standards pertaining to a passenger's personally identifiable data.
Status: Assembly-In Committee Process – Utilities and Commerce

AB-929 (Chau) - Pen registers: authorized use.
Authorizes state and local law enforcement to apply for a court order to use pen register and trap and trace devices for communications surveillance under state law, and provides for the issuance of an emergency order to use pen registers and trap and trace devices under certain conditions.
Status: Chapter 204, Statutes of 2015

AB-1310 (Gatto) - Disorderly conduct: unlawful distribution of image.
Expands jurisdiction for crimes, including "revenge porn," where a person intentionally distributes an image of intimate body parts or sexual acts of another person, where it was agreed that the image would remain private, causing emotional distress.
Status: Chapter 643, Statutes of 2015

SB-34 (Hill) - Automated license plate recognition systems: use of data.
Imposes a variety of security, privacy, and public hearing requirements on the use of automated license plate recognition systems, as well as a private right of action and specified remedies for a violation.
Status: Chapter 532, Statutes of 2015

SB-168 (Gaines, Jackson) - Unmanned aircraft systems.
Increases fines for unmanned aircraft system (UAS) interference with firefighting activities and grants civil immunity to public entities, public employees, unpaid volunteers and private

entities acting within the scope of delegated authority that damage a UAS in the course of providing a variety of emergency services.
Status: Vetoed; Senate-In Floor Process

SB 170 (Gaines) – Unmanned aircraft systems: correctional facilities.
Prohibits knowingly and intentionally operating an unmanned aircraft system (UAS) over a state prison or county jail, but makes an exception for authorized prison employees and entities operating a UAS, as authorized by the Federal Aviation Administration.
Status: Vetoed; Senate-In Floor Process

SB-175 (Huff, Gaines) - Peace officers: body-worn cameras.
Requires each department or agency that employs peace officers and that elects to require those peace officers to wear body-worn cameras to develop a policy relating to the use of body-worn cameras that is consistent with existing law and addresses topics, such as how the camera will be operated, how long the data will be stored, processes for public disclosure and officer access and review, and training provided.
Status: Assembly-In Floor Process

SB-178 (Leno, Anderson) - Privacy: electronic communications: search warrant.
Creates the California Electronic Communications Privacy Act, which generally requires law enforcement entities to obtain a search warrant before accessing data on an electronic device or from an online service provider.
Status: Chapter 651, Statutes of 2015

SB-424 (Pan) - Law enforcement: communications.
Authorizes university and college peace officers to overhear or record conversations in sexual assault investigations as other law enforcement officials currently may, and also clarifies that they may use body-worn cameras.
Status: Chapter 159, Statutes of 2015

SB-690 (Stone) - Stalking.
Expands the definition of the crime of stalking to include willfully, maliciously, and repeatedly tracking another person with an electronic tracking device.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

SB-741 (Hill) - Mobile communications: privacy.
Requires local agencies to publicly approve or disclose the acquisition of cellular communications interception technology, requires local agencies to develop and release a usage and privacy policy for that technology, and provides for civil remedies in the event of a violation.
Status: Chapter 659, Statutes of 2015

Protection of Personal Information

AB-83 (Gatto) - Information Practices Act of 1977.
Expands the definition of "personal information" for which businesses must implement and maintain reasonable security procedures and practices in order to protect the information from unauthorized access, destruction, use, modification, or disclosure by adding geophysical location information, tax identification numbers, passport numbers, biometric information, health insurance information, usernames or email addresses in combination with passwords or other specified authentication credentials, and signatures to the list of protected personal information. Also establishes minimum criteria for the reasonable security procedures and practices that must be followed, including identifying reasonably foreseeable internal and external risks, establishing safeguards, and regularly assessing and adjusting security safeguards in place to control those risks.
Status: Senate-In Floor Process

AB-170 (Gatto) - Newborn screening: genetic diseases: blood samples collected.
Requires the Department of Public Health to provide information about genetic testing and to obtain a signed form from a parent or guardian of a newborn child regarding the collection of blood samples for DNA testing, and allows parents, guardians, and individuals at least 18 years of age, to request that blood samples be destroyed and/or not used for medical research.
Status: Senate-In Committee Process – Health

AB-259 (Dababneh) - Personal information: privacy.
Requires a state or local agency, if the agency was the source of a data breach that compromised specified personal information of a person, to offer appropriate identity theft prevention and mitigation services at no cost to the affected person for at least 12 months.
Status: Senate-In Committee Process – Appropriations

AB-322 (Waldron) - Privacy: Social Security numbers.
Prohibits a person, entity, state agency, or local agency from electronically collecting, retaining, maintaining, licensing, sharing, transmitting or using a Social Security number, unless the number is encrypted, with numerous exceptions.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

AB-964 (Chau) - Civil law: privacy.
Defines the word "encrypted" as used in California's Data Breach Notification Law to mean rendered unusable, unreadable, or indecipherable to an unauthorized person through a security technology or methodology generally accepted in the field of information security.
Status: Chapter 522, Statutes of 2015

AB-1541 (Committee on Privacy and Consumer Protection) - Privacy: personal information.
Updates existing privacy-related law by expanding the definition of "personal information" in the information security law to include health insurance information, and a username or email

address combined with a password or security question and answer for access to an online account.
Status: Chapter 96, Statutes of 2015

SB-570 (Jackson) - Personal information: privacy: breach.
Creates a standard format for data breach notices with subheadings to improve readability; requires a business or agency that posts a breach notice on its website, under the substitute breach notice requirements, to post a conspicuous link to the notice on the business or agency Internet homepage for at least 30 days; and provides a model security breach notification form that entities may use to comply with formatting requirements.
Status: Chapter 543, Statutes of 2015

Security of Data

AB-195 (Chau) - Unauthorized access to computer systems.
Makes it a misdemeanor, punishable by up to six months in prison, for any person to solicit another to join in the commission of specified crimes relating to unauthorized access of computer systems.
Status: Chapter 552, Statutes of 2015

AB-739 (Irwin) - Civil law: liability: communication of cyber security: threat information.
Provides legal immunity from civil or criminal liability for private entities that communicate anonymized cyber security-threat information and meet specified requirements, until January 1, 2020.
Status: Assembly-In Committee Process – Judiciary

AB-1172 (Chau) - California cyber security.
Codifies the existence of the California Cyber Security Task Force, created in 2013 by the Governor's Office of Emergency Services and the Department of Technology.
Status: Senate-In Floor Process

Information Technology

AB-14 (Waldron) - Unmanned aircraft systems: task force.
Establishes an Unmanned Aircraft Systems (UAS) Task Force and requires the UAS Task Force to research, develop, and formulate a comprehensive policy to promote UAS uses in aviation, aerospace, agriculture, public safety and in the technology industry throughout the state.
Status: Assembly-In Committee Process – Transportation

AB-1116 (Committee on Privacy and Consumer Protection) - Connected televisions.
Prohibits the collection and use of spoken words and conversations captured by Internet-connected televisions, commonly known as "connected televisions" or "smart TVs," without first informing the user, and prohibits using or selling for advertising purposes any spoken words or sounds that were collected through a connected television for the specific purpose of improving the voice recognition feature.
Status: Chapter 524, Statutes of 2015

AB-1129 (Burke) - Emergency medical services: data and information system.
Requires an emergency medical services (EMS) provider, when collecting and submitting data to a local emergency medical services agency (LEMSA), to use an electronic health record system (EHR) that is compliant with state and federal Emergency Medical Services Information System standards, as well as the LEMSA standards, and prohibits a LEMSA from mandating that an EMS provider use a specific EHR system to collect and share this data.
Status: Chapter 377, Statutes of 2015

AB-1192 (Quirk) - Fair Information Practices Act.
Requires a person that provides a mobile operating system or platform that is used by an operator or developer of a mobile application that collects personal data from an individual California user to create universal and binding privacy policy standards that are based on specified principles.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

AB-1215 (Ting) - California Open Data Standard.
Establishes the California Open Data Act, which would require the Governor to appoint a Chief Data Officer (CDO) and requires that CDO to work with state agencies and experts to create a California Open Data Standard and a centralized Internet web portal for the public to access public data from state agencies.
Status: Assembly-In Committee Process – Appropriations

SB-142 (Jackson) - Civil law: unmanned aerial vehicles.
Makes it a trespass to operate an unmanned aircraft system less than 350 feet above the ground in the airspace overlying the property of another without permission or legal authority, while providing an exception for the lawful activities of law enforcement agencies and other public or private entities.
Status: Vetoed; Senate-In Floor Process

SB-271 (Gaines) - Unmanned aircraft systems.
Prohibits knowingly and intentionally operating an unmanned aircraft system (UAS) less than 350 feet above a public school campus or using a UAS to capture images of a public school campus during school hours without the written permission of the school principal, while providing an exception for law enforcement and entities operating a UAS, as authorized by the Federal Aviation Administration.
Status: Vetoed; Senate-In Floor Process

SB-573 (Pan) - Statewide open data portal.
Requires the Governor to appoint a Chief Data Officer (CDO), and requires the CDO to establish a statewide open data portal where the public can access public data held by state agencies.
Status: Assembly-In Committee Process – Appropriations

SJR-18 (Wolk) - Small unmanned aircraft systems.
Urges the President of the United States and the United States Secretary of Transportation to allow for the operation of small unmanned aircraft systems by farmers and rangeland managers pursuant to emergency rules adopted by the Administration.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

Department of Technology

AB-558 (Low) - Public contracts: state contracts: information technology goods and services.
Requires the Department of Technology to develop procedures to make large-scale information technology procurements more efficient by requiring electronic submission of bids and other documents whenever possible.
Status: Senate-In Desk Process

AB-670 (Irwin) - Security assessments.
Requires the Department of Technology to conduct, or require to be conducted, no fewer than 35 independent security assessments of state agencies, departments or offices annually.
Status: Chapter 518, Statutes of 2015

AB-805 (Burke) - Director of Technology: Procurement: training program.
Requires the Department of Technology, in cooperation with the Department of General Services, to establish and oversee a curriculum to provide procurement professionals with the advanced skills and training needed to work on complex information technology procurement projects, and requires a report to the Legislature on the training program by January 1, 2017.
Status: Assembly-In Committee Process – Appropriations

Consumer Protection

AB-265 (Holden) - Consumer protection: buy-here-pay-here dealers.
Requires a buy-here-pay-here automobile dealer to provide five days' notice to consumers with weekly payment term contracts, or 10 days' notice on all other contracts, before using starter interrupt technology to disable an automobile after the consumer defaults on a finance payment, and increases the maximum fine amount for violations from $1,000 to $2,000.
Status: Chapter 179, Statutes of 2015

AB-287 (Gordon, Eggman, Mark Stone) - Vehicle safety: recalls.
Enacts the Consumer Automotive Recall Safety Act, which requires a motor vehicle dealer to obtain a recall database report within 30 days before sale or offer of a used car, generally requires a used car to be repaired prior to transfer or accepted by the consumer unrepaired after providing informed consent, and prohibits the rental of vehicles subject to a recall.
Status: Senate-In Committee Process – Transportation and Housing

AB-589 (Lopez) - Online child care job posting services: consumer education.
Requires an online child care job posting service to include specified information regarding each child care provider on the website that lists provider information, including a description of the Trustline registry and the toll-free telephone number and the link to the website for the registry, a description of the availability of free child care referrals in every county, and an easy-to-understand overview of what is included, and not included, in a background check.
Status: Assembly-In Committee Process – Human Services

AB-613 (Chu) - Automatic renewals: cancellations: notice to consumers.
Requires the cancellation policy of a personal, nonessential services contract, if the contract contains an automatic renewal provision, in order to give a consumer the right to cancel for any reason upon 30 days' written notice to the business and to describe the procedure to cancel the contact.
Status: Assembly-In Committee Process – Privacy and Consumer Protection

AB-1360 (Ting) - Charter-party carriers of passengers: individual fare exemption.
Allows charter-party carriers of passengers, including transportation network companies, to charge individual fares, rather than a single group fare when providing carpool services.
Status: Senate-In Committee Process – Energy, Utilities and Communications

SB-300 (Mendoza) - Pawnbrokers: regulations.
Authorizes pawn transaction replacement loans to be conducted electronically.
Status: Chapter 417, Statutes of 2015

SB-386 (Allen) - Unlawful business practices.
Prohibits, pursuant to the Consumer Legal Remedies Act, the advertising, offering for sale, or selling of a financial product that is illegal under state or federal law, including any cash payment for the assignment to a third party of the consumer's right to receive future pension or veteran's benefits.
Status: Chapter 246, Statutes of 2015

False Advertising

AB-312 (Jones) - Advertising.
Aligns California with the federal domestic content standard for use of the terms "Made in U.S.A.," "Made in America," "U.S.A." or similar words on merchandise, by requiring merchandise to have been 'all or virtually all' made in the United States.
Status: Senate-In Committee Process – Judiciary

SB-633 (Hill) - Consumer protection: "Made in U.S.A." label.
Permits merchandise with the words "Made in U.S.A." to be offered for sale if no more than 5% of the final wholesale value of the product is foreign-made, or no more than 10% is foreign-made, if the content could not be produced or obtained domestically, regardless of cost.
Status: Chapter 238, Statutes of 2015

Charitable Solicitation

AB-241 (Gordon) - Bankruptcy: retired employees: disclosure of names and mailing addresses.
Requires a local public entity to provide the name and mailing address of each retired employee to an organization representing retired employees of the local public entity in certain instances leading up to and when a local public entity files for bankruptcy; sets limits on how an organization receiving this information may use the name and address data; and establishes a $25,000 penalty for misuse of the data.
Status: Assembly-In Committee Process – Appropriations

AB-556 (Irwin) - Trusts: regulation and enforcement.
Strengthens the Attorney General's ability to enforce disclosure requirements for commercial fundraisers for charities, and establishes a 10-year statute of limitations for enforcement actions against these commercial fundraisers, consultants and other third parties who engage in fraud or prohibited conduct.
Status: Chapter 299, Statutes of 2015

Weights and Measures

AB-296 (Dodd) - Weights and measures: inspection: fees.
Extends, from January 1, 2016, to January 1, 2019, the authority of the board of supervisors of a county and the state Department of Food and Agriculture to charge fees to recover the costs of the County Sealer related to the inspection and testing of weighing and measuring devices.
Status: Chapter 133, Statutes of 2015

* * *

GOVERNOR'S VETO MESSAGES

SB-142 (Jackson) - Civil law: unmanned aerial vehicles.
Creates property rights in the airspace up to 350 feet above private property with regard to the use of an unmanned aircraft system.

"Governor's veto message: To the Members of the California State Senate:

I am returning Senate Bill 142 without my signature.

This bill would enact trespass liability for anyone flying a drone less than 350 feet above real property without the express permission of the property owner, whether or not anyone's privacy was violated by the flight.

Drone technology certainly raises novel issues that merit careful examination. This bill, however, while well-intentioned, could expose the occasional hobbyist and the FAA-approved commercial user alike to burdensome litigation and new causes of action.

Before we go down that path, let's look at this more carefully.

Sincerely,
Edmund G. Brown Jr."

SB-168 (Gaines, Jackson) - Unmanned aircraft systems.
Increases fines for unmanned aircraft system (UAS) interference with firefighting activities and grants civil immunity to public entities, public employees, and unpaid volunteers and private entities acting within the scope of delegated authority that damage a UAS in the course of providing a variety of emergency services.

"Governor's veto message: To the Members of the California State Senate:

I am returning the following nine bills without my signature:

Assembly Bill 144
Assembly Bill 849
Senate Bill 168
Senate Bill 170
Senate Bill 271
Senate Bill 333
Senate Bill 347
Senate Bill 716
Senate Bill 722

Each of these bills creates a new crime - usually by finding a novel way to characterize and criminalize conduct that is already proscribed. This multiplication and particularization of criminal behavior creates increasing complexity without commensurate benefit.

Over the last several decades, California's criminal code has grown to more than 5,000 separate provisions, covering almost every conceivable form of human misbehavior. During the same period, our jail and prison populations have exploded.

Before we keep going down this road, I think we should pause and reflect on how our system of criminal justice could be made more human, more just and more cost-effective.

Sincerely,
Edmund G. Brown Jr."

SB-170 (Gaines) - Unmanned aircraft systems: correctional facilities.
Prohibits a person from knowingly and intentionally operating an unmanned aircraft system (UAS) over a state prison or county jail.

"Governor's veto message: To the Members of the California State Senate:

I am returning the following nine bills without my signature:

Assembly Bill 144
Assembly Bill 849
Senate Bill 168
Senate Bill 170
Senate Bill 271
Senate Bill 333
Senate Bill 347
Senate Bill 716
Senate Bill 722

Each of these bills creates a new crime - usually by finding a novel way to characterize and criminalize conduct that is already proscribed. This multiplication and particularization of criminal behavior creates increasing complexity without commensurate benefit.

Over the last several decades, California's criminal code has grown to more than 5,000 separate provisions, covering almost every conceivable form of human misbehavior. During the same period, our jail and prison populations have exploded.

Before we keep going down this road, I think we should pause and reflect on how our system of criminal justice could be made more human, more just and more cost-effective.

Sincerely,
Edmund G. Brown Jr."

SB-271 (Gaines) - Unmanned aircraft systems.
Makes it a criminal infraction to knowingly and intentionally operate an unmanned aircraft system at or less than 350 feet above a public school campus or to use a UAS to capture images of a public school campus during school hours without the written permission of the school principal.

"Governor's veto message: To the Members of the California State Senate:

I am returning the following nine bills without my signature:

Assembly Bill 144
Assembly Bill 849
Senate Bill 168
Senate Bill 170
Senate Bill 271
Senate Bill 333
Senate Bill 347
Senate Bill 716
Senate Bill 722

Each of these bills creates a new crime - usually by finding a novel way to characterize and criminalize conduct that is already proscribed. This multiplication and particularization of criminal behavior creates increasing complexity without commensurate benefit.

Over the last several decades, California's criminal code has grown to more than 5,000 separate provisions, covering almost every conceivable form of human misbehavior. During the same period, our jail and prison populations have exploded.

Before we keep going down this road, I think we should pause and reflect on how our system of criminal justice could be made more human, more just and more cost-effective.

Sincerely,
Edmund G. Brown Jr."

* * *

INDEX

INDEX (cont.)