

CALIFORNIA LEGISLATURE

Assembly Committee on Privacy and Consumer Protection

Ed Chau, Chair

2017–18 Legislative Summary



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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 2017-18 Legislative Session, the Committee held a total of 25 hearings, consisting of 21 bill hearings, and four informational and oversight hearings.

A total of 119 bills were referred to the Committee during 2017 and 2018, and 102 bills were heard by the Committee. Fifty-seven of those were ultimately chaptered into law.

Bills were distributed among the Committee's main topic areas as follows:

Consumer Protection:	39 bills
Privacy:	38 bills
Department of Technology:	12 bills
Cybersecurity:	9 bills
Information Technology:	8 bills
Drones:	3 bills
Weights and Measures:	3 bills
Charitable Solicitations:	1 bill

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Charitable Solicitation

AB-2556 (Irwin) - Charitable organizations: crowdfunding solicitors.

Adds to the Supervision of Trustees and Fundraisers for Charitable Purposes Act the ability to engage in “charitable crowdfunding solicitations” by a new category of persons raising money for charitable purposes known as “crowdfunding solicitors for charitable purposes,” subject to various registration and reporting requirements, as specified. Exempts these crowdfunding solicitors from various written consent requirements, as specified, when using the name of a charitable organization.

Status: Assembly-In Committee Process - Appropriations

Consumer Protection

AB-76 (Chau) - Adult-use marijuana: marketing.

Adds marijuana, marijuana product, marijuana business, or any instrument or paraphernalia that is designed for the smoking or ingestion of marijuana or marijuana products to the list of products or services subject to the Privacy Rights for California Minors in the Digital World Act, and changes the prohibitory age to 21 with regard to marijuana advertisements.

Status: Senate-In Committee Process - Appropriations

AB-228 (Gloria) - Collectibles: sale of autographed memorabilia.

Revises and recasts existing consumer protections for purchasers of autographed collectibles, which would apply those protections only to sports and entertainment collectibles sold for more than \$50; narrows the definition of a dealer; revises the information required to be provided to the buyer; modifies the range of the civil remedy; and creates a new three-day right of cancellation in certain circumstances.

Status: Chapter 696, Statutes of 2017

AB-314 (Mullin) - Dating service contracts: online services.

Revises California's dating service contract law to provide certain alternative requirements for online dating services contracts, such as an electronic means of cancellation, providing an electronic copy of the contract, and requirements that dating websites provide links for dating safety awareness and a means to report concerning behavior of other users.

Status: Chapter 578, Statutes of 2017

AB-1070 (Gonzalez Fletcher) - Solar energy systems: contracts: disclosures.

Requires the Contractors State License Board, in collaboration with the Public Utilities Commission, to develop and make available a "solar energy system disclosure

document" for solar energy customers, compile an annual report documenting consumer complaints relating to solar contractors, and develop standardized inputs and assumptions to be used in the calculation and presentation of electric utility bill savings to a consumer.

Status: Chapter 662, Statutes of 2017

AB-1108 (Daly) - Self-service storage facilities.

Authorizes self-service storage facility owners to electronically send notices to occupants who are delinquent in paying rent or other charges until January 1, 2021.

Status: Chapter 227, Statutes of 2017

AB-1138 (Maienschein) - Sale of cats or dogs.

Prohibits false or misleading advertising related to the sale of dogs and cats.

Status: Assembly-In Desk Process

AB-1185 (O'Donnell) - Rental passenger vehicles.

Reduces the number of days car rental companies have to wait before using and accessing customer information to locate a missing rental vehicle from seven to three calendar days and allows several existing notice requirements to be met by electronic display.

Status: Senate-In Committee Process - Judiciary

AB-1244 (Voepel) - Consumer product safety: butane gas.

Prohibits the distribution or sale of any butane gas or product containing butane gas which does not have an odorant added, as specified.

Status: Assembly-Died - Privacy and Consumer Protection

AB-1859 (Chau) - Customer records.

Requires consumer credit reporting agencies and affiliated third parties that know, or reasonably should know, that one of their computer systems is subject to a security vulnerability that poses a significant risk to the security of computerized data containing personal information to begin the process of implementing available software updates in a timely manner, as specified.

Status: Chapter 532, Statutes of 2018

AB-1906 (Irwin) - Business regulations: information privacy: connected devices: security features.

Generally requires, starting January 1, 2020, that manufacturers equip their connected devices with reasonable security features that meet specified requirements. Subject to each of those requirements, provides that equipping a device with a means for authentication outside a local area network for authentication shall be deemed a "reasonable security feature," if certain standards relating to preprogrammed passwords

or to the authentication of devices for the first time are met. Places various limits upon the operation and interpretation of this Act, including a prohibition against any private right of action for violations of the bill, and includes various definitions for purposes of this Act. This bill only becomes operative if SB 327 (Jackson) of the current legislative session is also enacted and becomes effective.

Status: Chapter 860, Statutes of 2018

AB-1950 (Levine) - Consumers: Internet privacy.

Amends the California Online Protection Privacy Act (CalOPPA) to require that the privacy policy of an operator of a commercial website or online service that collects personally identifiable information (PII) about individual California consumers also disclose whether the operator utilizes bots for the dissemination of information, and that bots are software that, for purposes of this section, can execute commands, reply to messages, gather information, or perform routine tasks such as online searches, either automatically or with minimal human intervention.

Status: Assembly-Died - Privacy and Consumer Protection

AB-2021 (Steinorth) - Solicitations: do not contact list.

Requires the Attorney General to maintain a “do not contact” list, updated no less frequently than quarterly, that sets forth the telephone numbers or physical mail addresses or both of telephone subscribers or mail recipients or both, who do not wish to receive unsolicited and unwanted telephone solicitation calls or physical mail or both from solicitors, as described. Requires the “do not contact” list to include any California telephone numbers that are on the “do not call” registry established and maintained by the Federal Trade Commission. Prohibits, subject to certain exceptions, a solicitor, as defined, from calling a telephone number or sending mail to a physical mail address on the “do not contact” list, beginning on the 31st day after this list becomes available to solicitors.

Status: Assembly-In Committee Process - Privacy and Consumer Protection

AB-2110 (Eggman) - Electronics: Right to Repair Act.

Enacts the Right to Repair Act which, except as provided, requires the original equipment manufacturer of electronic equipment or parts sold and used in the state to, among other things, provide to independent repair providers and owners of the equipment certain parts, tools, and information, including diagnostic and repair information, as specified, for the purpose of providing a fair marketplace for the repair of that equipment.

Status: Assembly-In Committee Process - Privacy and Consumer Protection

AB-2182 (Levine) - Privacy: personal information: breach: disclosure.

Requires, in the event that a person or business conducting business in California who owns or licenses computerized data that includes personal information delays full

disclosure of the security breach due to the determination of the scope of the breach or the restoration of the reasonable integrity of the data system, that the person or business disclose as much information as it can, to as many affected residents as it can, and as soon as it can, on a rolling basis.

Status: Senate-In Committee Process - Rules

AB-2184 (Chiu) - Business licenses.

Requires a local agency that licenses businesses to accept a driver's license or certain identification numbers in lieu of a social security number (SSN) if the municipality otherwise requires an SSN for the issuance of a business license.

Status: Chapter 388, Statutes of 2018

AB-2194 (Quirk) - Video games: microtransactions.

Requires a manufacturer of a video game that is sold in California and includes the opportunity to engage in a microtransaction, as defined, within the video game to provide a clear disclosure that the video game includes the opportunity to engage in a microtransaction on the physical box that the video game is sold in. Provides that a violation of this provision would be subject to a civil penalty of up to \$1,000 per violation.

Status: Assembly-In Committee Process - Privacy and Consumer Protection

AB-2227 (Friedman) - Motorcycles: hang tags.

Requires motorcycle manufacturers to provide Department of Motor Vehicle approved "hang tags" to motorcycle dealers, containing specified information, for display on any new motorcycles offered for sale, and requires any additional markups by the dealer to adhere to certain requirements.

Status: Chapter 187, Statutes of 2018

AB-2435 (Chen) - Consumer credit reports: security freezes.

Requires a consumer credit reporting agency to place or remove a security freeze on a consumer's credit report no later than or within one business day after having received a request from the consumer, as specified.

Status: Assembly-In Committee Process - Banking and Finance

AB-2494 (Acosta) - Delivery network companies.

Prohibits a local jurisdiction that requires a driver to obtain a business license to operate as a driver for a delivery network company, as defined, from requiring that driver to obtain more than a single business license, as specified, regardless of the number of local jurisdictions in which the driver operates as a driver for a delivery network company.

Status: Assembly-In Committee Process - Communications and Conveyance

AB-2511 (Chau) - The Parent’s Social Media Accountability and Child Protection Act.

Requires, commencing on January 1, 2020 and notwithstanding any general term or condition, that a person or business that operates a business in California and that seeks to sell certain products or services that are illegal to sell to a minor under state law, take reasonable steps, as specified, to ensure that the purchaser is of legal age at the time of purchase or delivery, including, but not limited to, verifying the age of the purchaser. Provides that a business or person that violates these provisions is subject to a civil penalty of up to \$7,500 per violation in an action brought by a public prosecutor.

Status: Chapter 872, Statutes of 2018

AB-2546 (Chau) - Commercial email advertisements.

Prohibits any person or entity from not only “advertising in” (existing law) a commercial email advertisement, but also from “initiating” a commercial email advertisement either sent from California or to a California email address under certain circumstances. Expands the circumstances triggering California’s anti-spam law, and modifies existing circumstances. Expands the list of individuals allowed to bring an action under the anti-spam law to include a district attorney or a city attorney, amends the available remedies under this law to limit the circumstances under which the courts can reduce liquidated damages, and allows the courts to issue injunctions. Lastly, updates various codified findings and declarations related to the state’s anti-spam law and includes a severability clause.

Status: Assembly-In Floor Process

AB-2632 (Santiago) - Packaging and labeling: containers: slack fill.

Expands exemptions in the Fair Packaging and Labeling Act (FPLA); the state's statute regulating food containers subject to the Food, Drug and Cosmetics Act (FDC Act); and the Sherman Food, Drug, and Cosmetic Laws (Sherman Law), under which containers subject to these laws may contain “slack fill” without violating the nonfunctional slack fill prohibition of those laws, as specified.

Status: Chapter 544, Statutes of 2018

AB-2658 (Calderon) - Secretary of the Government Operations Agency: working group: blockchain technology.

Establishes, until January 1, 2022, a blockchain working group, appointed by the Secretary of the Government Operations Agency, which is to include the State Chief Information Officer among others, as specified, to evaluate the uses of blockchain by California's businesses and state government. This also includes an evaluation of the benefits, risks (including privacy risks), best practices, and legal implications associated with such use of blockchain. Defines “blockchain” for these purposes to mean a

mathematically secured, chronological, and decentralized ledger or database, but also requires the working group's report to include recommendations for modifications to this definition of blockchain and recommendations for amendments to other code sections that may be impacted by the deployment of blockchain.

Status: Chapter 875, Statutes of 2018

AB-2662 (Chau) - State government: Office of Planning and Research: electronic media: child development.

Requires the Office of Planning and Research (OPR) to establish an independent panel of experts to study the effects of electronic media on youth and report its findings to the Legislature.

Status: Assembly-In Committee Process - Appropriations

AB-2678 (Irwin) - Privacy: personal information: breach: notification.

Provides that a person or business that is required to provide a security breach notification pursuant to California's Data Breach Notification Law must include therein a notice instructing the affected person that information related to security freezes and fraud alerts is available from the major credit reporting agencies and include the mailing address and internet website address of the major credit reporting agencies, as specified.

Status: Senate-In Floor Process

AB-2873 (Low) - Personal vehicle sharing: recalled vehicles.

Prohibits a personal vehicle sharing program from facilitating or arranging for the transportation of a vehicle that is subject to a manufacturer's safety recall, as specified.

Status: Chapter 591, Statutes of 2018

AB-2943 (Low) - Unlawful business practices: sexual orientation change efforts.

Declares under the state's Consumer Legal Remedies Act (CLRA) that the advertisement, offer for sale, or sale of services constituting sexual orientation change efforts, as specified, is an unlawful business practice in any transaction intended to result or that results in the sale or lease of goods or services to any consumer. As defined, sexual orientation change efforts do not include psychotherapies that:

- 1) provide acceptance, support, and understanding of clients or the facilitation of clients' coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices or to otherwise promote healthy sexual and romantic relationships; and
- 2) do not seek to change sexual orientation.

Status: Assembly-In Floor Process

AB-2998 (Bloom) - Juvenile products: flame retardant materials.

Prohibits, on or after January 1, 2020, a person from selling or distributing into commerce in this state any reupholstered furniture or any new juvenile products, mattresses, or upholstered furniture that contain, or a constituent component of which contains, covered flame retardant chemicals above specified levels.

Status: Chapter 924, Statutes of 2018

AB-3010 (Limón) - Financial transactions: finance lenders and deferred deposit transactions.

Requires the Commissioner of Business Oversight to develop operate, and maintain an internet website and common database in which a licensee would be required to record each deferred deposit transaction for the purpose of preventing violations of the California Deferred Deposit Transaction Law (CDDTL). Also proposes a new, alternative set of rules for installment loans made under the California Financing Law (CFL) in amounts of up to \$2,500, as specified.

Status: Senate-In Committee Process - Banking and Financial Institutions

AB-3067 (Chau) - Internet: marketing: minors: cannabis.

Bans the marketing of cannabis products or businesses to minors via the internet under California's Privacy Rights for California Minors in the Digital World.

Status: Chapter 347, Statutes of 2018

AB-3169 (Gallagher) - Internet: social media or search engine service: censorship.

Prohibits any person who operates a social media internet website or search engine located in California, as specified, from removing or manipulating content from the website or from the search results generated by that service, as specified, on the basis of the political affiliation or political viewpoint of that content.

Status: Assembly-In Committee Process - Privacy and Consumer Protection

AB-3207 (Limón) - California Financing Law.

Revises the definition of "broker" under California's Finance Lending Law (CFLL) to include anyone who, among other things, receives compensation for providing a referral or a lead if the referral or lead conveys confidential information, participates in any loan negotiation between a finance lender and prospective borrower, participates in the preparation of loan documents, communicates lending decisions or inquiries to a borrower, or charges any fees to a prospective borrower or applicant for any services related to an application for a loan from a finance lenders. Additionally requires the Department of Business Oversight to examine the CFLL licensees at least once every 48 months.

Status: Senate-In Committee Process - Appropriations

SB-199 (Hernandez) - The California Health Care Cost, Quality, and Equity Atlas.

Requires the California Health and Human Services Agency to convene an advisory committee comprised of health care stakeholders and experts to identify the type of data, purpose of use and entities that are required to report to or have access to a health care cost, quality and equity database.

Status: Assembly-In Committee Process - Appropriations

SB-313 (Hertzberg) - Advertising: automatic renewal and continuous service offers.

Requires a business offering an automatic renewal or continuous service that includes a free gift or trial to clearly explain the pricing in the agreement terms, and clarifies that a consumer who accepts an automatic renewal offer online must be allowed to terminate the service online.

Status: Chapter 356, Statutes of 2017

SB-327 (Jackson) - Information privacy: connected devices.

Generally requires, starting January 1, 2020, that manufacturers equip their connected devices with reasonable security features that meet specified requirements. Subject to each of those requirements, provides that equipping a device with a means for authentication outside a local area network for authentication shall be deemed a “reasonable security feature,” if certain standards relating to preprogrammed passwords or to the authentication of devices for the first time are met. Places various limits upon the operation and interpretation of this Act, including a prohibition against any private right of action for violations of the bill, and includes various definitions for purposes of this Act. This bill only becomes operative if AB 1906 (Irwin) is also enacted and becomes effective.

Status: Chapter 886, Statutes of 2018

SB-579 (Galgiani) - Collectibles: sale of autographed collectibles.

Revises existing consumer protections for purchasers of autographed collectibles by narrowing their application to certain types of sports and entertainment collectibles, revising the definition of a dealer, and limiting remedies for violations of the statute to specified civil penalties and costs.

Status: Assembly-In Committee Process - Rules

SB-822 (Wiener) - Communications: broadband Internet access service.

Enacts the California Internet Consumer Protection and Net Neutrality Act of 2018 (Act). The Act prohibits fixed and mobile internet service providers (ISPs) that provide broadband internet access service (BIAS), as defined, from engaging in specified actions concerning the treatment of internet traffic. The Act prohibits, among other

things: blocking lawful content, applications, services, or nonharmful devices, subject to reasonable network management; impairing or degrading lawful internet traffic on the basis of internet content, application, or service, or use of a nonharmful device, subject to reasonable network management; and specified practices relating to zero-rating, as defined. It also prohibits fixed and mobile ISPs from offering or providing services other than BIAS that are delivered over the same last-mile connection as the BIAS, if those services have the purpose or effect of evading the certain prohibitions or negatively affect the performance of BIAS, as specified.

Status: Chapter 976, Statutes of 2018

SB-981 (Dodd) - Home solicitation contract or offer: water treatment devices: rescission.

Removes the restriction on the delivery and installation of water treatment devices during the three-day right to rescission period required under existing law. In the event that the buyer rescinds the contract, provides that the seller is responsible for all costs in removing the installed water treatment device or other materials, and would require that removal to occur within 20 days if the buyer rescinds the contract before the expiration of the rescission period. Also requires the seller to restore the property to substantially as good condition as it was at the time the services were rendered if the seller's services result in the alteration of property of the buyer.

Status: Chapter 932, Statutes of 2018

SB-1001 (Hertzberg) - Bots: disclosure.

Provides that it is unlawful, as of July 1, 2019, for any person to use a bot, as defined, to communicate or interact with another person in California online, with the intent to mislead the other person about its artificial identity with the purpose of knowingly deceiving the person about the content of the communication for commercial or political fraud purposes, as specified. Provides that a person using a bot shall not be liable under this bill if the person discloses that it is a bot. Provides that the disclosure must be clear, conspicuous, and reasonably designed to inform persons with whom the bot communicates or interacts that it is a bot. This bill includes a severability clause and specifies that it does not impose a duty on service providers of online platforms, including, but not limited to, web hosting and internet service providers.

Status: Chapter 892, Statutes of 2018

SB-1201 (Jackson) - Contracts: consumer protection: residential mortgage lending.

Requires supervised financial organizations to provide translated disclosures of specified mortgage documents to borrowers with whom they negotiate those documents in a foreign language, and clarifies the circumstances under which the Commissioner of Business Oversight may revoke the license of a California Residential Mortgage

Lending Act (CRMLA) licensee that fails to file a certified financial statement as required under the CRMLA.

Status: Chapter 356, Statutes of 2018

Cybersecurity

AB-276 (Medina) - Postsecondary education: report: cybersecurity education and training programs.

Requests that California's higher education institutions complete a report by January 1, 2019, on the current state of cybersecurity education and training programs at those institutions.

Status: Senate-In Floor Process

AB-364 (Chau) - Information security: cybersecurity: economic impact study.

Requires the Governor's Office of Business and Economic Development, on or before July 1, 2018, to commission and complete a study to evaluate the economic impact of California's cybersecurity industry.

Status: Assembly-Died - Appropriations

AB-1104 (Chau) - The California Political Cyberfraud Abatement Act.

Expands California's political cyberfraud law, which currently only covers ballot measure campaigns, to include cyberfraud committed against candidate campaigns.

Status: Chapter 715, Statutes of 2017

AB-1306 (Oberholte) - California Cybersecurity Integration Center.

Codifies in statute the California Cybersecurity Integration Center (Cal-CSIC) within the Office of Emergency Services to develop a statewide cybersecurity strategy in coordination with the California Task Force on Cybersecurity, authorizes the Governor to suspend the operations of the Cal-CSIC if federal funding is unavailable, and prohibits the Cal-CSIC from requiring private sector companies to share information.

Status: Assembly-In Desk Process

AB-1359 (Chau) - Cybersecurity: critical infrastructure business: breach notification.

Requires California businesses to report a breach of security of their critical infrastructure controls or information to the Office of Emergency Services if the breach is already required to be reported to federal authorities under federal law.

Status: Assembly-Died - Appropriations

AB-2748 (Chau) - Election infrastructure: independent security assessments.

Provides for the ability of state cybersecurity resources to be leveraged to assist county election officials in their assessments of election infrastructure that is accessible through an internet connection, as specified. Creates a limited pilot program for up to five counties that voluntarily choose to participate, modeled off existing law requiring information security assessments of state entities, as specified, subject to specific funding provisions, a five-year sunset date, and a reporting requirement to the Legislature.

Status: Senate-In Floor Process

AB-2813 (Irwin) - California Cybersecurity Integration Center.

Codifies in statute the California Cybersecurity Integration Center (Cal-CSIC) within the Office of Emergency Services, as specified, and requires it to develop a cybersecurity strategy for California.

Status: Chapter 768, Statutes of 2018

SB-460 (De León) - Communications: broadband Internet access service: state agencies.

Requires an internet service provider (ISP) that submits a bid or proposal to, or that otherwise proposes to enter into or renew a contract with, a state agency with respect to any contract in the amount of \$100,000 or more for the provision broadband internet access service (BIAS) to certify that it is in full compliance with provisions added to the Civil Code by SB 822 (Wiener). The bill would authorize a state agency to waive these provisions under specified conditions, including, among other things, in cases of emergency, as specified.

Status: Assembly-Died

SB-838 (Hertzberg) - Corporate records: articles of incorporation: blockchain technology.

Authorizes, until January 1, 2022, corporations or social purpose corporations that do not have outstanding securities listed on one of the major U.S. stock exchanges, to include a provision in their articles of incorporation authorizing the use of blockchain technology to record and keep certain records (including stock transfers), as specified.

Status: Chapter 889, Statutes of 2018

Department of Technology

AB-434 (Baker) - State Web accessibility: standard and reports.

Requires, before July 1, 2019, and before July 1 biennially thereafter, the director and chief information officer (CIO) of each state agency or state entity to post a signed

certification on the home page of the state agency's or state entity's internet website that the website is in compliance with specified accessibility standards. Requires the Director of the California Department of Technology to create a standard form that each state agency's or state entity's CIO shall use to determine whether the state agency's or state entity's website is in compliance with the accessibility standards.

Status: Chapter 780, Statutes of 2017

AB-475 (Chau) - Department of Technology.

Extends the authority of the California Department of Technology (CDT) to use a negotiated procurement process for information technology procurements and makes other technical changes to several code sections pertaining to CDT.

Status: Chapter 193, Statutes of 2017

AB-531 (Irwin) - Office of Information Security: information security technologies.

Requires the Office of Information Security (OIS) to review the technologies used by state agencies to protect sensitive information, and develop a statewide plan to require state agencies to implement any information security technology that OIS determines to be necessary to protect that sensitive information.

Status: Assembly-In Desk Process

AB-650 (Dahle) - Director of Technology: state baseline security controls.

Requires the Director of Technology to review and revise baseline security controls for the state annually, based on emerging industry standards and baseline security controls published by the National Institute of Standards and Technology. Requires state agencies to comply with the state baseline security controls and prohibits them from tailoring their individual baseline security controls to fall below the state baseline security controls.

Status: Assembly-Died - Privacy and Consumer Protection

AB-1022 (Irwin) - Information technology: Technology Recovery Plans: inventory.

Requires state agencies to include within their Technology Recovery Plan an inventory of all critical infrastructure controls and associated assets.

Status: Chapter 790, Statutes of 2017

AB-1546 (Burke) - Public contracts: information technology: contractor performance assessment report.

Requires the Director of the California Department of Technology (CDT), on or before January 1, 2019, to develop a standardized contract performance assessment report system to evaluate the performance of a contract on any information technology contractor or project reportable to CDT.

Status: Senate-In Committee Process - Appropriations

AB-1681 (Burke) - Information technology contractors: standardized performance assessment system: report.

Requires the California Department of Technology to submit, by January 1, 2019, a report to the Governor and the Legislature on the development of a standardized performance assessment system, commonly known as a "vendor scorecard," to evaluate vendor performance on information technology procurement projects.

Status: Senate-In Committee Process - Rules

AB-2163 (Grayson) - Department of Technology: GIS services: regional notification centers: subsurface installations.

Requires the California Department of Technology (CDT) to provide Geographic Information Systems (GIS) data to a regional notification center, for purposes of California's "Call Before You Dig" law, in accordance with how CDT provides GIS data to state agencies under existing law.

Status: Assembly-Vetoed

AB-2225 (Limón) - State government: storing and recording electronic media.

Requires the Secretary of State, in consultation with the California Department of Technology, to approve and adopt appropriate uniform statewide standards for the purpose of storing and recording public records in electronic media or in a cloud computing storage service, as specified.

Status: Chapter 535, Statutes of 2018

AB-2812 (Limón) - Data storage and protection standards: local agencies.

Creates within the California Department of Technology an Office of Local Cloud Migration and Digital Innovation to promote the use of technologies including, but not limited to, cloud-based computing and data storage that will assist local agencies in their efforts to further transparency, efficiency, disaster preparedness and response, as well as general accessibility to the public, as specified.

Status: Assembly-In Committee Process - Appropriations

AB-3193 (Chau) - Information security.

Clarifies that all state agencies, as defined under existing law, must comply with the policies and procedures of the Office of Information Security within the California Department of Technology, and not simply those state entities under the direct authority of the Governor.

Status: Senate-Failed Passage in Committee - Governmental Organization

SB-1396 (Galgiani) - Accessible state technology.

Creates an Office of Accessible Technology within the California Department of Technology to monitor and facilitate compliance of state electronic and information technology with the requirements of certain state and federal laws relating to the accessibility of technology, as specified.

Status: Assembly-In Committee Process - Appropriations

Drones

AB-527 (Caballero) - Pest control aircraft pilot's certificate: unmanned aircraft.

Allows commercial unmanned aircraft systems (UAS) operations for the purposes of pesticide application for mosquito and vector control, provided that the drone operator complies with Federal Aviation Administration rules governing drone flight and the drone operator has approval from the California Department of Pesticide Regulation. Creates a new pest control aircraft pilot certificate for UAS operators, to be provided upon operators passing the exam.

Status: Chapter 404, Statutes of 2017

SB-347 (Jackson) - State Remote Piloted Aircraft Act.

Establishes the State Remote Piloted Aircraft Act, which governs unmanned aircraft systems (UAS) flight in California, allows local governments to adopt ordinances limiting UAS provided they are consistent with this bill, and establishes state enforcement authority over UAS for the California Department of Transportation.

Status: Assembly-In Committee Process - Privacy and Consumer Protection

SB-1355 (Hill) - Unmanned aircraft systems: correctional facilities.

Makes it an infraction, punishable by a fine of \$500, to knowingly and intentionally operate an unmanned aircraft system on or above the grounds of a state prison, a jail, or a juvenile hall, camp, or ranch, as specified.

Status: Chapter 333, Statutes of 2018

Information Technology

AB-22 (Bonta) - Secretary of State: storing and recording electronic media.

Authorizes state agencies and local governments to retain public records specifically through the use of a cloud computing storage service.

Status: Chapter 834, Statutes of 2017

AB-342 (Chiu) - Vehicles: automated speed enforcement: five-year pilot program.

Establishes a five-year-pilot program, dubbed the “Safer Streets Act 2017,” that gives local transportation authorities in the City of San Jose and the City and County of San Francisco the authority to install automated speed enforcement systems in the two municipalities.

Status: Assembly-Died - Transportation

AB-380 (Dababneh) - Electronic transactions: motor vehicle finance.

Allows motor vehicle sales and lease transactions to be conducted electronically.

Status: Senate-In Committee Process - Judiciary

AB-1187 (Eduardo Garcia) - Crowdsourcing and Citizen Science Act of 2017.

Establishes the Crowdsourcing and Citizen Science Act of 2017, which would authorize the Secretary for Environmental Protection and the heads of the various boards, offices, and departments within the California Environmental Protection Agency to use crowdsourcing and citizen science approaches to conduct activities designed to advance the mission of the California Environmental Protection Agency.

Status: Assembly-Died - Environmental Safety and Toxic Materials

AB-1296 (Quirk-Silva) - California E-Identity Program Task Force.

Establishes the California E-Identity Program Task Force within the Government Operations Agency and requires the Secretary of Government Operations to appoint 10 people to serve as the members of the task force. Requires the task force to study the development of an e-identity program within California, and to report its findings to the Legislature by January 1, 2019.

Status: Assembly-Died - Privacy and Consumer Protection

AB-1957 (Berman) - Social Services Modernization, Efficiency, and Due Process Protection Act of 2018.

Establishes the Social Services Modernization, Efficiency & Due Process Protection Act of 2018 which would allow applicants for and recipients of certain public benefits to elect to receive certain information and communication electronically, where available, and establishes the parameters of that communication while ensuring the data security and privacy rights of applicants and recipients.

Status: Chapter 384, Statutes of 2018

AB-2749 (Bonta) - State agencies: state entities: Internet Web site accessibility: standards: mobile-friendly: requirements.

Provides that an internet website maintained by a state agency or state entity that is intended for use by the public shall only become operational if it is mobile-friendly and accessible by persons with disabilities and expands existing accessibility requirements for state internet websites to require that state agencies and entities hereinafter also certify that the agency or entity's website is mobile-friendly, as specified. Requires the certification be posted on the state agency or entity's internet website homepage.

Defines "mobile-friendly" as having substantially similar accessibility and functionality features across devices.

Status: Assembly-Vetoed

ACR-222 (Gray) - Global Accessibility Awareness Day.

This measure calls on all state agencies to advance with great urgency the task of making all online information on their internet websites accessible to California citizens, calls on all businesses providing goods or services to the citizens of the State of California to advance with great urgency the task of making their online content accessible to their customers, and recognizes May 17, 2018, as Global Accessibility Awareness Day in the State of California.

Status: Chapter 92, Statutes of 2018

Privacy

AB-165 (Cooper) - Privacy: electronic communications: exclusions: local educational agencies.

Authorizes a county office of education, school district, charter school, or an individual authorized to act on behalf of a local educational agency to access a pupil's electronic device or electronic communication information without consent when investigating alleged or suspected pupil misconduct. Exempts local education agencies from complying with the California Electronic Communications Privacy Act to investigate misconduct of a pupil enrolled kindergarten or any of grades one to 12.

Status: Assembly-Died - Privacy and Consumer Protection

AB-210 (Santiago) - Homeless multidisciplinary personnel team.

Allows counties to develop a homeless adult and family multidisciplinary team in order to facilitate identification and assessment of homeless individuals, and link homeless individuals to housing and supportive services, and to allow service providers to share confidential information to ensure continuity of care.

Status: Chapter 544, Statutes of 2017

AB-241 (Dababneh) - Personal information: privacy: state and local agency breach.

Requires a public agency that is the source of a data breach to offer at least 12 months of identity theft prevention and mitigation services at no cost to affected consumers.

Status: Assembly-Died - Appropriations

AB-291 (Chiu) - Housing: immigration.

Enacts the Immigrant Tenant Protection Act of 2017, to establish various protections and safeguards against the unauthorized disclosure of tenants' immigration or citizenship status to federal immigration authorities or other parties, as well as potential harassment, retaliation, or discrimination against tenants based on their immigration or citizenship status, or perceived immigration or citizenship status.

Status: Chapter 489, Statutes of 2017

AB-375 (Chau) - Privacy: personal information: businesses.

Enacts, effective January 1, 2020, the California Consumer Privacy Act of 2018 to ensure, subject to certain exemptions, the privacy of Californians' personal information (PI), as defined, through various consumer rights including: the right to know what PI is being collected about them and whether their PI is being sold and to whom; the right to access their PI; the right to delete PI collected from them; the right to opt-out or opt-in to the sale of their PI, depending on age of the consumer; and the right to equal service and price, even if they exercise such rights, as specified. Provides a limited private right of action for data breaches and otherwise allows for enforcement by the Attorney General for other violations, subject to a right to cure for businesses in violation, as specified.

A prior version of the bill, heard by policy committees in 2017, would have enacted the California Broadband Internet Privacy Act in an effort to reinstate the consumer privacy protections afforded by rules finalized by the Federal Communications Commission in October 2016, but recently eliminated by the Trump Administration and Congress.

Status: Chapter 55, Statutes of 2018

AB-459 (Chau) - Public records: video or audio recordings: crime.

Restricts, under the California Public Records Act, the public disclosure of video and audio recordings held by law enforcement that depict a victim of sexual or domestic violence, and requires that the victim or victim's family be given access to a copy of the recording.

Status: Chapter 291, Statutes of 2017

AB-608 (Irwin) - Electronic Communications Privacy Act.

Clarifies that information obtained by search warrant that is unrelated to an investigation may be sealed by a court through a variety of physical or electronic means, including encryption.

Status: Senate-In Committee Process - Business, Professions and Economic Development

AB-748 (Ting) - Peace officers: video and audio recordings: disclosure.

Allows, commencing July 1, 2019, a video or audio recording that relates to a critical incident, as defined, to be withheld for 45 calendar days if disclosure would substantially interfere with an active investigation, subject to specified extensions. Allows the recording to be withheld if the public interest in withholding video or audio recording clearly outweighs the public interest in disclosure because the release of the recording would, based on the facts and circumstances depicted in the recording, violate the reasonable expectation of privacy of a subject depicted in the recording, in which case allows the recording to be redacted to protect that interest. If the agency demonstrates that the reasonable expectation of privacy of a subject depicted in the recording cannot adequately be protected through redaction, requires that the recording be promptly disclosed to a subject of the recording, his or her parent, guardian, or representative, as applicable, or his or her heir, beneficiary, immediate family member, or authorized legal representative, if deceased.

Status: Chapter 960, Statutes of 2018

AB-889 (Mark Stone) - Secrecy agreements.

Limits the ability of litigants to enter into agreements or obtain court orders that keep secret evidence of a danger to public health and safety, as defined, unless a court makes certain independent findings.

Status: Assembly-Died

AB-1166 (Burke) - Student financial aid: Cal Grant Program.

Establishes a formula to determine the amount of Cal Grant awards for students attending nonprofit, private colleges based on the average General Fund subsidy the state provides for financially needy students attending the University of California and California State University.

Status: Assembly-Died - Higher Education

AB-1680 (Burke) - California Consumer Privacy Act of 2018.

Among other things, amends the California Consumer Privacy Act of 2018 (CCPA) to prohibit a business from unreasonably discriminating against a consumer for exercising any of the consumer's rights under the act, whereas the CCPA instead prohibits a business from discriminating against the consumer for exercising any of the consumer's

rights under the act, except if the difference is reasonably related to value provided by the consumer's data.

A prior version of this bill, heard by policy committees, would have required the California Department of Technology, in cooperation with the Department of General Services, to establish and oversee the implementation of a professional development training program and curriculum within the California Procurement and Contracting Academy for persons engaged in the procurement of informational technology.

Status: Senate-In Committee Process - Rules

AB-1742 (Quirk) - Consumer credit reporting agencies: security freeze requests.

Permits a consumer to electronically request a security freeze, a temporary lift of a security freeze, and a removal of a security freeze.

Status: Senate-In Committee Process - Judiciary

AB-1781 (Steinorth) - Corporations: annual statement.

Exempts residential addresses and personal signatures from an existing database run by the Secretary of State's (SOS) office, which makes corporations' annual statement information available and open to the public for inspection online. Requires the SOS, no later than December 31, 2019, to provide access to all information contained in the statement by means of an online database, except for residential addresses and personal signatures.

Status: Assembly-In Committee Process - Appropriations

AB-2167 (Chau) - Information privacy: digital health feedback systems.

Defines "medical information" for purposes of the Confidentiality of Medical Information Act to include any information in possession or derived from a digital health feedback system, which the bill defines. Requires a manufacturer or operator that sells or offers to sell a device or software application that may be used with a digital health feedback system to a consumer in California to equip the device or software application, and the system, with reasonable security features appropriate to the nature of the device, software application, or system and the information it may collect, contain, or transmit, that protect the device, software application, or system and any information contained therein from unauthorized access, destruction, use, modification, or disclosure.

Status: Senate-Failed

AB-2375 (Oberholte) - Voter registration database: Electronic Registration Information Center.

Authorizes the Secretary of State (SOS) to join an interstate voter data exchange, called the Electronic Registration Information Center (ERIC) and waives all California voter

confidentiality and voter data security laws in order to allow the SOS to share confidential voter records with ERIC.

Status: Assembly-In Committee Process - Appropriations

AB-2402 (Low) - Cannabis: personal information.

Prohibits a licensee, under the Medicinal and Adult-Use Cannabis Regulation and Safety Act from disclosing a consumer's personal information to a third party, except to the extent necessary for payment to be made.

Status: Chapter 583, Statutes of 2018

AB-2620 (Ting) - Rental passenger vehicle transactions.

Allows rental car companies to use, access, or obtain information relating to a renter's use of a rental vehicle obtained using electronic surveillance technology when the vehicle has not been returned following 72 hours after the contracted return date or the end of any extension. Requires the company to provide various forms of notice to the customer. Also authorizes a company to send renters communications electronically, as specified.

Status: Chapter 344, Statutes of 2018

AB-2769 (Cooper) - Privacy: driver's license information.

Authorizes businesses to scan driver's licenses and Department of Motor Vehicle-issued identification cards for the same purposes and under the same limitations that current law allows for the swiping of such documents.

Status: Chapter 548, Statutes of 2018

AB-2935 (Chau) - Health information privacy: digital commercial health monitoring.

Prohibits an operator of a commercial health monitoring program (CHMP) from intentionally sharing, selling, or disclosing individually identifiable health monitoring information in its possession or derived from a CHMP without first obtaining the consumer's consent.

Status: Senate-In Committee Process - Judiciary

AB-3005 (Chen) - Juvenile case files: inspection.

Authorizes an investigator employed by a county auditor-controller, as defined, who is authorized by a county board of supervisors to investigate suspected acts of waste, fraud, or abuse, including, but not limited to, misuse of personally identifiable information or protected health information of minors, to access, inspect, and copy a juvenile case file, or portions thereof, as necessary for the performance of his or her duties. Authorizes access, inspection, and copying only when the investigator is conducting an investigation within the scope of his or her duties, the information contained in the juvenile case file is reasonably believed to be relevant to the

investigation, and prior notice is given to the director of the county child welfare agency or the county probation department. Among other things, imposes restrictions on the use of the confidential information and requires subsequent sealing of the confidential information.

Status: Assembly-In Committee Process - Judiciary

AB-3229 (Burke) - California Right to Financial Privacy Act.

Revises the California Right to Financial Privacy Act to additionally require financial institutions to furnish specified customer financial records and information, upon request, to a special agent with the Department of Justice.

Status: Chapter 288, Statutes of 2018

SB-21 (Hill) - Law enforcement agencies: surveillance: policies.

Requires law enforcement agencies to develop a Surveillance Use Policy for all surveillance technologies, and requires those policies to be available to the public for comment and posting.

Status: Assembly-In Committee Process - Appropriations

SB-157 (Wieckowski) - Invasion of privacy: distribution of sexually explicit materials: protection of plaintiff's identity.

Strengthens provisions that protect the confidentiality of a person who brings a civil action alleging harm otherwise known as "revenge porn" by expanding the definition of an "identifying characteristic" that may be redacted from court pleadings and documents and extending redaction requirements to discovery documents.

Status: Chapter 233, Statutes of 2017

SB-182 (Bradford) - Transportation network company: participating drivers: single business license.

Prohibits a local jurisdiction from requiring a transportation network company driver to obtain more than one business license, regardless of the number of jurisdiction in which they operate.

Status: Chapter 769, Statutes of 2017

SB-184 (Morrell) - Social security number truncation program.

Expands existing county programs to remove full social security numbers (SSNs) from official recorded documents by allowing county recorders to begin redacting SSNs from older documents that were recorded before January 1, 1980.

Status: Chapter 621, Statutes of 2017

SB-241 (Monning) - Medical records: access.

Entitles a patient or patient's personal representative to a paper or electronic copy of all or any portion of the patient records; and imposes a reasonable, cost-based fee for

providing a paper or electronic copy or summary of patient records, as specified. Authorizes the disclosure of patient information and records of individuals with developmental and mental health disabilities who are voluntarily or involuntarily detained, including those detained under the Lanterman-Petris-Short Act, to a business associate or for health care operations purposes, in accordance with specified federal law.

Status: Chapter 513, Statutes of 2017

SB-244 (Lara) - Privacy: personal information.

Limits the collection and disclosure of information obtained by a local or state agency for purposes of issuing a local identification card, driver's license, or the administration of public services, as specified.

A prior version of this bill heard by policy committees in 2017 would have made a number of changes to existing laws about public records in order to protect the privacy of persons whose information is included in those records.

Status: Chapter 885, Statutes of 2018

SB-433 (Mendoza) - Developmental services: data exchange.

Allows the Employment Development Department to share data with the Department of Developmental Services (DDS) to allow DDS to evaluate employment outcomes and determine the effectiveness of the state's Employment First Policy.

Status: Assembly-In Committee Process - Utilities and Energy

SB-466 (Bates) - Rental passenger vehicle transactions: electronic surveillance technology: AMBER Alert.

Authorizes rental car companies to use electronic surveillance technology to locate a rental vehicle in order to assist law enforcement with finding missing or abducted children.

Status: Chapter 163, Statutes of 2017

SB-575 (Leyva) - Patient access to health records.

Entitles a patient to a copy, at no charge, of the relevant portion of the patient's records that are needed to support a claim regarding eligibility for specified public benefit programs. Adds to the list of public benefit programs the In-Home Supportive Services program, the CalWORKs program, federal veterans' service-connected compensation and nonservice connected pension disability benefits, and CalFRESH.

Status: Chapter 626, Statutes of 2017

SB-784 (Galgiani) - Crimes: disorderly conduct: invasion of privacy.

Authorizes a court to impose an additional fine not to exceed \$1,000 when an individual intentionally distributes or makes available secretly recorded images of a person's body in a manner that violates the privacy of that individual.

Status: Senate-In Floor Process

SB-1121 (Dodd) - California Consumer Privacy Act of 2018.

Makes a variety of technical and clarifying corrections to AB 375 ((Chau and Hertzberg), Chapter 55, Statutes of 2018), which was signed into law on June 28, 2018, effective January 1, 2020.

Status: Chapter 735, Statutes of 2018

SB-1186 (Hill) - Law enforcement agencies: surveillance: policies.

Requires specified law enforcement agencies to have a Surveillance Use Policy, approved by their governing bodies, in place before the use of surveillance technology, as defined.

Status: Assembly-In Committee Process - Appropriations

SB-1194 (Lara) - Privacy: lodging and common carriers.

Prohibits places of lodging and bus companies from disclosing information about guests and customers to third parties without a court-issued warrant, subpoena, or order, except as specified.

Status: Chapter 853, Statutes of 2018

SB-1196 (Jackson) - Personal identifying information: unlawful use: business entity filings.

Allows a person whose personal identifying information (PII) has been used unlawfully in a business filing to petition the court to order the PII redacted or labeled as impersonated and removed from public databases, as specified.

Status: Chapter 696, Statutes of 2018

SB-1274 (McGuire) - Developmental services: data exchange.

Authorizes the Department of Social Services (DSS) and the Department of Developmental Services (DDS) to share certain data for purposes of evaluating the effectiveness of the Employment First Policy.

Status: Chapter 466, Statutes of 2018

Weights and Measures

AB-347 (Chau) - Weights and measures: inspection: fees.

Extends to January 1, 2022, the authority of the board of supervisors of a county and the California 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 521, Statutes of 2018

AB-2676 (Gipson) - Weighmasters: junk dealers and recyclers: new licenses and license renewals: additional application information.

Extends the current requirements for a junk dealer or recycler to submit additional information to the California Department of Food and Agriculture when applying for a weighmaster's license, along with the payment of additional fees for each fixed location, until January 1, 2024.

Status: Chapter 392, Statutes of 2018

SB-547 (Hill) - Professions and vocations: weights and measures.

Makes technical and substantive changes to boards and bureaus under the jurisdiction of the Department of Consumer Affairs (DCA); provides for fee increases for several boards and a bureau of the DCA; extends the operation of the California Council for Interior Design; requires that the fees collected by the California Department of Food and Agriculture to recover administration costs also include reasonable costs to maintain state weights and measures standards; and, makes other technical and clarifying changes.

Status: Chapter 429, Statutes of 2017

Governor's Veto Messages

AB-531 (Irwin) - Office of Information Security: information security technologies.

Requires the Office of Information Security (OIS) to review the technologies used by state agencies to protect sensitive information, and develop a statewide plan to require state agencies to implement any information security technology that OIS determines to be necessary to protect that sensitive information.

Governor's Veto Message:

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

I am returning Assembly Bill 531 without my signature.

This bill requires the Department of Technology's Office of Information Security to review state departments' information security policies to determine if they are sufficient to protect critical government information. The bill also requires the Office to develop a statewide plan to address any deficiencies it sees in its review of departments' cybersecurity practices.

By June 30th, 2018 my administration will finish information security assessments of every state department as required by AB 670. These assessments identify and correct departments' network vulnerabilities. Going forward, each department will receive additional assessments every two years. The Department is also performing audits on departments that scrutinize how their information security practices measure up to the state's information security policies. This coordinated approach to the state's cybersecurity will improve each state department's policies, procedures, and networks so that the state's critical information is secure.

Informed by these assessments and audits, in early 2018 the Department will complete a strategic plan that outlines the state's information security priorities for departments to implement.

Because these efforts will fulfill many of this bill's objectives, I am reluctant to sign the bill at this time

Sincerely,
Edmund G. Brown Jr.

AB-1138 (Maienschein) - Sale of cats or dogs.

Prohibits false or misleading advertising related to the sale of dogs and cats.

Governor's Veto Message:

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

I am returning Assembly Bill 1138 without my signature.

This bill creates a new misdemeanor for the false or misleading advertising related to the sale of dogs and cats.

Existing law already makes it unlawful to make fraudulent, deceptive, untrue, or misleading advertisements. A violation of existing law is a misdemeanor punishable by imprisonment in county jail not exceeding six months, or by a fine not exceeding \$2,500, or both. The creation of a new crime is not necessary.

Sincerely,
Edmund G. Brown Jr.

AB-1306 (Oberholte) - California Cybersecurity Integration Center.

Codifies in statute the California Cybersecurity Integration Center (Cal-CSIC) within the Office of Emergency Services to develop a statewide cybersecurity strategy in coordination with the California Task Force on Cybersecurity, authorizes the Governor to suspend the operations of the Cal-CSIC if federal funding is unavailable, and prohibits the Cal-CSIC from requiring private sector companies to share information.

Governor's Veto Message:

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

I am returning Assembly Bill 1306 without my signature.

Two years ago I established the California Cybersecurity Integration Center when I signed Executive Order B-34-15. Cybersecurity threats against the state are constantly changing and the Center continues to mature in response to these threats. I am concerned that placing the Center in statute as this bill proposes to do, will unduly limit the Center's flexibility as it pursues its mission to protect the state against cyberattacks.

Sincerely,
Edmund G. Brown Jr.

AB-2163 (Grayson) - Department of Technology: GIS services: regional notification centers: subsurface installations.

Requires the California Department of Technology (CDT) to provide Geographic Information Systems (GIS) data to a regional notification center, for purposes of California's "Call Before You Dig" law, in accordance with how CDT provides such data to state agencies under existing law.

Governor's Veto Message:

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

I am returning Assembly Bill 2163 without my signature.

This bill requires the Department of Technology to provide Geographic Information Systems data to Regional Notification Centers for the purposes of California's "Call Before You Dig" program.

The Department does not own this data and must pay a subscription for its access. Unfortunately this bill does not allow for the Department to recoup its costs from the Centers. I recommend the author work with the Department and make the necessary changes in future legislation.

Sincerely,
Edmund G. Brown Jr.

AB-2749 (Bonta) - State agencies: state entities: Internet Web site accessibility: standards.

Provides that an internet website maintained by a state agency or state entity that is intended for use by the public shall only become operational if it is mobile-friendly and accessible by persons with disabilities and expands existing accessibility requirements for state internet websites to require that state agencies and entities hereinafter also certify that the agency or entity's website is mobile-friendly, as specified. The certification must be posted on the state agency or entity's internet website homepage. This bill defines "mobile-friendly" as having substantially similar accessibility and functionality features across devices.

Governor's Veto Message:

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

I am returning Assembly Bill 2749 without my signature.

This bill requires all state agencies to certify that their Internet web sites are mobile-friendly.

I signed Assembly Bill 434 into law last year which requires all state agency websites to meet specified accessibility standards, including mobile accessibility.

While I support the author's intent to ensure state websites are both accessible and mobile-friendly, this bill is unnecessary.

Sincerely,
Edmund G. Brown Jr.

SB-784 (Galgiani) - Crimes: disorderly conduct: invasion of privacy.

Authorizes a court to impose an additional fine not to exceed \$1,000 when an individual intentionally distributes or makes available secretly recorded images of a person's body in a manner that violates the privacy of that individual.

Governor's Veto Message:

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

I am returning Senate Bill 784 without my signature.

This bill authorizes an increased financial penalty in situations where a person takes photographs or video footage of another person without their consent and intentionally distributes it or makes it available to another person.

I don't believe the additional \$1,000 called for in this bill does anything to deter this type of conduct. The underlying crime-the recording of the image-is already punishable by up to six months in jail and a \$1,000 fine, and courts currently have discretion to order that any restitution include economic losses incurred by the victim. Moreover, civil remedies are available in these situations.

I believe that current law already provides sufficient criminal and civil liability.

Sincerely,
Edmund G. Brown Jr.