

Meeting Date: Wednesday, May 15, 2019

Time: 2:08 p.m. – 2:31 p.m.

Location: Conference Call

Special Discussion: AB 1819

**MINUTES**

2019/2020 County Clerk Legislative Committee Members

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| --- | --- | --- | --- |
| Candace Grubbs, Butte | X | Joani Finwall/Melissa Garcia, San Bernardino | T/T |
| Elizabeth Gutierrez, Contra Costa | T | Val Wood, San Diego | T |
| Chuck Storey, Imperial | X | Teresa Williamson, San Joaquin | X |
| Kammi Foote, Inyo | X | Joe Holland, Santa Barbara | X |
| Portia Sanders/Monique Blakely/Jaime Pailma, Los Angeles | X/X/X | Gina Alcomendras/Wardell House, Santa Clara | X/T |
| Paula Pesut, Placer | X | Deva Proto/Carrie Anderson, Sonoma | X/X |
| Victoria Rodriguez, Riverside | X | David Valenzuela/Sheila Harmon, Ventura | T/X |
| Donna Allred, Sacramento | T |  |  |

(**T –** Teleconference; **X** – Not on call)

1. **Call to Order**

Meeting started at 2:08 p.m.

-No quorum-

1. **Roll call**

Also attending:

|  |  |  |
| --- | --- | --- |
| ***Attendee*** | ***County*** |  |
| Barbara Dunmore | Contra Costa | T |
| Frederick Garcia | Nevada | T |
| Lisa Anderson | Riverside | T/T |
| Nicole Barber | San Diego | T |
| Marnie Stout/Laura Luna/Louis Chiaramonte/Dawn Salazar/Belinda Gamutan | Santa Clara | T/T/T/T/T |

1. **AB 1819 Inspection of Public Records: Use of Requester’s Reproduction Equipment**

Matt reviewed the amended language of the bill. The wording is now narrowing the scope to specifically “photographs.” The only hurdle expected is that wording may be construed as too specific. The author does not want to prohibit actions that are currently legal and that requesters are already doing.

Rob thinks the amendment should be simple, adding only “public record.” Instead of “photograph” use “capture.” Val suggests including in item B, “*no* access to the agency's computer systems or secured networks […]” instead of what is currently listed, “*unauthorized* access […]”.

Wardell also suggests that in the second paragraph of section 2, the wording should be revised to remove “copying” or “reproducing” and should be replaced with “photograph.” He thinks that if the bill lists “photograph” in one place it should be consistently listed as “photograph” throughout, instead of “reproduce,” “replicate,” “copy,” etc.

Several members of the committee take issue with word “photograph.”

The authors think they are simply clarifying the law by separating it into the different actions, and that there would be no limitation placed on the public to access public records. They are using this bill to expand the actions to make sure that they are all included. As far as they’re concerned, all of the actions that are included in the bill are already permissible under current law.

There have not been any instances of requesters bringing in machines/devices to copy records, but there is concern that requesters could bring in machines/devices in accordance with the bill’s wording allowing the public to do so. Committee would prefer that the bill details that requesters may not plug any device into any public office power outlet or network/computer system.

Most counties currently have policies in place that will not accommodate the public using their personal flash drives to access information from the counties’ computers which would speak to “reasonable limits.”

Wardell discussed difference between records used to conduct personal business and records in repository.

Bill is currently worded that agency may have to approve the request to use flash drive. This would lead to creating a process for counties to approve the requests. If the agency offers to sell personal flash drives/devices, it goes against language that says the public may “use *the requester’s* device.”

The term “reasonable limit” restricts requester to only be able to photograph document/screen.

Val suggests “*Notwithstanding online access, customers shall not access agency’s computer or secured networks by using software or any other technology capable of accessing, altering or compromising the agency’s electronic records*.”

Since there is no quorum, the committee cannot vote.

Regular meeting: Thursday, May 23, 2019.

1. **Adjourned**

Meeting ended at 2:31 p.m.