

Date of Hearing: May 19, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 1429 (Holden) – As Introduced February 19, 2021

Policy Committee: Accountability and Administrative Review Vote: 7 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires additional training for state agency personnel who work with public records. Specifically, this bill:

- 1) Requires a records management coordinator (RMC) within a state agency to provide records management training to all agency personnel who prepare, own, use or retain public records on behalf of the agency.
- 2) Requires the RMC to ensure agency personnel complete the required training within 60 days of employment and are re-trained annually.

FISCAL EFFECT:

State costs of an unknown amount, but likely in the low millions of dollars (General Fund and various special funds) annually statewide, for over 200 state agencies to comply. For example, the California Department of Insurance estimates ongoing costs of approximately \$8,000 annually to implement the requirements of this bill. If 200 agencies each spent \$8,000 to comply, annual costs statewide would be \$1.6 million. Actual costs will vary by department.

COMMENTS:

- 1) **Purpose.** This bill seeks to better ensure the successful management of state agency information by requiring additional training for all state agency personnel who handle records. According to the bill's sponsor, the Secretary of State (SOS):

A review of reports submitted through the State Leadership Accountability Act reveals that only an handful of agencies have addressed records management when evaluating their internal control and monitoring programs. State personnel are currently not receiving communication nor training that would enable them to effectively adhere to statutory and regulatory requirements that apply to public records, such as the California Public Records Act, Information Practices Act, and the State Records Act.

- 2) **Background.** The State Records Management Act requires SOS to establish and administer a records management program for the creation, utilization, maintenance, retention, preservation and disposal of state records. Existing law also requires each state agency to establish and maintain an active, continuing program for the economical and efficient management of records and information collection practices of the agency.

Existing law and regulations require each agency to assign an RMC to work with SOS and specified programs, including the State Archives. Each RCM is required to attend a minimum of 12 hours of records management training classes offered by SOS within 12 months of appointment and to attend four hours of records management training every two years thereafter.

This bill additionally requires each RCM to provide records management training to appropriate agency personnel and to ensure the training occurs within 60 day of employment, and annually thereafter.

- 3) **State Agency.** For purposes of this bill, existing law defines “state agency” to include every state office, officer, department, division, bureau, board and commission. “State agency” does not include the California State University.
- 4) **Prior Legislation.** AB 469 (Petrie-Norris), of the 2019-20 Legislative Session, requires each state agency to appoint an RMC and specifies the duties and responsibilities of the RMC, including records management training and reporting requirements regarding the transfer and storage of records.

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