

ASSEMBLY THIRD READING
AB 1429 (Holden)
As Introduced February 19, 2021
Majority vote

SUMMARY

Requires increased training for state agency personnel who work with public records on behalf of the agency.

Major Provisions

- 1) Requires Records Management Coordinators (RMC) within state agencies to train all agency personnel who prepare, own, use or retain public records.
- 2) Requires the RMC to ensure agency personnel complete the required training within 60 days of employment and are re-trained annually.

COMMENTS

This bill requires additional training requirements to all state agency personnel that handle records. It would also add requirements for the RMC to train agency personnel on record management. Although each agency appoints an RMC to be trained on proper record management it is uncertain if all agency personnel consistently understand their record management responsibilities.

Inconsistent management of records within an agency and throughout government agencies can be detrimental to the public's trust and the public's ability to access important records. This bill could improve agency personnel's understanding of record management responsibilities through required training, however personnel training may vary depending on each particular RMC.

According to the Author

"Transparency is critical to a healthy democracy and to maintain public trust. The Secretary of State is charged with significant responsibilities that protect that public trust including ensuring free and fair elections, disclosure of lobbying activity, and preserving necessary documents in the State Archives. The archives hold documents of fiscal, historical and governing importance. Though the Secretary is charged with storing the records, it is the responsibility of everyone who works in state government to identify documents that are of long-term significance. This bill expands training to every employee that could potentially handle documents of importance because training all employees to identify these documents ensures nothing will fall through the cracks. In that way, this bill fills a need and will increase the transparency we are obligated by law and the public trust to maintain."

Arguments in Support

According to the bill's sponsor, the Secretary of State, "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."

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee, 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.

VOTES**ASM ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: 7-0-0****YES:** Petrie-Norris, Patterson, Burke, Gray, Lackey, Medina, Rodriguez**ASM APPROPRIATIONS: 16-0-0****YES:** Lorena Gonzalez, Bigelow, Calderon, Carrillo, Chau, Megan Dahle, Davies, Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, Holden, Luz Rivas**UPDATED**

VERSION: February 19, 2021

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