
SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

Senator Bill Dodd

Chair

2021 - 2022 Regular

Bill No:	AB 1429	Hearing Date:	6/22/2021
Author:	Holden		
Version:	2/19/2021	Introduced	
Urgency:	No	Fiscal:	Yes
Consultant:	Brian Duke		

SUBJECT: State agency records: management coordinator duties: personnel training

DIGEST: This bill requires the Records Management Coordinator (Coordinator) of 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, and to ensure that agency personnel complete the training within 60 days of employment and complete refresher training annually thereafter, as specified.

ANALYSIS:

Existing law:

- 1) The State Records Management Act (SRM Act) requires each head of a state agency to establish and maintain an active, continuing program for the economical and efficient management of the records and information collection practices of the agency, and to appoint a representative from the agency to serve as the Coordinator.
- 2) Requires the Coordinator to, among other duties, attend records management training classes offered by the Secretary of State (SOS), act as liaison between the agency, the California Records and Information Management Program (CalRIM), the State Records Center, and the State Records Appraisal Program (SRAP), and schedule CalRIM and SRAP training for agency staff who have records management duties, as specified.

This bill:

- 1) Requires the Coordinator 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 Coordinator to ensure that agency personnel complete the records management training required to be provided to them within 60 days of employment and complete a refresher records management training annually thereafter.

Background

Purpose of the bill. According to the author's office, "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."

State Records Management and Appraisal Program. The SRM Act directs the SOS to establish and administer a records management program that applies efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of State records. The State Archives, a division of the SOS, collects, catalogs, preserves, and provides access to historic records of state government. The Records Management and Appraisal (RMA) unit within the California State Archives is responsible for the development and implementation of the State's records management program. RMA is made up of the CalRIM program and the SRAP.

CalRIM reviews State entity Records Retention Schedules; establishes guidelines, including those for the management of electronic records; provides consultation; evaluates the effectiveness of existing records management programs; and, assists in the establishment of new records programs. SRAP reviews Records Retention Schedules for records valuable to the history of California; appraises records sent to the State archives; and, maintains all State entity Records Retention Schedules.

This bill requires each agency's Coordinator to additionally provide records management training to all agency personnel who prepare, own use, or retain public records on behalf of the agency. This bill also requires that the Coordinator ensures that agency personnel complete the records management training provided

to them within 60 days of employment and to complete a refresher training annually thereafter.

Prior/Related Legislation

SB 598 (Moorlach, 2019) would have establish the Open Financial Statement Commission, within the State Treasurer's Office, and required the commission to report to the Legislature regarding how and whether to transition state and local agencies' financial reporting to a machine readable format, as specified. (Vetoed by Governor Newsom)

AB 469 (Petrie-Norris, Chapter 469, Statutes of 2019) required specified training and responsibilities for state employees who manage state records, as specified.

AB 2225 (Limon, Chapter 535, Statutes of 2018) required the SOS, 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.

AB 22 (Bonta, Chapter 834, Statutes of 2017) authorized state agencies and local governments to retain public records specifically through the use of a cloud computing storage service.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT:

None received

OPPOSITION:

None received