

PROCEDURE FOR EXAMINING ASSEMBLY COMMITTEE RECORDS ON LEGISLATION

For procedures on examining other types of Assembly records, see form titles "Procedure for Examining Assembly Records (Other than Assembly Committee Records of Legislation)". For procedures on examining records held jointly by the Assembly and Senate, see form titled "Procedures for Examining Records in Joint Custody of the Assembly and Senate".

Government Code Section 9080 guarantees public access to legislative committee records concerning legislation. Committees are required to adopt written procedures concerning the public inspection of these records. The following guidelines have been adopted pursuant to the requirements of Government Code Section 9080.

1. Complete the attached Request to Examine Assembly Committee Records on Legislation form stating specifically what records you wish to inspect. (Note: Some committee records on legislation may be stored by the Assembly Rules Committee or at the State Archives. For records stored by the Assembly Rules Committee, inquire at Room 3016, State Capitol, Sacramento, CA 95814, or telephone (916) 319-2800. For records maintained by the State Archives, inquire at 1020 O Street, Sacramento, CA 95814, or telephone (916) 653-7715.)
2. If the records are subject to disclosure (exceptions are listed below), the committee chief consultant or chief of staff will arrange the inspection and have the records made available to you.
 - a. If your request is denied, you are entitled to a written explanation from the Assembly Committee on Rules within four (4) days during legislative sessions and ten (10) days during recesses.
 - b. If an extended time is required to procure the records you have requested, you may make an appointment to inspect the records at a specified date in the future.
3. Records may not be removed from the office in which they are made available for inspection. They must be inspected in the presence of a designated staff member.
4. You are entitled to copies of records; however, copies may be charged at 10 cents per page.
5. Before leaving return all original records and sign and date the form attesting that you have examined the records.
6. Your request form will be maintained by the Assembly.
7. Please note that requests to examine records concerning legislation that has been introduced in the current legislative session but not chaptered at the time of the request are subject to the rules governing examination of legislative records under Sections 9073, 9074 and 9075 of the Government Code and should be directed to the Assembly Rules Committee.

Among others, the following categories of Assembly records are exempt from mandatory public inspection pursuant to Sections 9075 and 9080 of the Government Code:

1. Records pertaining to certain claims against the Assembly until they are finally adjudicated or settled, and records pertaining to litigation to which the Assembly is a party until such litigation has been finally adjudicated or settled.
2. Personnel files, medical files, and similar files pertaining to the privacy of individuals.
3. Preliminary drafts, notes, or memoranda among Members and staff, other than committee staff analyses directed to all committee members.
4. Records of individual names and phone numbers of senders and receivers of telephone and telegraph communications. The annual report required by Section 9131 of the Government Code provides total charges for each Member.
5. Records of individual transactions for fuel or lubricants for committee leased cars. The annual report required by Section 9131 of the Government Code provides total charges for each Member.
6. Communications from private citizens to the Assembly on matters other than legislation.
7. Records of complaints to the Assembly, its investigations, and its security procedures.
8. Correspondence of Members and their staffs.
9. Correspondence to Members and their staffs on matters other than legislation.
10. Written commentary submitted to the committee on legislation and the commentary (a) was not utilized by the staff of a fiscal committee in the presentation of the analysis of legislation or (b) is otherwise determined by the committee or its staff to be confidential.
11. Records where, based on the facts of the particular case, the Rules Committee believes the public interest served by their nondisclosure clearly outweighs the public interest served by their disclosure.

REQUEST TO EXAMINE ASSEMBLY COMMITTEE RECORDS ON LEGISLATION

(To be filed with the Assembly committee to which the request is directed.)

To: Assembly Committee on Rules

Pursuant to Section 9080 of the Government Code, I hereby request to examine the following committee records concerning legislation:

Committee Name: _____

Records Requested:

Name of person making request: _____

Representing: _____
(organization)

Address: _____

Telephone: _____

I was permitted to examine the committee records described above on

(date)

Committees must transmit this form to the Assembly Rules Committee on the same day the committee receives it.

Return to: Assembly Rules Committee
Attention: Debra Gravert, Chief Administrative Officer
State Capitol, Room 3016
Sacramento, CA 95814

Email: Assembly.Rules@asm.ca.gov
Fax: (916) 319-2810

APPROVAL

Authorized by: _____ Date: _____

Time In: _____ Time Out: _____