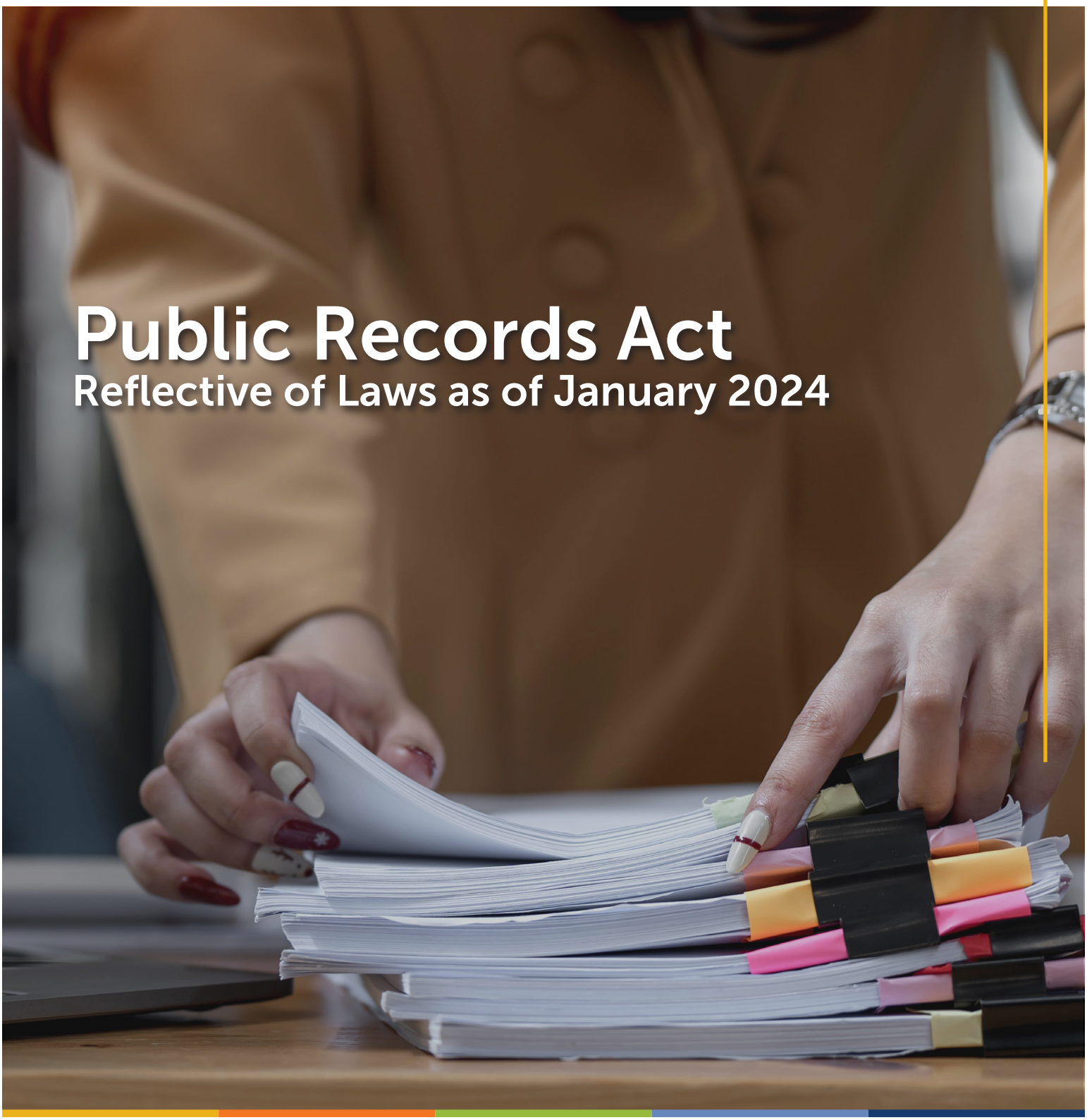
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Public Records Act

Reflective of Laws as of January 2024

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Greetings!

Young, Minney & Corr LLP is pleased to provide an electronic version of the Public Records Act ("PRA") that includes the PRA's most relevant provisions for California public schools. While the PRA was recodified effective January 2022, the recodification was not intended to substantively alter the law governing access to public records.

As always, YM&C's school-focused mission-driven attorneys are available to help you work through questions, challenges, and to provide technical assistance with PRA compliance., 916.646.1400.

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The YM&C Team

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PUBLIC RECORDS ACT

PART 1. GENERAL PROVISIONS

CHAPTER 1. PRELIMINARY PROVISIONS

ARTICLE 1. SHORT TITLES	
Section 7920.000 Citation of division	This division shall be known and may be cited as the California Public Records Act.
Section 7920.005 Citation of act with provisions recodifying predecessor of division; "CPRA Recodification Act of 2021"	This division recodifies the provisions of former Chapter 3.5 (commencing with Section 6250) of Division 7 of this title. The act that added this division, and the act that consists of conforming revisions to reflect the addition of this division, shall be known and may be cited as the "CPRA Recodification Act of 2021."
ARTICLE 2. EFFECT OF RECODIFICATION	
Section 7920.100 No substantive change to public records inspection law; Nonsubstantive intent	Nothing in the CPRA Recodification Act of 2021 is intended to substantively change the law relating to inspection of public records. The act is intended to be entirely nonsubstantive in effect. Every provision of this division and every other provision of this act, including, without limitation, every cross-reference in every provision of the act, shall be interpreted consistent with the nonsubstantive intent of the act.
Section 7920.105 Act provision as restatement, not new enactment; Reference to previously existing provision	(a) A provision of this division, or any other provision of the CPRA Recodification Act of 2021, insofar as it is substantially the same as a previously existing provision relating to the same subject matter, shall be considered as a restatement and continuation thereof and not as a new enactment. (b) A reference in a statute to a previously existing provision that is restated and continued in this division, or in any other provision of the CPRA Recodification Act of 2021, shall, unless a contrary intent appears, be deemed a reference to the restatement and continuation. (c) A reference in a statute to a provision of this division, or any other provision of the CPRA Recodification Act of

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	2021, which is substantially the same as a previously existing provision, shall, unless a contrary intent appears, be deemed to include a reference to the previously existing provision.
Section 7920.110 Judicial interpretation of previously existing provision	(a) A judicial decision interpreting a previously existing provision is relevant in interpreting any provision of this division, or any other provision of the CPRA Recodification Act of 2021, which restates and continues that previously existing provision. (b) However, in enacting the CPRA Recodification Act of 2021, the Legislature has not evaluated the correctness of any judicial decision interpreting a provision affected by the act. (c) The CPRA Recodification Act of 2021 is not intended to, and does not, reflect any assessment of any judicial decision interpreting any provision affected by the act.
Section 7920.115 Attorney General interpretation of previously existing provision	(a) An opinion of the Attorney General interpreting a previously existing provision is relevant in interpreting any provision of this division, or any other provision of the CPRA Recodification Act of 2021, which restates and continues that previously existing provision. (b) However, in enacting the CPRA Recodification Act of 2021, the Legislature has not evaluated the correctness of any Attorney General opinion interpreting a provision affected by the act. (c) The CPRA Recodification Act of 2021 is not intended to, and does not, reflect any assessment of any Attorney General opinion interpreting any provision affected by the act.
Section 7920.120 Constitutionality of previously existing provision	(a) A judicial decision or Attorney General opinion on the constitutionality of a previously existing provision is relevant in determining the constitutionality of any provision of this division, or any other provision of the CPRA Recodification Act of 2021, which restates and continues that previously existing provision.

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	(b) However, in enacting the CPRA Recodification Act of 2021, the Legislature has not evaluated the constitutionality of any provision affected by the act, or the correctness of any judicial decision or Attorney General opinion on the constitutionality of any provision affected by the act. (c) The CPRA Recodification Act of 2021 is not intended to, and does not, reflect any determination of the constitutionality of any provision affected by the act.
ARTICLE 3. EFFECT OF DIVISION	
Section 7920.200 No effect on status of existing judicial records, rights of litigants, or rights of discovery	The provisions of this division shall not be deemed in any manner to affect the status of judicial records as it existed immediately before the effective date of the provision that is continued in this section, nor to affect the rights of litigants, including parties to administrative proceedings, under the laws of discovery of this state, nor to limit or impair any rights of discovery in a criminal case.

CHAPTER 2. DEFINITIONS

Section 7920.500. "Elected or appointed official"	For purposes of Article 3 (commencing with Section 7928.200) of Chapter 14 of Part 5, "elected or appointed official" includes, but is not limited to, all of the following: (a) A state constitutional officer. (b) A Member of the Legislature. (c) A judge or court commissioner. (d) A district attorney. (e) A public defender. (f) A member of a city council. (g) A member of a board of supervisors. (h) An appointee of the Governor. (i) An appointee of the Legislature. (j) A mayor. (k) A city attorney. (l) A police chief or sheriff. (m) A public safety official. (n) A state administrative law judge. (o) A federal judge or federal defender. (p) A member of the United States Congress or appointee of the President of the United States.

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	(q) A judge of a federally recognized Indian tribe.
Section 7920.505 "Former Section 6254 provisions"; List of provisions continued from former Section 6254	(a) The following provisions are continuations of provisions that were included in former Section 6254 as that section read when it was repealed by the CPRA Recodification Act of 2021: (1) Section 7921.500. (2) Sections 7923.600 to 7923.625, inclusive. (3) Section 7923.700. (4) Sections 7923.800 and 7923.805. (5) Section 7924.505. (6) Section 7925.000. (7) Section 7925.005. (8) Section 7925.010. (9) Section 7926.000. (10) Section 7926.100. (11) Section 7926.200. (12) Section 7926.210. (13) Section 7926.220, except the continuation of former Section 6254.14(b). (14) Section 7926.225, except the continuation of former Section 6254.14(b). (15) Section 7926.230, except the continuation of former Section 6254.14(b). (16) Section 7926.235. (17) Section 7927.000. (18) Section 7927.100. (19) Section 7927.200. (20) Section 7927.300. (21) Section 7927.500. (22) Section 7927.700. (23) Section 7927.705. (24) Section 7928.000. (25) Section 7928.100. (26) Sections 7928.405 and 7928.410. (27) Section 7928.705. (28) Section 7929.000. (29) Section 7929.200. (30) Section 7929.205. (31) Chapter 18 (commencing with Section 7929.400) of Part 5. (32) Section 7929.605. (b) The provisions listed in subdivision (a) may be referred to as "former Section 6254 provisions."

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	(c) Subdivision (a) does not include any provision that was first codified in one of the specified numerical ranges after the effective date of the CPRA Recodification Act of 2021.
Section 7920.510 “Local agency”	As used in this division, “local agency” includes any of the following: (a) A county. (b) A city, whether general law or chartered. (c) A city and county. (d) A school district. (e) A municipal corporation. (f) A district. (g) A political subdivision. (h) Any board, commission, or agency of the foregoing. (i) Another local public agency. (j) An entity that is a legislative body of a local agency pursuant to subdivision (c) or (d) of Section 54952.
Section 7920.515 “Member of the public”	As used in this division, “member of the public” means any person other than a member, agent, officer, or employee of a federal, state, or local agency who is acting within the scope of that membership, agency, office, or employment.
Section 7920.520 “Person”	As used in this division, “person” includes any natural person, corporation, partnership, limited liability company, firm, or association.
Section 7920.525 “Public agency”	(a) As used in this division, “public agency” means any state or local agency. (b) As used in Article 5 (commencing with Section 7926.400) of Chapter 5 of Part 5, “public agency” means an entity specified in subdivision (c) of Section 7926.400.
Section 7920.530 “Public records”	(a) As used in this division, “public records” includes any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (b) “Public records” in the custody of, or maintained by, the Governor’s office means any writing prepared on or after January 6, 1975.

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Section 7920.535 “Public safety official”	As used in this division, “public safety official” means the following parties, whether active or retired: (a) A peace officer as defined in Sections 830 to 830.65, inclusive, of the Penal Code, or a person who is not a peace officer, but may exercise the powers of arrest during the course and within the scope of the person’s employment pursuant to Section 830.7 of the Penal Code. (b) A public officer or other person listed in Section 1808.2 or 1808.6 of the Vehicle Code. (c) An “elected or appointed official” as defined in Section 7920.500. (d) An attorney employed by the Department of Justice, the State Public Defender, or a county office of the district attorney or public defender, the United States Attorney, or the Federal Public Defender. (e) A city attorney and an attorney who represents cities in criminal matters. (f) An employee of the Department of Corrections and Rehabilitation who supervises inmates or is required to have care or custody of a prisoner. (g) A sworn or nonsworn employee who supervises inmates in a city police department, a county sheriff’s office, the Department of the California Highway Patrol, federal, state, or a local detention facility, or a local juvenile hall, camp, ranch, or home, and a probation officer as defined in Section 830.5 of the Penal Code. (h) A federal prosecutor, a federal criminal investigator, and a National Park Service Ranger working in California. (i) The surviving spouse or child of a peace officer defined in Section 830 of the Penal Code, if the peace officer died in the line of duty. (j) State and federal judges and court commissioners. (k) An employee of the Attorney General, a district attorney, or a public defender who submits verification from

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	the Attorney General, district attorney, or public defender that the employee represents the Attorney General, district attorney, or public defender in matters that routinely place that employee in personal contact with persons under investigation for, charged with, or convicted of, committing criminal acts. (l) A nonsworn employee of the Department of Justice or a police department or sheriff's office that, in the course of employment, is responsible for collecting, documenting, and preserving physical evidence at crime scenes, testifying in court as an expert witness, and other technical duties, and a nonsworn employee that, in the course of employment, performs a variety of standardized and advanced laboratory procedures in the examination of physical crime evidence, determines their results, and provides expert testimony in court.
Section 7920.540 "State agency"	(a) As used in this division, "state agency" means every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution. (b) Notwithstanding subdivision (a) or any other law, "state agency" also means the State Bar of California, as described in Section 6001 of the Business and Professions Code.
Section 7920.545 "Writing"	As used in this division, "writing" means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored.

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PART 2. DISCLOSURE AND EXEMPTIONS

CHAPTER 1. RIGHT OF ACCESS TO PUBLIC RECORDS

Section 7921.000 Legislative findings and declarations	In enacting this division, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state.
Section 7921.005 State or local agency control over disclosure of information	A state or local agency may not allow another party to control the disclosure of information that is otherwise subject to disclosure pursuant to this division.
Section 7921.010 Limitations on provision of public record subject to disclosure pursuant to this division to private entity	(a) Notwithstanding any other provision of law, no state or local agency shall sell, exchange, furnish, or otherwise provide a public record subject to disclosure pursuant to this division to a private entity in a manner that prevents a state or local agency from providing the record directly pursuant to this division. (b) Nothing in this section requires a state or local agency to use the State Printer to print public records. (c) Nothing in this section prevents the destruction of a public record pursuant to law. (d) This section shall not apply to contracts entered into before January 1, 1996, between the County of Santa Clara and a private entity, for the provision of public records subject to disclosure under this division.

CHAPTER 2. GENERAL RULES GOVERNING DISCLOSURE

ARTICLE 1. NONDISCRIMINATION	
Section 7921.300 Limitations on records access based on purpose prohibited	This division does not allow limitations on access to a public record based upon the purpose for which the record is being requested, if the record is otherwise subject to disclosure.
Section 7921.305 No special limitations on records access of elected members or officers	(a) Notwithstanding the definition of "member of the public" in Section 7920.515, an elected member or officer of any state or local agency is entitled to access to public records of that agency on the same basis as any other person.

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	Nothing in this section shall limit the ability of elected members or officers to access public records permitted by law in the administration of their duties. (b) This section does not constitute a change in, but is declaratory of, existing law.
Section 7921.310 No discrimination against members of legislative body of local agency with authorized access to agency writing	Notwithstanding Section 7921.305 or any other provision of law, when the members of a legislative body of a local agency are authorized to access a writing of the body or of the agency as permitted by law in the administration of their duties, the local agency, as defined in Section 54951, shall not discriminate between or among any of those members as to which writing or portion thereof is made available or when it is made available.
ARTICLE 2. VOLUNTARY DISCLOSURE	
Section 7921.500 Opening records for public inspection	Unless disclosure is otherwise prohibited by law, the provisions listed in Section 7920.505 do not prevent any agency from opening its records concerning the administration of the agency to public inspection.
Section 7921.505 Disclosure as waiver	(a) As used in this section, "agency" includes a member, agent, officer, or employee of the agency acting within the scope of that membership, agency, office, or employment. (b) Notwithstanding any other law, if a state or local agency discloses to a member of the public a public record that is otherwise exempt from this division, this disclosure constitutes a waiver of the exemptions specified in: (1) The provisions listed in Section 7920.505. (2) Sections 7924.510 and 7924.700. (3) Other similar provisions of law. (c) This section, however, does not apply to any of the following disclosures: (1) A disclosure made pursuant to the Information Practices Act of 1977 (Chapter 1 (commencing with Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code) or a discovery proceeding. (2) A disclosure made through other legal proceedings or as otherwise required by law.

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	(3) A disclosure within the scope of disclosure of a statute that limits disclosure of specified writings to certain purposes. (4) A disclosure not required by law, and prohibited by formal action of an elected legislative body of the local agency that retains the writing. (5) A disclosure made to a governmental agency that agrees to treat the disclosed material as confidential. Only persons authorized in writing by the person in charge of the agency shall be permitted to obtain the information. Any information obtained by the agency shall only be used for purposes that are consistent with existing law. (6) A disclosure of records relating to a financial institution or an affiliate thereof, if the disclosure is made to the financial institution or affiliate by a state agency responsible for regulation or supervision of the financial institution or affiliate. (7) A disclosure of records relating to a person who is subject to the jurisdiction of the Department of Business Oversight, if the disclosure is made to the person who is the subject of the records for the purpose of corrective action by that person, or, if a corporation, to an officer, director, or other key personnel of the corporation for the purpose of corrective action, or to any other person to the extent necessary to obtain information from that person for the purpose of an investigation by the Department of Business Oversight. (8) A disclosure made by the Commissioner of Business Oversight under Section 450, 452, 8009, or 18396 of the Financial Code. (9) A disclosure of records relating to a person who is subject to the jurisdiction of the Department of Managed Health Care, if the disclosure is made to the person who is the subject of the records for the purpose of corrective action by that person, or, if a corporation, to an officer, director, or other key

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	personnel of the corporation for the purpose of corrective action, or to any other person to the extent necessary to obtain information from that person for the purpose of an investigation by the Department of Managed Health Care. (10) A disclosure made through the sharing of information between the Independent System Operator and a state agency.
ARTICLE 3. DISCLOSURE TO DISTRICT ATTORNEY AND RELATED MATTERS	
Section 7921.700 District attorney request	A state or local agency shall allow an inspection or copying of any public record or class of public records not exempted by this division when requested by a district attorney.
Section 7921.705 Petition to require inspection upon failure or refusal of agency to allow request	(a) If a district attorney makes a request to a state or local agency to inspect or receive a copy of a public record or class of public records not exempted by this division, and the state or local agency fails or refuses to allow inspection or copying within 10 working days of that request, the district attorney may petition a court of competent jurisdiction to require the state or local agency to allow the requested inspection or copying. (b) Unless the public interest or good cause in withholding the requested records clearly outweighs the public interest in disclosure, the court may require the public agency to allow the district attorney to inspect or copy those records.
Section 7921.710 Effect of disclosure to district attorney	Disclosure of records to a district attorney under the provisions of this division shall effect no change in the status of the records under any other provision of law.

CHAPTER 3. GENERAL RULES GOVERNING EXEMPTIONS FROM DISCLOSURE

ARTICLE 1. JUSTIFICATION FOR WITHHOLDING OF RECORDS	
Section 7922.000 Justification for witholding record	An agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this division, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

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ARTICLE 2. SOCIAL SECURITY NUMBERS AND RELATED MATTERS	
Section 7922.200 Redaction of social security numbers	(a) It is the intent of the Legislature that, in order to protect against the risk of identity theft, a local agency shall redact social security numbers from a record before disclosing the record to the public pursuant to this division. (b) Nothing in this division shall be construed to require a local agency to disclose a social security number. (c) This section does not apply to a record maintained by a county recorder.
Section 7922.205 Record available under Social Security Number Truncation Program	Nothing in this division shall be construed to require the disclosure by a county recorder of any "official record," if a "public record" version of that record is available pursuant to Article 3.5 (commencing with Section 27300) of Chapter 6 of Part 3 of Division 2 of Title 3.
Section 7922.210. Record available under UCC § 9526.5	Nothing in this division shall be construed to require the disclosure by a filing office of any "official filing," if a "public filing" version of that record is available pursuant to Section 9526.5 of the Commercial Code.

PART 3. PROCEDURES AND RELATED MATTERS

CHAPTER 1. REQUEST FOR A PUBLIC RECORD

ARTICLE 1. GENERAL PRINCIPLES	
Section 7922.500 Agency not permitted to delay or obstruct inspection or copying of public records	Nothing in this division shall be construed to permit an agency to delay or obstruct the inspection or copying of public records.
Section 7922.505 Adoption of requirements for more efficient or greater access to records than prescribed by minimum standards	Except as otherwise prohibited by law, a state or local agency may adopt requirements for itself that allow for faster, more efficient, or greater access to records than prescribed by the minimum standards set forth in this division.
ARTICLE 2. PROCEDURAL REQUIREMENTS GENERALLY	
Section 7922.525 Inspection times and right to inspect a public record	(a) Public records are open to inspection at all times during the office hours of a state or local agency and every person has a right to inspect

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	any public record, exempted as otherwise provided. (b) Any reasonably segregable portion of a record shall be available for inspection by any person requesting the record after deletion of the portions that are exempted by law.
Section 7922.530 Agency response to records request; Use of requester's equipment to copy or reproduce record	(a) Except with respect to public records exempt from disclosure by express provisions of law, each state or local agency, upon a request for a copy of records that reasonably describes an identifiable record or records, shall make the records promptly available to any person upon payment of fees covering direct costs of duplication, or a statutory fee if applicable. Upon request, an exact copy shall be provided unless impracticable to do so. (b) A requester who inspects a disclosable record on the premises of the agency has the right to use the requester's equipment on those premises, without being charged any fees or costs, to photograph or otherwise copy or reproduce the record in a manner that does not require the equipment to make physical contact with the record, unless the means of copy or reproduction would result in either of the following: (1) Damage to the record. (2) Unauthorized access to the agency's computer systems or secured networks by using software, equipment, or any other technology capable of accessing, altering, or compromising the agency's electronic records. (c) The agency may impose any reasonable limits on the use of the requester's equipment that are necessary to protect the safety of the records or to prevent the copying of records from being an unreasonable burden to the orderly function of the agency and its employees. In addition, the agency may impose any limit that is necessary to maintain the integrity of, or ensure the long-term preservation of, historic or high-value records.
Section 7922.535 Timeline to respond to records request; Notice of determination; Extension	(a) Each agency, upon a request for a copy of records, shall, within 10 days from receipt of the request, determine

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	whether the request, in whole or in part, seeks copies of disclosable public records in the possession of the agency and shall promptly notify the person making the request of the determination and the reasons therefor. If the agency determines that the request seeks disclosable public records, the agency shall also state the estimated date and time when the records will be made available. (b) In unusual circumstances, the time limit prescribed in this article and Article 1 (commencing with Section 7922.500) may be extended by written notice from the head of the agency or a designee to the person making the request, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched. No notice shall specify a date that would result in an extension for more than 14 days. (c) As used in this section, "unusual circumstances" means the following, but only to the extent reasonably necessary to the proper processing of the particular request: (1) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request. (2) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records that are demanded in a single request. (3) The need for consultation, which shall be conducted with all practicable speed, with another agency having substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein. (4) The need to compile data, to write programming language or a computer program, or to construct a computer report to extract data.
Section 7922.540 Written response; Notification of denial	(a) A response to a written request for inspection or copies of public records that includes a determination that the

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	request is denied, in whole or in part, shall be in writing. (b) The notification of denial shall set forth the names and titles or positions of each person responsible for the denial. (c) An agency shall justify withholding any record by complying with Section 7922.000.
Section 7922.545 Posting of public records on agency website	(a) In addition to maintaining public records for public inspection during its office hours, a public agency may comply with Section 7922.525 by posting any public record on its internet website and, in response to a request for a public record posted on the internet website, directing a member of the public to the location on the internet website where the public record is posted. (b) However, if after the public agency directs a member of the public to the internet website, the member of the public requesting the public record requests a copy of the public record due to an inability to access or reproduce the public record from the internet website, the public agency shall promptly provide a copy of the public record pursuant to subdivision (a) of Section 7922.530.
ARTICLE 3. INFOMRAITON IN ELECTRONIC FORMAT	
Section 7922.570 Provision of public record in electronic format	(a) Unless otherwise prohibited by law, any agency that has information that constitutes an identifiable public record not exempt from disclosure pursuant to this division that is in an electronic format shall make that information available in an electronic format when requested by any person. (b) When applicable, the agency shall do the following: (1) The agency shall make the information available in any electronic format in which it holds the information. (2) The agency shall provide a copy of an electronic record in the format requested if the requested format is one that the agency has used to create copies for its own use or for provision to other agencies.

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	(c) If a request is for information in other than electronic format, and the information also is in electronic format, an agency may inform the requester that the information is available in electronic format.
Section 7922.575 Cost of electronic record duplication	(a) The cost of duplication of an electronic record pursuant to paragraph (2) of subdivision (b) of Section 7922.570 shall be limited to the direct cost of producing a copy of a record in an electronic format. (b) Notwithstanding subdivision (a), the requester shall bear the cost of producing a copy of the record, including the cost to construct a record, and the cost of programming and computer services necessary to produce a copy of the record when either of the following applies: (1) In order to comply with subdivisions (a) and (b) of Section 7922.570, the public agency would be required to produce a copy of an electronic record and the record is one that is produced only at otherwise regularly scheduled intervals. (2) The request would require data compilation, extraction, or programming to produce the record.
Section 7922.580 Limitations on making record available in electronic format	(a) Nothing in Section 7922.570 or 7922.575 shall be construed to require a public agency to reconstruct a record in an electronic format if the agency no longer has the record available in an electronic format. (b) Nothing in Section 7922.570 or 7922.575 shall be construed to permit an agency to make information available only in an electronic format. (c) Nothing in Section 7922.570 or 7922.575 shall be construed to require a public agency to release an electronic record in the electronic form in which it is held by the agency if its release would jeopardize or compromise the security or integrity of the original record or of any proprietary software in which it is maintained. (d) Nothing in Section 7922.570 or 7922.575 shall be construed to permit public access to records held by any agency

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	to which access is otherwise restricted by statute.
Section 7922.585 Computer software	(a) As used in this section, "computer software" includes computer mapping systems, computer programs, and computer graphics systems. (b) Computer software developed by a state or local agency is not itself a public record under this division. The agency may sell, lease, or license the software for commercial or noncommercial use. (c) This section shall not be construed to create an implied warranty on the part of the State of California or any local agency for errors, omissions, or other defects in any computer software as provided pursuant to this section. (d) Nothing in this section is intended to affect the public record status of information merely because it is stored in a computer. Public records stored in a computer shall be disclosed as required by this division. (e) Nothing in this section is intended to limit any copyright protections.
ARTICLE 4. DUTY TO ASSIST IN FORMULATING REQUEST	
Section 7922.600 Agency assistance in making request that reasonably describes identifiable records	(a) When a member of the public requests to inspect a public record or obtain a copy of a public record, the public agency, in order to assist the member of the public make a focused and effective request that reasonably describes an identifiable record or records, shall do all of the following, to the extent reasonable under the circumstances: (1) Assist the member of the public to identify records and information that are responsive to the request or to the purpose of the request, if stated. (2) Describe the information technology and physical location in which the records exist. (3) Provide suggestions for overcoming any practical basis for denying access to the records or information sought. (b) The requirements of paragraph (1) of subdivision (a) shall be deemed to have been satisfied if the public agency is unable to identify the requested information after making a reasonable effort to elicit additional clarifying

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	information from the requester that will help identify the record or records. (c) The requirements of subdivision (a) are in addition to any action required of a public agency by Article 1 (commencing with Section 7922.500) or Article 2 (commencing with Section 7922.525).
Section 7922.605 Applicability of article	This article shall not apply to a request for public records if any of the following applies: (a) The public agency makes the requested records available pursuant to Article 1 (commencing with Section 7922.500) and Article 2 (commencing with Section 7922.525). (b) The public agency makes an index of its records available. (c) The public agency determines that the request should be denied and bases that determination solely on an exemption listed in Section 7920.505.

CHAPTER 2. AGENCY REGULATIONS, GUIDELINES, SYSTEMS, AND SIMILAR MATTERS

Section 7922.630 Adoption of regulations on records availability procedure	Every agency may adopt regulations in accordance with this article stating the procedures to be followed when making its records available.
Section 7922.640 Consistency with division and legislative intent; May not limit hours for records inspection	(a) Guidelines and regulations adopted pursuant to this article shall be consistent with all other sections of this division and shall reflect the intention of the Legislature to make the records accessible to the public. (b) Guidelines and regulations adopted pursuant to this article shall not operate to limit the hours public records are open for inspection as prescribed in Article 1 (commencing with Section 7922.500) and Article 2 (commencing with Section 7922.525).
Section 7922.725 Effect of article on inspection or access to public records	(a) This article shall not be interpreted to limit a person's right to inspect public records pursuant to this division. (b) Nothing in this article shall be construed to permit public access to records held by an agency to which access is otherwise restricted by statute or to alter the process for requesting a public record, as set forth in this division.

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PART 4. ENFORCEMENT

CHAPTER 1. GENERAL PRINCIPLES

Section 7923.000 Injunctive or declarative relief, writ of mandate	Any person may institute a proceeding for injunctive or declarative relief, or for a writ of mandate, in any court of competent jurisdiction, to enforce that person's right under this division to inspect or receive a copy of any public record or class of public records.
Section 7923.005 Setting times for hearings and responsive pleadings	In a proceeding under Section 7923.000, the court shall set the times for hearings and responsive pleadings with the object of securing a decision as to the matters at issue at the earliest possible time.

CHAPTER 2. ENFORCEMENT PROCEDURES

ARTICLE 1. PETITION TO SUPERIOR COURT	
Section 7923.100 Order to disclose records or show cause for improperly withheld records	Whenever it is made to appear, by verified petition to the superior court of the county where the records or some part thereof are situated, that certain public records are being improperly withheld from a member of the public, the court shall order the officer or other person charged with withholding the records to disclose those records or show cause why that person should not do so.
Section 7923.105 Bases for decision	The court shall decide the case after the court does all of the following: (a) Examine the record in camera, if permitted by subdivision (b) of Section 915 of the Evidence Code. (b) Examine any papers filed by the parties. (c) Consider any oral argument and additional evidence as the court may allow.
Section 7923.110 Order to make record public; Return of record when refusal to disclose justified	(a) If the court finds that the public official's decision to refuse disclosure is not justified under Section 7922.000 or any provision listed in Section 7920.505, the court shall order the public official to make the record public. (b) If the court finds that the public official was justified in refusing to make the record public, the court shall return the record to the public official without disclosing its content, together with an order supporting the decision refusing disclosure.

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Section 7923.115 Costs and fees	a) If the requester prevails in litigation filed pursuant to this chapter, the court shall award court costs and reasonable attorney's fees to the requester. The costs and fees shall be paid by the public agency and shall not become a personal liability of the public official involved. (b) If the court finds that a requester's case pursuant to this chapter is clearly frivolous, the court shall award court costs and reasonable attorney's fees to the public agency. (c) This article does not limit a requester's right to obtain fees and costs pursuant to this section or any other law.
ARTICLE 2. WRIT REVIEW AND CONTEMPT	
Section 7923.500 Review of order	(a) An order of the court, either directing disclosure by a public official or supporting the decision of the public official refusing disclosure, is not a final judgment or order within the meaning of Section 904.1 of the Code of Civil Procedure from which an appeal may be taken, but shall be immediately reviewable by petition to the appellate court for the issuance of an extraordinary writ. (b) Upon entry of any order pursuant to this chapter, a party shall, in order to obtain review of the order, file a petition within 20 days after service upon the party of a written notice of entry of the order, or within a further time, not exceeding an additional 20 days, as the trial court may for good cause allow. (c) If the notice is served by mail, the period within which to file the petition shall be increased by five days. (d) A stay of an order or judgment shall not be granted unless the petitioning party demonstrates that the party will otherwise sustain irreparable damage and probable success on the merits. (e) Any person who fails to obey the order of the court shall be cited to show cause why that person is not in contempt of court.

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PART 5. SPECIFIC TYPES OF PUBLIC RECORDS

CHAPTER 8. LITIGATION RECORDS AND SIMILAR MATTERS

Section 7927.200 Pending litigation; Claim under Government Claims Act	Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any of the following records: (a) Records pertaining to pending litigation to which the public agency is a party, until the pending litigation has been finally adjudicated or otherwise settled. (b) Records pertaining to a claim made pursuant to Division 3.6 (commencing with Section 810), until the pending claim has been finally adjudicated or otherwise settled.
Section 7927.205 Legal memoranda submitted to state body or legislative body during pending litigation	Nothing in this division or any other provision of law requires disclosure of a memorandum submitted to a state body or to the legislative body of a local agency by its legal counsel pursuant to subdivision (e) of Section 11126 or Section 54956.9 until the pending litigation has been finally adjudicated or otherwise settled. The memorandum is protected by the attorney work-product privilege until the pending litigation has been finally adjudicated or otherwise settled.

CHAPTER 11. PRELIMINARY DRAFTS AND SIMILAR MATERIALS

Section 7927.500 Preliminary drafts, notes, or interagency or intraagency memoranda not retained by public agency in ordinary course of business	Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of any preliminary drafts, notes, or interagency or intraagency memoranda that are not retained by a public agency in the ordinary course of business, if the public interest in withholding those records clearly outweighs the public interest in disclosure.

CHAPTER 13. PRIVATE RECORDS, PRIVILEGED MATERIALS, AND OTHER RECORDS PROTECTED BY LAW FROM DISCLOSURE

Section 7927.700 Disclosure of personnel, medical, or similar files as unwarranted invasion of personal privacy	Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.

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Section 7927.705 Records exempted or prohibited pursuant to federal or state law	Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of records, the disclosure of which is exempted or prohibited pursuant to federal or state law, including, but not limited to, provisions of the Evidence Code relating to privilege.

CHAPTER 14. PUBLIC EMPLOYEE OR OFFICIAL

ARTICLE 4. PERSONAL INFORMATION OF AGENCY EMPLOYEE	
Section 7928.300 Personal information of public agency employee; Removal of personal information from agency mailing list upon written request	(a) The home addresses, home telephone numbers, personal cellular telephone numbers, and birthdates of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as follows: (1) To an agent, or a family member of the individual to whom the information pertains. (2) To an officer or employee of another public agency when necessary for the performance of its official duties. (3) To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, except that the home addresses and any phone numbers on file with the employer of employees performing law enforcement-related functions, and the birthdate of any employee, shall not be disclosed. (4) To an agent or employee of a health benefit plan providing health services or administering claims for health services to public agencies and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents. (b) (1) Unless used by the employee to conduct public business, or necessary to identify a person in an otherwise disclosable communication, the personal email addresses of all employees of a public agency shall not be deemed to be public records and shall not be open to public inspection, except that disclosure of that information may be made as

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	specified in paragraphs (1) to (4), inclusive, of subdivision (a). (2) This subdivision shall not be construed to limit the public's right to access the content of an employee's personal email that is used to conduct public business, as decided by the Supreme Court in City of San Jose v. Superior Court (2017) 2 Cal.5th 608. (c) Upon written request of any employee, a public agency shall not disclose the employee's home address, home telephone number, personal cellular telephone number, personal email address, or birthdate pursuant to paragraph (3) of subdivision (a) and an agency shall remove the employee's home address, home telephone number, and personal cellular telephone number from any mailing list maintained by the agency, except if the list is used exclusively by the agency to contact the employee.
ARTICLE 5. EMPLOYMENT CONTRACTS OF GOVERNMENT EMPLOYEES AND RELATED MATTERS	
Section 7928.400 Employment contracts as public record	Every employment contract between a state or local agency and any public official or public employee is a public record that is not subject to Section 7922.000 and the provisions listed in Section 7920.505.
Section 7928.410 Local public employee organizations records relating to certain work product or employee instruction	(a) Except as provided in Sections 7924.510, 7924.700, and 7929.610, this division does not require the disclosure of records of local agencies related to activities governed by Chapter 10 (commencing with Section 3500) of Division 4, that reveal a local agency's deliberative processes, impressions, evaluations, opinions, recommendations, meeting minutes, research, work products, theories, or strategy, or that provide instruction, advice, or training to employees who do not have full collective bargaining and representation rights under that chapter. (b) This section shall not be construed to limit the disclosure duties of a local agency with respect to any other records relating to the activities governed by the employee relations act referred to in this section.

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CHAPTER 15. PUBLIC ENTITY SPENDING, FINANCES, AND OVERSIGHT

ARTICLE 1. ACCESS IN GENERAL	
Section 7928.700 Contract requiring private entity to review, audit, or report on contracting agency	Notwithstanding any contract term to the contrary, a contract entered into by a state or local agency subject to this division, including the University of California, that requires a private entity to review, audit, or report on any aspect of that agency shall be public to the extent the contract is otherwise subject to disclosure under this division.
Section 7928.705 Real estate appraisals or engineering or feasibility estimates and evaluations related to acquisition of property, or to prospective public supply and construction contracts	(a) Except as provided in subdivision (b) and in Sections 7924.510, 7924.700, and 7929.610, this division does not require disclosure of the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by a state or local agency relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained. (b) This section does not affect the law of eminent domain.
Section 7928.710 Records of alternative investments for public investment funds	(a) For purposes of this section, the following definitions apply: (1) “Alternative investment” means an investment in a private equity fund, venture fund, hedge fund, or absolute return fund. (2) “Alternative investment vehicle” means the limited partnership, limited liability company, or similar legal structure through which the public investment fund invests in portfolio companies. (3) “Portfolio positions” means individual portfolio investments made by the alternative investment vehicles. (4) “Public investment fund” means any public pension or retirement system, any public endowment or foundation, or a public bank, as defined in Section 57600, or the venture capital program pursuant to Article 12 (commencing with Section 63089.99) of Chapter 6 of Division 1 of Title 6.7 of the Government Code. (b) Notwithstanding any provision of this division or other law, the following records regarding alternative investments in which public investment funds invest are not subject

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	to disclosure pursuant to this division, unless the information has already been publicly released by the keeper of the information: (1) Due diligence materials that are proprietary to the public investment fund or the alternative investment vehicle. (2) Quarterly and annual financial statements of alternative investment vehicles. (3) Meeting materials of alternative investment vehicles. (4) Records containing information regarding the portfolio positions in which alternative investment funds invest. (5) Capital call and distribution notices. (6) Alternative investment agreements and all related documents. (c) Notwithstanding subdivision (b), the following information contained in records described in subdivision (b) regarding alternative investments in which public investment funds invest is subject to disclosure pursuant to this division and shall not be considered a trade secret exempt from disclosure: (1) The name, address, and vintage year of each alternative investment vehicle. (2) The dollar amount of the commitment made to each alternative investment vehicle by the public investment fund since inception. (3) The dollar amount of cash contributions made by the public investment fund to each alternative investment vehicle since inception. (4) The dollar amount, on a fiscal year-end basis, of cash distributions received by the public investment fund from each alternative investment vehicle. (5) The dollar amount, on a fiscal year-end basis, of cash distributions received by the public investment fund plus remaining value of partnership assets attributable to the public investment fund's investment in each alternative investment vehicle. (6) The net internal rate of return of each alternative investment vehicle since inception. (7) The investment multiple of each alternative investment vehicle since inception. (8) The dollar amount of the total management fees and costs paid on an annual fiscal year-

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	end basis, by the public investment fund to each alternative investment vehicle. (9) The dollar amount of cash profit received by public investment funds from each alternative investment vehicle on a fiscal year-end basis.
Section 7928.715 Unique identifying code for vendor or contractor or affiliate of vendor or contractor	Nothing in this division requires disclosure of an identification number, alphanumeric character, or other unique identifying code that a public agency uses to identify a vendor or contractor, or an affiliate of a vendor or contractor, unless the identification number, alphanumeric character, or other unique identifying code is used in a public bidding or an audit involving the public agency.
Section 7928.720 Itemized statement of total agency expenditures and disbursements	Notwithstanding Sections 7920.510, 7920.515, 7920.520, 7920.530, 7920.540, and 7920.545, and subdivision (a) of Section 7920.525, an itemized statement of the total expenditures and disbursements of any agency provided for in Article VI of the California Constitution shall be open for inspection.
ARTICLE 2. REQUIREMENTS SPECIFIC TO ONLINE ACCESS	
Section 7928.801 Public record of contracts	(a) Any executed contract for the purchase of goods or services by a state or local agency, including the price and terms of payment, is a public record subject to disclosure under this division. (b) Any provision in a written agreement that purports to exclude a contract specified in subdivision (a) from disclosure by agreeing to consider it a confidential or proprietary record of the vendor is void and unenforceable as a matter of law. (c) This section does not require disclosure of a record that is otherwise exempt from disclosure or prohibited from disclosure pursuant to federal or state law.

CHAPTER 19. TEST MATERIALS, TEST RESULTS, AND RELATED MATTERS

Section 7929.605 Test questions, scoring keys, and other examination data used to administer licensing examination, examination for employment, or academic examination	Except as provided in Sections 7924.510, 7924.700, and 7929.610, and in Chapter 3 (commencing with Section 99150) of Part 65 of Division 14 of Title 3 of the Education Code, this division does not require disclosure of test questions, scoring keys, and other examination data used to administer a licensing

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	examination, examination for employment, or academic examination.

PART 6. OTHER EXEMPTIONS FROM DISCLOSURE

CHAPTER 1. INTRODUCTORY PROVISIONS

Section 7930.000 Legislative intent; Effect of listed statutes and constitutional provisions	(a) It is the intent of the Legislature to assist members of the public and state and local agencies in identifying exemptions to the California Public Records Act. It is the intent of the Legislature that, after January 1, 1999, each addition or amendment to a statute that exempts any information contained in a public record from disclosure pursuant to Section 7927.705 shall be listed and described in Chapter 2 (commencing with Section 7930.100) pursuant to a bill authorized by a standing committee of the Legislature to be introduced during the first year of each session of the Legislature. (b) The statutes and constitutional provisions listed in Chapter 2 (commencing with Section 7930.100) may operate to exempt certain records, or portions thereof, from disclosure. The statutes and constitutional provisions listed and described may not be inclusive of all exemptions. The listing of a statute or constitutional provision in Chapter 2 (commencing with Section 7930.100) does not itself create an exemption. Requesters of public records and public agencies are cautioned to review the applicable statute or constitutional provision to determine the extent to which it, in light of the circumstances surrounding the request, exempts public records from disclosure.

PART 7. OPERATIVE DATE OF DIVISION

Section 7931.000 Operative date of division	This division shall become operative on January 1, 2023.

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