

**ASSEMBLY BILL**

**No. 2853**

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**Introduced by Assembly Member Gatto**

February 19, 2016

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An act relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 2853, as introduced, Gatto. Public records.

The California Public Records Act defines the term “public record,” for purposes of that act, to mean 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.

This bill would express the intent of the Legislature to subsequently amend this bill to include provisions that would clarify that the term “public record,” for purposes of that act, includes those writings kept on the private cellular phone or other electronic device of an elected official, official, or employee or a public agency if those records relate to the public’s business.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. It is the intent of the Legislature to subsequently
- 2 amend this bill to include provisions that would clarify that the
- 3 term “public record,” for purposes of the California Public Records
- 4 Act, includes those writings kept on the private cellular phone or

**AB 2853**

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- 1 other electronic device of an elected official, official, or employee
- 2 or a public agency if those records relate to the public's business.

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