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An act to amend Section 1524.4 of the Penal Code, relating to law enforcement.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1524.4 of the Penal Code is amended to read:

1524.4. (a) This section applies to a service provider that is subject to the Electronic Communications Privacy Act (Chapter 3.6 (commencing with Section 1546)) and that operates in California. This section does not apply to a service provider that does not offer services to the general public.

(b) (1) Every service provider described in subdivision (a) shall maintain a law enforcement contact process that meets the criteria set forth in paragraph (2).

(2) Every service provider described in subdivision (a) shall ensure, at a minimum, that its law enforcement contact process meets all of the following criteria:

(A) Provides a specific contact mechanism for law enforcement personnel.

(B) Provides continual availability of the law enforcement contact process.

(C) Provides a method to provide status updates to a requesting law enforcement agency on a request for assistance.

(3) Every service provider described in subdivision (a) shall, by July 1, 2017, file a statement with the Attorney General describing the law enforcement contact process maintained pursuant to paragraph (1). If a service provider makes a material change to its law enforcement contact process, the service provider shall, as soon as practicable, file a statement with the Attorney General describing its new law enforcement contact process.

(c) The Attorney General shall consolidate the statements received pursuant to this section into one discrete record and regularly make that record available to local law enforcement agencies.



(d) The exclusive remedy for a violation of this section shall be an action brought by the Attorney General for injunctive relief. Nothing in this section shall limit remedies available for a violation of any other state or federal law.

(e) A statement filed or distributed pursuant to this section is confidential and shall not be disclosed pursuant to any state law, including, but not limited to, the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(f) The requirement of subdivision (c) shall be effective only upon appropriation of sufficient funds by the Legislature to the Attorney General.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, \_\_\_\_\_.

General Subject: Law enforcement contact process: service providers.

Existing law requires a service provider, as specified, to maintain a law enforcement contact process that meets specified criteria. Existing law requires a service provider, by July 1, 2017, to file a statement with the Attorney General describing its law enforcement contact process. Existing law requires the Attorney General to consolidate these statements into one discrete record and regularly make that record available to local law enforcement agencies.

This bill would make the Attorney General's duty described above effective only upon appropriation of sufficient funds by the Legislature to the Attorney General.

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



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