

10-2000

## Legislative Summary - 2000 Session

Assembly Committee on Information Technology

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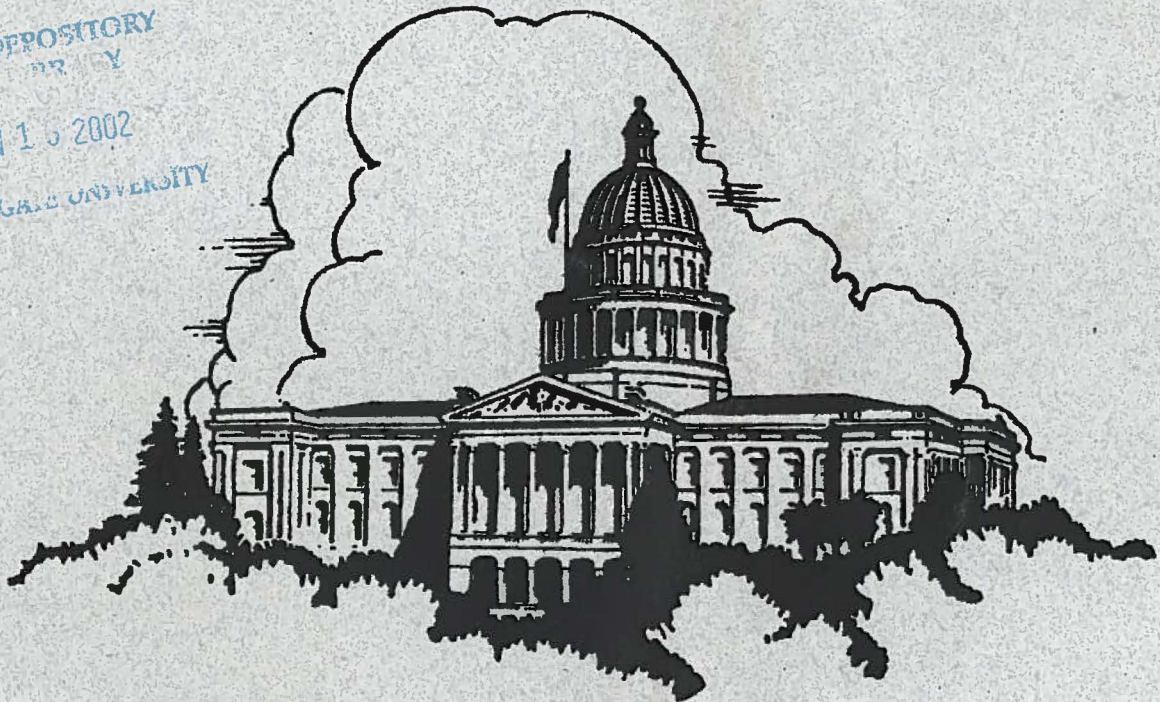
*LEGISLATIVE SUMMARY*  
*2000 SESSION*

**ASSEMBLY COMMITTEE ON  
INFORMATION TECHNOLOGY**

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**Patricia C. Bates, Vice-Chair**

**Elaine Alquist**

**Mike Briggs**

**Denise Moreno Ducheny**

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2000





# California Legislature

## Assembly Committee on Information Technology

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Committee Secretary

October 5, 2000

Enclosed is a summary of legislation assigned to the Assembly Information Technology Committee. The summary includes a brief description of all chaptered and vetoed legislation, as well as legislation that was not forwarded to the Governor.

The summaries in this report reflect the last version of each bill as it related to the jurisdiction of the Assembly Committee on Information Technology. Should the reader require additional information on a particular bill, or else prior or later versions of any bill, I would recommend visiting the Assembly website at [www.assembly.ca.gov](http://www.assembly.ca.gov).

Having spent much of last year setting into place, and then overseeing, state preparations for the Y2K challenge, the Assembly Committee on Information Technology devoted much of the actual year 2000 crafting legislation to bring government more thoroughly into the Internet Age.

If you would like further information regarding this summary or the activities of the Committee, please contact the Committee at (916) 319-3945.

Sincerely,



John A. Dutra

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**COMMITTEE ON INFORMATION TECHNOLOGY  
LEGISLATION FOR 2000**

**BILLS SENT TO THE GOVERNOR**

***ASSEMBLY BILLS***

AB 1684 (Committee on Information Technology) Public contracts. (2 year bill)

Makes various substantive and clarifying changes to the Public Contract Code relative to the procurement of materials, supplies, equipment, information technology, and services.

*Status: Chapter 918; September 29, 2000*

AB 1759 (Papan) Public records: Internet reports.

Would have required every state agency that maintains an Internet site to make available on the site a list of reports prepared by that state agency that are subject to disclosure under the California Public Records Act.

*Status: Vetoed; September 10, 2000*

AB 1784 (Lempert) Tax Freedom Act: continuation.

Provides that the California Internet Tax Freedom Act becomes inoperative on January 1, 2005.

*Status: Chapter 618; September 24, 2000*

AB 2109 (Bates) Orange County Transportation Authority: Santa Clara Valley Transportation Authority: electronic bidding on contracts.

Authorizes the Orange County Transportation Authority and the Santa Clara Valley Transportation Authority, until January 1, 2004, to accept bids for construction contracts that are presented by means of electronic bidding through the Internet and under sealed cover, as specified. Also requires the California Research Bureau, on or before January 1, 2003, after consultation with each of the authorities, to prepare and submit to the Legislature a separate report with regard to each authority on the effectiveness of the specified electronic bidding process.

*Status: Chapter 526; September 19, 2000*

AB 2251 (Cox) Insurance: advertising: Internet

Requires insurance companies and insurance agents and brokers who advertise on the Internet to disclose their name, state, and license number.

*Status: Chapter 211; August 8, 2000*

AB 2282 (Davis) Public records: resolution of enforcement actions.

Requires the California Environmental Protection Agency (CalEPA), and specified entities within the agency, to display final enforcement orders on the entity's Internet website for at least one year if the order is a public record that is not exempt from disclosure under the Public Records Act. Specifies when an order is final for purposes of the bill and requires CalEPA to oversee implementation. This bill becomes operative April 1, 2001.

*Status: Chapter 783; September 27, 2000*

AB 2304 ((Davis) State contracts: personal and consulting services.

Combines currently separate statutes governing consulting services and personal services contract procedures as specified.

*Status: Chapter 759; September 27, 2000*

AB 2704 (Cunneen) Unsolicited electronic mail advertisements.

Would have provided that, if certain procedural requirements are satisfied, registration with the Attorney General shall be deemed to satisfy the notice requirement under existing law, which requires a service provider to establish in any lawsuit regarding a violation of its unsolicited electronic mail advertising policy, that the service provider provided the defendant with notice of the policy prior to the alleged violation.

*Status: Vetoed; September 11, 2000*

AB 2817 (Honda) Information technology: innovation projects grant program.

Establishes the " Information Technology Innovation Grants Program " for the purpose of awarding grants to state agencies to fund innovative information technology projects.

*Status: Chapter 608; September 24, 2000*

AB 2935 (Committee on Information Technology) Government records.

Permits counties to use new information processing technologies to record, maintain, and store records and other documents.

*Status: Chapter 924; September 29, 2000*

## ***SENATE BILLS***

SB 20 (Figueroa) Education technology grant program.

Would have revised the Digital High Schools Act of 1997 to make high schools established after October 6, 2000, eligible for technology support and staff training.

*Status: Vetoed; September 22, 2000*

SB 1319 (Burton) Unfair business practices: cyber piracy.

Declares that it is an unfair business practice to register, traffic in, or use a domain name that is identical or confusingly similar to the personal name of another living person or deceased personality, with bad faith intent and without regard to the goods or services of the parties. Establishes a non-exclusive list of factors, which a court could use to determine whether registration was done in bad faith. Does not apply to domain name registrars or registries, and excludes domain names connected to works of authorship, including, but not limited to, fictional or non-fictional entertainment, and dramatic, literary, audiovisual, or musical works.

*Status: Chapter # 218; August 22, 2000*

SB 1874 (Johnson) On-line campaign disclosure.

Would have required the Secretary of State (SOS) to provide free access to Internet online forms and to free software that can be used to satisfy requirements for online or electronic filing of campaign reports.

*Status: Vetoed, September 28, 2000*

SB 1889 (Figueroa) Internet: licensee information.

Requires specified entities within the Department of Consumer Affairs and the Department of Real Estate, by July 1, 2001, to disclose information about their licensees on the Internet. The information is to include the status of licenses and the addresses of record of licensees. Allows licensees to provide an alternative address, instead of a home address, for posting on the Internet.

*Status: Chapter 927; Statutes of 2000*

SB 1933 (Vasconcellos) California Commission on Tax Policy in the New Economy.

Establishes, until January 1, 2004, the California Commission on Tax Policy in the New Economy. The California Commission on Tax Policy in the New Economy will (1) examine the impact of Internet and other forms of electronic technology on various types of taxes, and (2) be required to submit a report to the Governor and the Legislature on its findings.

*Status: Chapter 619; September 24, 2000*

SB 2108 (Karnette) Campaign statements: online disclosure

Prohibits bank account numbers required to be disclosed in campaign statements shall not be made available on the Internet.

*Status: Chapter 319; September 7, 2000*

SCR 76 (Vasconcellos) Elias Cortez and the Department of Information Technology Staff

Congratulates and commends Elias Cortez, the Director of Information and Technology, and his staff for his and their contribution to California and its citizens and encourages Mr. Cortez to direct his talents and his staff toward future information technology challenges.

*Status: Chapter 131; September 12, 2000*

## **BILLS NOT APPROVED BY THE LEGISLATURE**

### ***ASSEMBLY BILLS***

AB 882 (Alquist) Department of Information Technology. (2 year bill)

Would have required the Department of Information Technology (DOIT) to reference inventories developed in order to complete Year 2000 Problem remediation work when it reviews the reports and evaluations associated with new information technology projects. *Information Technology Committee, February 3, 2000, Filed with the Chief Clerk pursuant to Joint Rule 56. Died pursuant to Art. IV, Sec. 10(c) of the Constitution.*

AB 1793 (Wayne) Internet privacy.

Stated legislative intent to protect the privacy of Internet users, at risk due to the widespread collection and distribution of personally identifying information for marketing and other purposes. Also indicated that such practices infringe the right to privacy guaranteed to all citizens of California in the state Constitution and states that "It is therefore the intent of the Legislature to enact legislation to protect the privacy of Internet users." *Assembly Consumer Protection and Economic Development Committee, May 2, 2000, hearing canceled at the request of author.*

AB 2100 (Dutra) California Electronic Government and Information Act.

Would have required the Department of Information Technology (DOIT) to oversee the development and maintenance of a single state Internet portal, repeals provisions requiring the posting of specified information on the Internet by state agencies and departments, and would have required the Director of DOIT to convene an Electronic Government Task Force. *Assembly Consumer Protection and Economic Development, May 16, 2000, hearing canceled at the request of the author.*

AB 2163 (Cunneen) Information technology.

Would have made various changes to the Department of Information Technology's authorizing statute, requiring the issuance of digital identification by the Department of Motor Vehicles, and also would have provided various tax credits to Internet service providers. *Assembly Information Technology Committee, April 13, 2000, held in committee.*

AB 2188 (Baldwin) Sales and Use Taxes: Internet Exemption

Would have provided a state and local sales and use tax exemption for all purchases made over the Internet. *Assembly Revenue and Taxation Committee, May 23, 2000, held under submission in committee.*

AB 2196 (Briggs) San Joaquin economic growth projects: funding.

Would have appropriated \$7.5 million from the General Fund to three entities to encourage economic growth in the San Joaquin Valley. *Assembly Appropriation, May 24, 2000, held under submission in committee.*

AB 2542 (Baldwin) Prisoners: release dates: public information.

Would have required the California Department of Corrections (CDC) to post on the Internet, on a quarterly basis, statistical information regarding the total number of parolees and subtotaled number of parolees compiled on the basis of the category of criminal offenses for which they are serving parole on the basis of the zip code of the address of the residence or temporary domicile of the parolee. *Assembly Public Safety Committee, June 20, 2000, failed passage.*

AB 2598 (Battin) Sex Offenders: internet directory.

Would have directed the Department of Justice (DOJ) to create and maintain an Internet site that lists persons required to register as sex offenders and requires each Internet file to include the offender's name, date of birth, photo, distinguishing characteristics, city, county and zip code. Would have deleted the January 1, 2001 sunset on law requiring the DOJ to provide local law enforcement with registered sex offender information via CD-ROM and a 900 phone number (Megan's Law). *Senate Education, August 18, 2000, held in committee.*



AB 2702 (Cunneen) Vehicles: Internet: special interest license plates.

Would have required the Department of Motor Vehicles to issue a special interest license plate to fund Internet educational programs. *Senate Appropriation, July 7, 2000, held under submission in committee.*

AB 2772 (International Trade Committee) relating to Trade and Commerce.

Would have appropriated up to \$150,000 to Trade and Commerce Agency (TCA) to implement a pilot project for the establishment of statewide public-private trade development alliance. *Senate Finance, Investment and Trade and Commerce, August 10, 2000, failed passage.*

AB 2936 (Committee on Information Technology) Department of Information Technology and state data centers.

Would have made permanent the department of Information Technology and the Hawkins Teale, and Health & Welfare data centers. *Senate Appropriations, August 23, 2000, hearing postponed by committee.*

AJR 41 (Pacheco) Electronic Commerce: taxation.

Would have memorializes the President and Congress to act favorably on legislation pertaining to the indefinite extension of the Internet Tax Freedom Act of 1998, provided the legislation does not prohibit the imposition of existing nondiscriminatory taxes. Also memorializes the President to seek a permanent global ban on tariffs on e-commerce and an international ban on special, multiple, and discriminatory taxation of e-commerce and the Internet. *Assembly Revenue and Taxation Committee, August 22, 2000, held in committee.*

## ***SENATE BILLS***

SB 1502 (Kelley) Touch Screen Voting.

Would have provided for a countywide touch screen voting demonstration project in Riverside County during the November 7, 2000, statewide general election. *Assembly Appropriation, August 25, 2000, held under submission.*

SB 1833 (Schiff) Law enforcement technology: Institute for Criminal Justice Technology

Would have created the Institute for Criminal Justice Technology within the Office of Criminal Justice Planning (OCJP) to review and evaluate available and emerging technologies with law enforcement applications. *August 25, 2000, Assembly Second Reading.*