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Orange County Sanitation District

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June 10, 2019

The Honorable Todd Gloria
California State Assembly Member
State Capitol, Room 2176
Sacramento, CA 95814

RE: AB 1184 (Gloria): Oppose

Dear Assembly Member Gloria:

The Orange County Sanitation District (OCSD, Sanitation District) respectfully opposes Assembly Bill (AB) 1184, which will require all public agencies to maintain all transmitted emails for at least two years.

OCSD supports the goal of public transparency in local governments; however, the restrictions provided in AB 1184 are too demanding. Currently, local governments are allowed to destroy or dispose of duplicate records that are less than two years old when they are no longer required by the public agency. Changing this to force public agencies to keep all electronic correspondence regardless of what type of record it is and subject matter for two years will be costly and logistically challenging.

As currently drafted, this is not a transparency bill, it is a data storage bill. This bill places an unfunded mandate on public agencies by amending the California Public Records Act (CPRA) to store every transmitted email for at least two years. This bill creates no new disclosures or exemptions of records. The public will have no greater access to public records, nor will they have less. This bill only requires public agencies to spend money on data storage, and by placing the provision in the CPRA, the State will avoid constitutional requirements to reimburse public agencies for the data costs associated with the higher level of service required by the bill.

The Sanitation District should be allowed to determine what information it keeps, with respect to the CPRA, and should be able to maintain local control to adopt records retention policies.

For these reasons, the Orange County Sanitation District must respectfully oppose AB 1184.

Thank you for your consideration of our concerns.

Sincerely,

David John Shawver
Board Chairman

CC: Orange County Legislative Delegation

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