



COUNTY OF MENDOCINO

Board of Supervisors

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June 13, 2025

The Honorable Thomas Umberg
Chair, Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, CA 95814

RE: AB 1337 (Ward): Information Practices Act of 1977
As amended May 23, 2025 – OPPOSE

Dear Chair Umberg,

On behalf of Mendocino County, we want to express our opposition to AB 1337 (Ward). This bill proposes to apply the Information Practices Act of 1977 (IPA) in its entirety to all 58 counties, 483 cities, over 1,000 school districts, county offices of education, approximately 2,200 independent special districts, as well as hundreds of joint powers authorities (JPAs), regional bodies, and other public agencies.

Recent amendments to the bill introduce several changes to the IPA itself, raising new questions about how state and local agencies will be able to continue operating various programs effectively. This proposed change is costly and unnecessary, and could potentially jeopardize the delivery of essential services to our communities and students.

Expands Legal Liability for State and Local Agencies

Recent amendments could severely limit data sharing between local governments and the state, potentially exposing state and local agencies to legal liability for routine actions. In addition to applying the program to local agencies, the bill would revise the IPA in several ways. The bill would amend Civil Code § 1798.24 to prohibit disclosure of any personal information that "could" link the information to an individual, rather than the current standard that prohibits disclosure of information that "would" link to an individual. This change alone is a dramatic revision to the IPA.

The bill proposes further revisions aimed at exposing public agencies to even greater liability. The proposed change to Civil Code § 1798.55 would expose public employees to discipline for "negligent" violations of the act, a broad expansion of the current standard for "intentional" violations. Additionally, the proposed change to Civil Code § 1798.57 would expose agencies to misdemeanors even if there is no economic loss or personal injury due to a disclosure. At a time when public agencies are facing workforce recruitment and retention challenges, now is not the time to expose public employees to legal liabilities arising from compliance with a law that is suddenly imposed upon them.

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Complicates and Could Prohibit Necessary Data Sharing

The proposed amendments to Civil Code § 1798.24(d) & (e) would prohibit government agencies from sharing data with other government agencies unless it "furthers the purpose" for which the data were collected. It is not clear what this provision could mean for a variety of public programs that rely on the sharing of data that may not necessarily "further the purpose" for which the data were obtained. For example, California jury pools are fed by county voter registration rolls and lists provided by the Department of Motor Vehicles (DMV).

When an individual registers to vote, the purpose for which they provide their data is to register to vote, not to join a jury selection pool. If AB 1337 were to pass, county election offices and the DMV would likely need to overhaul their data management practices, update forms, revise policies and procedures, and train staff, among other changes that would be expensive for state and local governments. Furthermore, it is unclear whether this change would address any real-world problems faced by Californians. Instead, it could make the government less efficient and increase the cost of providing essential services. This is just one example of how AB 1337 could significantly complicate the work of state and local governments without providing a clear benefit to the public. We are continuing to evaluate and analyze the numerous government services that could be endangered or rendered less efficient and more expensive due to this law, including CalAIM, Medi-Cal for justice-involved individuals, and any other recent initiative that relies on cross-agency data sharing and coordination.

Hampers Abilities to Respond to Unlawful Activity

Additionally, the proposed law would severely restrict a public agency's ability to respond to a criminal act. The proposed amendments to Civil Code § 1798.24(l) & (o) would remove longstanding exceptions to the act that allow disclosures in response to a search warrant or to aid an investigation into unlawful activity. This change would put agencies in an absurd position when they know a member of the public implicated in a crime. If this law were to take effect, agencies would have to obtain permission from an accused individual before they could share identifying information needed to aid an investigation or fulfill a search warrant.

Imposes Expensive Requirements on Local Agencies, with No Time or Resources

The bill, in its current form, does not account for the vast technical effort required for thousands of agencies to come into compliance. The effort would certainly require technological changes, including, in many cases, new equipment, coding for proprietary systems, and software purchases.

The Act was not designed with local agencies in mind and is peppered with requirements that do not make sense in that context. The application of the IPA to local agencies would not only require time and staff capacity but also significant financial resources that are not provided in the bill. AB 1337 imposes a state mandate by requiring a new program for data management and a higher level of service to everyone whose personal information local agencies receive from any source. State mandates require reimbursement to local agencies and, in this case, could total many millions of dollars just for the initial implementation, not including the ongoing support needed to sustain compliance. Sufficient and sustainable resources must accompany the application of the IPA to local agencies.

Local agencies and schools are already required to comply with a variety of state and federal data privacy laws that address specific programs administered by counties, including the Health Insurance Portability and Accountability Act (HIPAA) and Confidentiality of Medical Information Act (CMIA) for Medi-Cal beneficiaries and those receiving care at public hospitals; CA Penal Code § 111675 for case records related to child protective services claims, and, for school districts, the Family Educational Rights and Privacy Act (FERPA). There are also numerous labor laws in place to protect the confidentiality of information about employees and officials who serve in positions that may be targeted based on their job duties. Local agencies have already established policies and procedures to comply

with these laws. We continue to question the need for this bill and doubt that any potential benefits from it are worth the cost and effort required to comply with it.

To add to these challenges, the bill allows state and local agencies little time to prepare for compliance. Because the bill would take effect January 1, 2026, and because state and local agencies may not know if the bill will become law until the Governor's October 2025 deadline to sign or veto bills, local agencies could have fewer than three months to prepare for compliance with the IPA.

Finally, Section 17 of the bill asserts that no reimbursement is required by the act, suggesting that the only state-mandated activity directed by the bill is due to adjustments to a crime or infraction. We believe the language is inappropriate and should be amended to declare that the bill would establish a new mandate reimbursable under state law, as the bill mandates a new activity by local agencies: compliance with the IPA, which requires significant changes to software, internal practices, and duties of local agency workforces.

For the reasons above, we must respectfully oppose AB 1337 and urge your "no" vote.

Sincerely,



John Haschak, Chair
Mendocino County Board of Supervisors

cc: The Honorable Chris Ward, Member, California State Assembly
Members and Consultants, Senate Judiciary Committee
Margie Estrada, Chief Counsel, Senate Judiciary Committee
Morgan Branch, Senate Republican Caucus
The Honorable Mike McGuire, Member of the California State Senate
The Honorable Chris Rogers, Member of the California State Assembly