



## LAW UPDATE SCHOOL BUSINESS

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### AB 473 - CALIFORNIA PUBLIC RECORDS RECODIFICATION EFFECTIVE JANUARY 1, 2023

The California Public Records Act (CPRA) was originally enacted in 1968. The CPRA is premised on the principle that "access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state." Since 1968, the CPRA has been modified and revised numerous times. This has resulted in a statute that is poorly organized and cumbersome for the public to use and understand, impeding fulfillment of the goals underlying the CPRA. Assembly Bill 473 (AB 473) sought to streamline the CPRA into a more user-friendly act, without changing the substance. In October 2021, Governor Gavin Newsom agreed with the proposed reorganization and signed AB 473 into law (operative January 1, 2023).

Effective January 1, 2023, the text of the CPRA is now located at Government Code section 7931.000 et seq. (formerly section 6254). The recodification is purely administrative (having no substantive or legal effect), and accomplishes the following seven objectives:

- 1) Reduces the length and complexity of current sections.
- 2) Avoids unnecessary cross-references.
- 3) Neither expands nor contracts the scope of existing exemptions to the general rule that records are open to the public pursuant to the current provisions of the CPRA.
- 4) To the extent compatible with Item 3 uses terms with common definitions.
- 5) Organizes the existing provisions in such a way that similar provisions are located in close proximity to one another.
- 6) Eliminates duplicative provisions.
- 7) Clearly expresses legislative intent without any change in the substantive provisions.

The California Law Revision Commission website has a complete disposition table to use to find a new code section which can be found here: <http://clrc.ca.gov/pub/Printed-Reports/Pub241-G400-Disposition.pdf>.

Please update your templates and CPRA responses to now cite to the new statute. Nevertheless, citing an old statute in a CPRA response isn't a problem. AB 473 states that if you cite a previously existing provision restated in the new section, it shall be a reference to the new provision.

Our office is available to assist with any questions related to the CPRA. Please contact our office as needed for assistance.

~ Mark E. Pafford

*School Business Law Updates are intended to alert clients to developments in legislation, opinions of courts and administrative bodies and related matters. They are not intended as legal advice in any specific situation. Please consult legal counsel as to how the issue presented may affect your particular circumstances.*