

Date of Hearing: April 8, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1652 (Patterson) – As Introduced January 28, 2026

Policy Committee: Judiciary

Vote: 12 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill prohibits executive branch officials from signing nondisclosure agreements (NDAs) regarding the negotiation of legislation or regulations and voids any such future NDAs

**FISCAL EFFECT:**

Minor and absorbable administrative costs to state agencies for compliance and legal review.

**COMMENTS:**

- 1) **Background.** Nondisclosure agreements (NDAs) are contractual provisions that require parties to keep specified information confidential and generally prohibit disclosure to individuals outside the agreement. In recent years, the Legislature has considered several measures to limit the use of confidentiality provisions that conceal misconduct or restrict public disclosure of matters involving public concern. While NDAs may serve legitimate purposes, their use in the public policymaking process raises transparency concerns, particularly where such agreements may limit public access to information or undermine the state's open government laws.

This bill would extend similar restrictions previously enacted for the legislative branch to the executive branch. Specifically, the bill would prohibit elective or appointive officers of state agencies, when acting in their official capacity, from entering into or requesting nondisclosure agreements related to the drafting, negotiation, or discussion of proposed legislation or regulations. Any such agreement entered into after the bill's effective date would be void and unenforceable as a matter of public policy. The bill provides a narrow exception allowing nondisclosure agreements that protect trade secrets, private financial information, or other proprietary information. In practice, this prohibition would apply to executive branch officials involved in policy development or regulatory processes, including agency heads and appointed members of boards and commissions. These officials would be prohibited from requiring or agreeing to confidentiality provisions that restrict disclosure of discussions or negotiations concerning proposed legislation or regulations, except where necessary to protect specified confidential business information.

- 2) **Prior Legislation.** AB 1370 (Patterson), Chapter 191, Statutes 2025, prohibits members and staff of the Legislature from entering into nondisclosure agreements related to legislative negotiations.

**Analysis Prepared by:** Shiran Zohar / APPR. / (916) 319-2081