

CONCURRENCE IN SENATE AMENDMENTS

AB 1821 (Pacheco)

As Amended June 25, 2026

Majority vote

SUMMARY

Extends the deadlines for public agencies to provide an initial response to a public records request, by converting the current "calendar day" deadlines to a "business day" standard.

Major Provisions

- 1) Requires agencies to determine whether a public record request seeks copies of disclosable public records in possession of the agency and to promptly notify the person as described above within 10 business days of a request for a copy of records.
- 2) Provides that an agency's deadline to determine whether a public record request seeks copies of disclosable public records in possession of the agency may be extended by written notice, in specified unusual circumstances, within no more than 14 business days of the above-mentioned ten-day period.

Senate Amendments

Add amendments that made substantive changes to the California Public Records Act (CPRA) then subsequently remove all of those same provisions, leaving only those amendments previously approved by the Assembly in the bill.

COMMENTS

Existing law requires a public agency to determine whether it has disclosable public records in its possession within ten days of receiving a request from the public for those records or, in specified unusual circumstances, within 14 days. This bill extends those deadlines by specifying that public agencies can provide this response within ten *business days*, and 14 *business days* of the ten-day period, in specified unusual circumstances.

Public Access to Public Records. Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Government Code Section 7921.000. All further references are to this code unless otherwise noted.) In 2004, the right of public access was enshrined in the California Constitution with the passage of Proposition 59 (November 3, 2004, statewide general election), placed on the ballot by a unanimous vote of both houses of the Legislature. Senate Constitutional Amendment (SCA) 1 (Burton) Chapter 1, Statutes of 2004, amended the California Constitution to specifically protect the right of the public to access and obtain government records: "The people have the right of access to information concerning the conduct of the people's business, and therefore . . . the writings of public officials and agencies shall be open to public scrutiny." (California Constitution, article I, section 3 (b)(1).) In 2014, voters approved Proposition 42 (June 3, 2014, statewide direct primary election), placed on the ballot by a unanimous vote of both houses of the Legislature, (SCA 3 (Leno) Chapter 123, Statutes of 2013), to further increase public access to government records by requiring local agencies to comply with the CPRA and the Ralph M. Brown Act, and with any subsequent statutory enactment amending either act, as provided. (California Constitution, article I, section 3 (b)(7).)

Under the California Public Records Act (CPRA), public records are open to inspection at all times during the office hours of a public agency for inspection by the public, unless exempted. (Section 7922.525.) A public record is defined as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any public agency regardless of physical form or characteristics. (Section 7920.530.) Despite the CPRA's general rule that public records are open to inspection and subject to disclosure, the CPRA provides exceptions providing that a document, or a portion thereof, is not subject to public disclosure. An exemption can be explicit in the CPRA itself, pursuant to another law, or justified by the agency's determination that, based on the facts of the particular case, the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. (See Sections 7922.000, 7922.525, 7922.530.)

Currently, the CPRA allows a public agency 10 days or, in specified unusual circumstances, an additional 14 days after the 10-day period to respond to a request for the requested public record. (Section 7922.535 (a) – (c).) In its initial response, an agency does not have to provide the public records being requested, but it must determine whether a given request seeks copies of disclosable records in its possession and notify the requester of its determination and the underlying reasons for its determination. (*Ibid.*)

This bill extends the deadlines for agencies to provide this initial response by converting the current calendar-day deadlines to a business-day standard. Specifically, an agency would be required to make its determination regarding whether it has disclosable records and notify the requester of its determination and the reasons for that determination, within ten business days of receiving the request. Similarly, agencies would be allowed to extend this deadline by 14 business days of the ten-day period, in specified unusual circumstances.

Under existing law, these deadlines continue to toll without accounting for weekends when most public staff are given leave, reducing the number of working days agencies have to provide their initial response. Because of this dynamic, if an agency receives a request for records on a Friday shortly before the close of business, agency staff are unlikely to be able to begin reviewing and analyzing the request until the following Monday, leaving staff with two fewer working days to provide a response. By acknowledging that most agency staff are likely to review requests on working days only, this bill better aligns the CPRA with the operational realities of most agencies.

According to the Author

The California Public Records Act (CPRA) serves as a tool for transparency and accountability in government. By allowing the public to access records related to official actions and decision-making, the CPRA empowers communities to hold government accountable and helps ensure public institutions remain responsive.

In recent years, public agencies have seen a significant increase in public records requests. As digital communication has expanded, submitting requests – often in high volume – has become easier than ever. Some requests are unusually large or require substantial staff time to fulfill. When a small number of requests consume a disproportionate share of resources, agencies can face challenges keeping up with all requests in a timely manner while still providing essential services.

AB 1821 specifies that processing agencies' response times should be tied to business days rather than calendar days. This small change ensures that agencies' timelines actually align

with the hours they work. As a result, agencies may continue to respond to requests in a timely manner without being held to timelines that fall outside of standard business or processing hours.

Arguments in Support

The California State Association of Counties, League of California Cities, California Municipal Clerks Association, Rural County Representatives of California, and Urban Counties of California write in support of this bill. Collectively, they submit:

AB 1821 provides an important and practical clarification to CPRA response timelines. The bill's shift from "calendar days" to "business days" for initial determinations and extensions is a common-sense update that reflects the operational realities of local agencies. Public agencies generally do not have staff available on weekends or holidays, yet current law continues to toll CPRA deadlines during these periods. A business-day standard ensures agencies have the full, intended number of working days to conduct thorough and accurate searches for disclosable records.

Under existing law, agencies must determine within 10 days whether a request seeks disclosable records, with a possible 14-day extension in unusual circumstances. Neither timeframe accounts for weekends or holidays when staff are unavailable. AB 1821 corrects this discrepancy by converting these periods to business days, helping agencies comply with the law more effectively and consistently.

Arguments in Opposition

Disability Rights California states the following in opposition to the bill:

AB 1821's proposed shift from a calendar to a business day timeline would normalize delay and further disadvantage communities that depend on timely access to information. This erodes the value of time-sensitive information and weakens public oversight. The Legislature has repeatedly recognized that prompt access is essential to democratic accountability, especially in areas like policing, incarceration, and public spending where transparency gaps disproportionately harm marginalized communities. Extending response times would compound existing inequities, making it harder for people to challenge government decisions, participate in civic life, and advocate for justice.

FISCAL COMMENTS

According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

VOTES:

ASM JUDICIARY: 8-2-2

YES: Kalra, Bauer-Kahan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Macedo, Sanchez

ABS, ABST OR NV: Bryan, Dixon

ASM APPROPRIATIONS: 11-2-2

YES: Wicks, Arambula, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Solache, Tangipa

NO: Hoover, Ta

ABS, ABST OR NV: Calderon, Muratsuchi

ASSEMBLY FLOOR: 55-12-13

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Connolly, Dixon, Ellis, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Irwin, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wicks, Wilson, Zbur, Rivas

NO: Bains, Davies, DeMaio, Gallagher, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Wallis

ABS, ABST OR NV: Bennett, Bryan, Castillo, Chen, Elhawary, Flora, Fong, Gabriel, Hadwick, Jackson, Ortega, Celeste Rodriguez, Ward

UPDATED

VERSION: June 25, 2026

CONSULTANT: Kristian Wright / JUD. / (916) 319-2334

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