

Date of Hearing: April 7, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
AB 2086 (Ellis) – As Introduced February 18, 2026

PROPOSED CONSENT

SUBJECT: PEST CONTROL LICENSES: PERSONAL INFORMATION:
CONFIDENTIALITY

KEY ISSUE: SHOULD SPECIFIED PERSONALLY IDENTIFYING INFORMATION CONTAINED IN AN APPLICATION FOR A PEST CONTROL BUSINESS BE EXEMPT FROM DISCLOSURE PURSUANT TO THE CALIFORNIA PUBLIC RECORDS ACT?

SYNOPSIS

The California Public Records Act is the statutory codification of every Californian's constitutional right to access the records of government decision making. Accordingly, the California Public Records Act heavily favors the full and timely disclosure of public records and related documents. However, recognizing that Californians also possess a constitutional right to privacy, a critical exemption to the disclosure of public records includes protecting the confidentiality of sensitive personal information contained in government documents. To that end, personally identifying information, including social security numbers, private medical information, and trade secrets, are explicitly exempted from mandatory disclosure under the California Public Records Act.

This bill would add to the statutory list of records that are not deemed public records, and therefore not disclosable, personal information contained within an application for a pest control license information submitted to the Department of Pesticide Regulation. The bill would explicitly protect an applicant's photograph, social security number, address, telephone number, and medical or disability information from disclosure. The bill also authorizes an applicant to list a PO Box as their address for public disclosure in order to avoid disclosure of a person's home address.

This non-controversial measure is co-sponsored by the California Association of Pest Control Advisers and the California Agricultural Aircraft Association. The sponsors note that many small businesses operating as pest control operations, especially those involved in agricultural pest control, operate out of home offices and that the existing law requires disclosure of home addresses through the Public Records Act. They note that this bill will protect the privacy of these small business owners. This bill has no known opposition and passed the Committee on Environmental Safety and Toxic Materials on consent.

SUMMARY: Adds specified pest control license information to the list of records that are exempt from disclosure under the California Public Records Act. Specifically, **this bill:**

- 1) Specifies that personal information collected pursuant to a pest control business license application are not to be considered a public record unless a court orders such information disclosed.

- 2) Provides that the Department of Pesticide Regulation may disclose an applicant, licensee, or certificate holder's address of record but requires the Department to permit an applicant, licensee, or certificate holder to provide a post office box number or other alternate address, instead of a home address, as the address of record.
- 3) Provides that the Department of Pesticide Regulation is not prohibited from requiring an applicant, licensee, or certificate holder who has provided a post office box number or other alternative mailing address as the address of record pursuant 2) to provide a physical business or residential address only for the Department's internal administrative use and not for disclosure as the applicant, licensee, or certificate holder's address of record on the department's internet website.
- 4) Defines for the purpose of 1) through 3) "personal information" as information, other than the name and mailing address, that identifies an individual, including an individual's photograph, social security number, address, telephone number, and medical or disability information, but does not include other information related to licensing such as incidents, rules or safety violations, misconduct, commendations, and license status.
- 5) Adds the information specified in 1) to a list of personal information explicitly exempted from disclosure under the California Public Records Act.

EXISTING LAW:

- 1) Establishes the California Public Records Act and finds and declares that, while mindful of the right of individuals to privacy, 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 7920.000 *et seq.*)
- 2) Provides that public records are open to inspection at all times during the office hours of a state or local agency and every person has a right to inspect any public record, except as otherwise provided in law. (Government Code Section 7922.525.)
- 3) Requires, in order to protect against the risk of identity theft, an agency to redact social security numbers from a record before disclosing the record to the public. (Government Code Section 7922.200.)
- 4) Specifically exempts from disclosure under the California Public Records Act the following type of records:
 - a) Confidential information in parole reports;
 - b) Passenger fishing boat licenses;
 - c) Confidential paternity acknowledgements;
 - d) Patient-physician communications;
 - e) Specified payroll records;
 - f) Specified peace offer personnel records;

- g) Personal income tax information;
 - h) Penitential communications;
 - i) Specified mental health evaluations;
 - j) Specified aspects of petition signatures;
 - k) Petroleum supply and pricing data;
 - l) Specified drug and alcohol rehabilitation records;
 - m) Physician competency exam results;
 - n) Physician service accounts;
 - o) Specified bar pilot information;
 - p) Specified pollution control financing data; and
 - q) Postmortem or autopsy photos. (Government Code Section 7930.180.)
- 5) Prohibits a person from advertising, soliciting, or operating a pest control business, unless the person has a valid pest control business license issued by the Director of the Department of Pesticide Regulation. (Food and Agricultural Code Section 11701.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: The California Public Records Act is designed to promote the robust disclosure of governmental records, as such disclosure is in the public interest and ensures a functioning democracy. However, many government records contain sensitive personally identifying information. In order to honor California's constitutionally protected right to privacy, most personally identifying information is exempted from disclosure under the Public Records Act. In keeping with the existing framework of protecting personally identifying information from public disclosure, this bill would clarify that specified personal information contained within an application to operate a pest control business submitted to the Department of Pesticide Regulation is not a public record, and therefore not subject to disclosure. In support of this bill the author states:

California has the most educated and credentialed agricultural workforce in the country. This has enabled California to simultaneously be leaders in environmental stewardship and agricultural production. Credentialed Professionals in agriculture deserve the same privacy protections as their licensed counterparts in other industries. Specifically, AB 2086 will ensure that the home addresses of these employees and small business owners are not made available to the public.

In order to protect the public and ensure the proper use of toxic chemicals, the Department of Pesticide Regulation requires all pest control businesses to obtain a license from the Department. Given that many pesticides utilized in residential, commercial, or agricultural applications can be highly toxic, it is no surprise that the pest control industry is highly regulated. At the state level, the Department of Pesticide Regulation is tasked with overseeing the industry.

One critical aspect of the Department's regulatory program is the requirement that pest control professionals obtain a license to operate from the state. Although the analysis of this bill by the Committee on Environmental Safety and Toxic Materials provides a far more robust overview of the Department's regulatory programs (see, Assem. Com on Enviro. Safety and Toxic Materials, Analysis of Assem. Bill No. 2086 (2025-2026 Reg. Sess.) as introduced Feb. 18, 2036, p. 3.), for the purposes of this Committee it is important to note that the Department issues six individual licenses or certificates to pest control businesses. These licenses range from specialized licenses for agricultural pest control advisers to those who work exclusively for a private company applying pesticides on that company's property.

In addition to completing a closed-book aptitude examination, pest control business applicants must also provide the Department of Pesticide Regulation specific personal information about themselves and their businesses. While most personally identifying information (i.e. social security numbers of applicants) should already be protected from disclosure by other aspects of the Public Records Act, it appears that some sensitive business information is not presently entitled to statutory protections.

The California Public Records Act generally favors robust disclosure of 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.) In 2004, the right of public access was enshrined in the California Constitution with the passage of Proposition 59 (Nov. 3, 2004, statewide general election), placed on the ballot by a unanimous vote of both houses of the Legislature. SCA 1 (Burton) Chap. 1, Stats. 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." (Cal. Const., art. I, sec. 3 (b)(1).) In 2014, voters approved Proposition 42 (Jun. 3, 2014, statewide direct primary election), placed on the ballot by a unanimous vote of both houses of the Legislature, (SCA 3 (Leno) Chap. 123, Stats. 2013), to further increase public access to government records by requiring local agencies to comply with the California Public Records Act and the Ralph M. Brown Act, and with any subsequent statutory enactment amending either act, as provided. (Cal. Const., art. I, Sec. 3 (b)(7).)

Under the California Public Records Act 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.) The Public Records Act 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, and authorizes the agency to charge a fee for its "direct costs of duplication" of the record. (Sections 7922.530 (a), 7922.535.)

Despite the Public Records Act's general rule that public records are open to inspection and subject to disclosure, the Act provides exceptions for documents, or portions thereof, that are inappropriate for public disclosure. An exemption can be explicit in the Public Records Act itself, pursuant to another law, or justified by the agency's determination based on the facts of the particular case. One aspect of public records that is explicitly exempted from disclosure involves information that is deemed personal or sensitive. For example, Government Code

Section 7930.180 explicitly exempts more than a dozen records that contain highly sensitive personal information, including records containing information protected by doctor-patient privilege, documents containing personal financial records, and documents containing industry trade secrets.

This bill would ensure that pest control business licensees do not have their sensitive personal information disclosed to the public. In order to fully protect sensitive information about a pest control business, this bill expands and clarifies what aspect of a pest control business application is subject to disclosures under the California Public Records Act. This bill provides that a pest control applicant's personal information that identifies the individual, including an individual's photograph, social security number, address, telephone number, and medical or disability information are exempt from disclosure under the Public Records Act. The bill also authorizes the pest control applicant to provide the Department of Pesticide Regulation with a PO Box address in lieu of a physical home or business address for the purpose of disclosing the address to the public. Finally, the bill explicitly links the exemptions to public disclosure this bill is proposing in the Food and Agricultural Code related to business licensure to the provisions providing for specified exemptions related to personal information in the Public Records Act itself.

ARGUMENTS IN SUPPORT: This bill is jointly sponsored by the California Association of Pest Control Advisers and the California Agricultural Aircraft Association. In support of the bill, they jointly write:

In California, the Department of Pesticide Regulation (DPR) licenses and certifies the industry professionals who recommend, transport and apply pesticides. These credentials ensure that pesticides are applied only by those with technical knowledge and expertise to protect public health, the environment, and agricultural industry. They include Pest Control Advisors (PCAs), Qualified Applicators (QALs), and Certified Applicators (CAs).

Many of the PCAs and applicators licensed by DPR are small businesses and single-person operations that are required, as a condition of approval, to identify their mailing address during licensing and/or certification. Because of the nature of these small businesses, mailing addresses are often home addresses for these operators, making what would otherwise be confidential information publicly accessible.

Analogous licenses issued by the Department of Consumer Affairs (DCA), including DPR's non-agricultural equivalents, like pest control operators, are privy to confidentiality. However, because PCAs, QALs and QACs are issued by DPR and not DCA, they are not eligible for such protections and do not have the option to participate in a confidential address program. AB 2086 clarifies that licenses and certificates issued by DPR are given the same privacy protections as those issued by DCA, while still maintaining transparency for the public.

REGISTERED SUPPORT / OPPOSITION:

Support

California Agricultural Aircraft Association (co-sponsor)

California Association of Pest Control Advisers (co-sponsor)

Opposition

None on file

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