

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 2086 (Ellis)
Version: February 18, 2026
Hearing Date: June 23, 2026
Fiscal: Yes
Urgency: No
AM

SUBJECT

Pest control licenses: personal information: confidentiality

DIGEST

This bill provides that, in order to protect the privacy of applicants, licensees, and certificate holders to operate a pest control business from the Department of Pesticide Regulation (DPR), any personal information collected by DPR is not considered a public record and is prohibited from being disclosed pursuant to a request under the CPRA, unless required pursuant to a court order by a court of competent jurisdiction.

EXECUTIVE SUMMARY

DPR licenses and certifies the industry professionals who recommend, transport and apply pesticides in the state including Pest Control Advisors (PCAs), Qualified Applicators (QALs), and Certified Applicators (CAs). In order to be licensed, certain personal information is required to be provided to DPR, including email and home address. This bill seeks to ensure that personal information collected by DPR from licensees is not publicly disclosed in order to protect the privacy of their personal information. Similar limitations on personal information of other licensees already exists under existing law.

This bill is sponsored by the California Association of Pest Control Advisors and the California Agricultural Aircraft Association. No timely opposition was received by the Committee. This bill passed the Senate Agriculture Committee on a vote of 4 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and,

therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (Cal. const. art. I, § 3(b)(1).)

- a) Requires a statute to be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. (Cal. const. art. I, § 3(b)(1).)
 - b) Requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (Cal. const. art. I, § 3(b)(1).)
- 2) Governs the disclosure of information collected and maintained by public agencies pursuant to the CPRA. (Gov. Code §§ 7920.000 et seq.)
 - a) States that the Legislature, mindful of the individual right to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Gov. Code § 7921.000.)
 - b) Defines "public records" as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Gov. Code § 7920.530.)
 - c) Provides that all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code § 7922.530.)
- 3) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (Cal. const. art. I, § 3(b)(1).)
 - a) Requires a statute to be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. (Cal. const. art. I, § 3(b)(1).)
 - b) Requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (Cal. const. art. I, § 3(b)(1).)
- 4) Governs the disclosure of information collected and maintained by public agencies pursuant to the CPRA. (Gov. Code §§ 7920.000 et seq.)
 - a) States that the Legislature, mindful of the individual right to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Gov. Code § 7921.000.)
 - b) Defines "public records" as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Gov. Code § 7920.530.)

- c) Provides that all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code § 7922.530.)
- 5) Provides that certain provisions of existing law may operate to exempt certain records under the CPRA. (Gov. Code § 7930.180.)
- 6) 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 (DPR). (Food & Ag. Code § 11701.)

This bill:

- 1) Provides that, in order to protect the privacy of applicants, licensees, and certificate holders to operate a pest control business from DPR, any personal information collected by DPR is not considered a public record and is prohibited from being disclosed pursuant to a request under the CPRA, unless required pursuant to a court order by a court of competent jurisdiction.
- 2) Authorizes DPR to disclose an applicant, licensee, or certificate holder's address of record. An applicant, licensee, or certificate holder is authorized to provide a post office box number or other alternate address, instead of a home address, as the address of record.
 - a) This does not prevent DPR from also 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 to provide a physical business or residential address only for DPR's internal administrative use and not for disclosure as the applicant, licensee, or certificate holder's address of record on DPR's website.
- 3) "Personal information" means 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.
- 4) Amends the CPRA to specify that these provisions of existing law may operate to exempt certain records under the CPRA.

COMMENTS

1. Stated need for the bill

The author writes:

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.

2. Limiting disclosure of a public record to protect the privacy of applicants, licensees, and certificate holders to operate a pest control business from DPR appears consistent with the state's right 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. (Gov. Code § 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),¹ which 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)² to further increase public access to government records by requiring local agencies to comply with the CPRA and the Ralph M. Brown Act³, and with any subsequent statutory enactment amending either act, as provided. (Cal. Const., art. I, sec. 3 (b)(7).) Under the CPRA, public records are open to inspection by the public at all times during the office hours of the agency, unless they are exempt from disclosure. (Gov. Code § 7922.525.) A public record is defined as any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by any public agency regardless of physical form or characteristics. (Gov. Code § 7920.530.) There are several general categories of documents or information that are permissively exempt from disclosure under the CPRA essentially due to the character of the information. The exempt information can be withheld by the public agency with

¹ Prop. 59 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 1 (Burton, Ch. 1, Stats. 2004).)

² Prop. 42 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 3 (Leno, Ch. 123, Stats. 2013).)

³ The Ralph M. Brown Act is the open meetings laws that applies to local agencies. (Gov. Code §§ 59450 et. seq.)

custody of the information, but it also may be disclosed if it is shown that the public's interest in disclosure outweighs the public's interest in non-disclosure of the information. (*CBS, Inc. v. Block* (1986) 42 Cal.3d 646, at 652.). Additionally, some records are prohibited from disclosure or are specifically stated to not be public records. (e.g. Gov. Code § 7924.110(a).)

California generally recognizes that public access to information concerning the conduct of the people's business is a fundamental and necessary right.⁴ At the same time, the state recognizes that this right must be balanced against the right to privacy.⁵ The general right of access to public records may, therefore, be limited when records include personal information. In light of the stated need to protect the privacy of applicants, licensees, and certificate holders to operate a pest control business from DPR, the limitation on access to public records in this bill seems warranted.

3. Stakeholder statements

The sponsors of the bill, the California Association of Pest Control Advisors and the California Agricultural Aircraft Association, write in support stating:

[...] 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, APCs, JPCs, 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. [...]

SUPPORT

California Association of Pest Control Advisors (sponsor)

California Agricultural Aircraft Association (sponsor)

⁴ Cal. Const., art. I, § 3; Gov. Code, § 7921.000.

⁵ Cal. Const., art. I, § 1.

OPPOSITION

None receive

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation: None known.

PRIOR VOTES

Senate Agriculture Committee (Ayes 4, Noes 0)

Assembly Floor (Ayes 74, Noes 0)

Assembly Appropriations Committee (Ayes 13, Noes 0)

Assembly Judiciary Committee (Ayes 12, Noes 0)

Assembly Environmental Safety and Toxic Materials Committee (Ayes 7, Noes 0)
