

Date of Hearing: April 21, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2103 (Irwin) – As Introduced February 18, 2026

PROPOSED AMENDMENTS

SUBJECT: Office of Data and Innovation: Engaged California Program

SYNOPSIS

The Engaged California Program is a program housed in the Office of Data and Innovation (ODI) that is designed to strengthen trust between Californians and their state government by creating a structured approach to public engagement. The program functions as a modern digital forum that allows participants to opt in to the conversation at their convenience. It is built to gather input using structured dialogue and balanced information, combined with an outreach approach to ensure participation reflects those most impacted by the topic under consideration.

This process was administratively created and has been deployed by ODI several times. The author provides two examples. During the Los Angeles fire recovery effort, impacted residents helped identify and prioritize recovery needs. Through a statewide workforce engagement, state employees provided input on improving service delivery. In both cases, participants could see how their input informed recommendations, while state leaders gained a clearer understanding of priorities on complex issues.

The purpose of this bill is to codify the existing program in statute. However, because the program was established administratively, it did not include a role for the Legislature, either in the selection of topics or the appropriation of funding. To increase legislative and agency-level involvement, the amendments, enumerated in Comment #4, establish secretary approval for the topics for deliberation, allow the Legislature to submit topics that would benefit from a deliberation, and remove the continuous appropriation. In addition, the amendments clarify ODI's responsibilities, ensure that any data containing personal information is protected, expand the annual reporting requirements as it pertains to the program, and make other technical and clarifying changes.

The bill is author-sponsored and is supported by Project Liberty and Elevate California.

EXISTING LAW:

- 1) Establishes the Office of Data and Innovation (ODI) in the Government Operations Agency. (Gov. Code § 12815(a).)
- 2) States that the office's mission is to deliver better government services to the people of California through technology and service innovation, data, and design.
- 3) Requires the office to fulfill its mission by:

- a. Collaborating with state entities to transform government services. The office shall focus on measurably improving services using a deliberate, user-focused approach and data-informed practices.
- b. Investing in state capabilities to put users first, build iteratively, and let data drive decisions.
- c. Empowering the use of data by ensuring that the state has the infrastructure, processes, and people to manage, access, and use data ethically, efficiently, effectively, securely, responsibly, and in a manner that respects privacy.
- d. Rethinking and improving how the state buys digital services and datasets.
- e. Expanding the use of common platforms, services, and tools. (Gov. Code § 12815(e).)

THIS BILL:

- 1) Creates the Engaged California Program within ODI.
- 2) States that the purpose of the program is to facilitate structured, ongoing dialogue between Californians and state government through deliberation, shared learning, and the development of actionable recommendations that inform government services and policies.
- 3) Defines “platform” as meaning the technology, platform, data infrastructure, and tools necessary to enable the Engaged California Program.
- 4) Establishes the following responsibilities with respect to the platform:
 - a. Design, operate, and maintain the platform.
 - b. Establish standards, guidance, and best practices for use of the platform, consistent with state and federal law.
- 5) Gives the following responsibilities to the Engaged California Program:
 - a. Select topics for deliberation.
 - b. Activate the platform for each topic selected.
 - c. For each topic selected, ensure a diverse group of participants who reflect the demographic, geographic, and socioeconomic diversity of California.
 - d. For each topic selected, identify state agencies with relevant knowledge or expertise.
- 6) Requires topics for deliberation to be selected in compliance with the following requirements:
 - a. In consultation with stakeholders, which may include, but are not limited to, the public, the Legislature, the Governor’s Office, and state departments and agencies.

- b. A topic for deliberation shall define a clear problem to address and meet all of the following criteria:
 - i. The topic is relevant to the lived experiences or interests of Californians.
 - ii. The topic presents an appropriate level of complexity that allows for informed discussion and collective learning.
 - iii. The topic involves differing perspectives that would benefit from structured public deliberation.
 - iv. The topic is actionable, including that decisions or policy actions may reasonably be taken based on the outcomes of the deliberation.
- 7) Requires, after a topic is selected, that the external affairs and communications team of any agency or departments identified as the primary target of the topic do the following:
 - a. Coordinate with the office to provide outreach, community engagement, and statement communications expertise necessary for the program.
 - b. Provide any necessary data and relevant information.
- 8) Allows the office to accept supplemental funding to fulfill their responsibilities from partner organizations, including other state entities, philanthropic organizations, civil groups, and other similar organizations.
- 9) States that any funding received for purposes of the program shall be continuously appropriated, without regard to fiscal years.

COMMENTS:

- 1) **Author's statement.** According to the author:

AB 2103 modernizes how Californians engage with their government by codifying Engaged California within the Office of Data and Innovation as a permanent statewide public engagement program. While traditional tools like hearings and public comment remain important, they do not always capture the full diversity and tapestry of California's communities. This bill provides a durable framework for structured public deliberation so that Californians from different backgrounds and regions can participate more meaningfully in state policymaking and help generate actionable recommendations that inform government policies. This measure ensures that the program can continue across administrations, preserving an innovative model for enhanced civic engagement.

- 2) **How the program currently works.** According to information provided by the author, Engaged California is a program that is designed to strengthen trust between Californians and their state government by creating a structured, scalable approach to public engagement. The program functions as a modern digital forum that allows participants to opt in to the conversation at their convenience. It is built to gather input at scale using structured dialogue and balanced information, combined with an outreach approach to ensure participation reflects those most impacted by the topic under consideration.

Early deployments have demonstrated the model's effectiveness. During the Los Angeles fire recovery effort, impacted residents helped identify and prioritize recovery needs. Through a statewide workforce engagement, state employees provided input on improving service delivery. In both cases, participants could see how their input informed recommendations, while state leaders gained a clearer understanding of priorities on complex issues. The combination of structured engagement, diverse participation, and actionable outcomes shows Engaged California can be a credible, modern approach to public engagement that supports state decision-making over time.

3) **The need for the bill.** If ODI is already using this process, it begs the question as to why a bill is necessary for it to continue. The author notes that Engaged California is currently under administrative authority, which leaves the program vulnerable to reduction or elimination based on administration changes. The intention of the bill is to ensure that it is codified and remains a permanent program.

4) **Amendments to strengthen legislative and agency involvement.** The bill envisions the director of ODI determining what problems/topics would benefit from the public Engage California Program, how the deliberations will be conducted, which groups will be involved in the process, and which recommendations to implement at the end of the process. In addition, the bill includes a continuous appropriation that removes the funding for the program from the annual budget process. The proposed Committee amendments are intended to strengthen both Legislative and Agency involvement in the program, while allowing the Engaged California Program to continue to run as efficiently as intended. This expanded role will permit both entities to have input into whether a suggested topic should be prioritized or if there are other more pressing issues that should take precedence. As currently drafted, that decision rests solely with the ODI director, who may or may not be aware of all of the issues and challenges facing the state at any given time.

Among the amendments are two significant changes designed to strengthen the Legislature's role:

1. Authorizes the leadership in the Assembly or the Senate to provide a topic that it deems would benefit from this process. The second process authorizes the director of ODI to recommend a topic to the Secretary of the Government Operations Agency for approval.
2. Removes the continuous appropriation.

The following amendments clarify the purpose of the program and the role of the Legislature and the Government Operations Agency in determining topics, funding levels, and oversight over the Engaged California Program, and make other necessary clarifying and procedural changes¹:

Government Code Section 12815(o)(2) On or before February 1, 2021, and each February 1 thereafter, the director shall submit a report to the Chairperson of the Joint Legislative Budget Committee, or the chairperson's designee, that includes a summary of the activities of the office and a listing and descriptions of all expenditures made from the fund, as well as all revenues received by the fund, for the prior fiscal year. The report shall also include all of the following:

¹ The amendment language is in draft form and the exact language may change slightly as the drafting is finalized.

- (A) A list of past and current engagements organized by state entity.
- (B) A list of proposed and approved information technology projects that received funding from the fund.
- (C) Measurable outcomes from changes in business processes, program design, and service delivery associated with engagements receiving funding from the fund.
- (D) A section that provides information on the Engaged California Program, ~~which may include, but is not limited to, deliberation topics, participant demographics, recommendations, agency responses, and actions taken under the program.~~ ***including all of the following:***
- (i) The topic selected and the body that requested the topic.***
 - (ii) The specific problem the topic was intended to solve.***
 - (iii) The platform that was used and why it was selected.***
 - (iv) The specific data that was used in each deliberation process and the source of the data.***
 - (v) The agency or department, if any, that was impacted by the deliberation.***
 - (vi) Whether the participants met the criteria in subparagraph (C) of paragraph (4) of subdivision (g), the number of participants, and how they were identified and contacted.***
 - (vii) The outcomes of any deliberations in the previous year, including all recommendations, whether they require statutory changes or budget augmentations, and any agency or department involved in the solutions.***
 - (viii) An update from deliberations in previous years that includes whether recommendations were implemented, whether the recommendations improved the problem that was identified, and, if so, how the recommendations improved the problem.***

(3) The fund shall consist of all of the following:

(A) Moneys appropriated and made available by the Legislature for the purposes of this section.

(B) Donations, endowments, or grants of funds from private or public sources that commit to the office's mission of the ethical, efficient, effective, secure, and responsible use of data in a manner that respects privacy. The office and the Controller may establish separate accounts in the fund for the purpose of separating deposits according to their origin or intended purpose.

(C) (i) Supplemental funding for the Engaged California Program from partner organizations, including other state entities, philanthropic organizations, civil groups, and other similar organizations, provided that acceptance of that supplemental funding is otherwise in accordance with existing law.

(ii) Organizations external to state government, including, but not limited to, philanthropic organizations, civil groups, and similar entities, that provide funding shall not participate in the selection of a topic for deliberation, as described in subdivision (q), and shall not participate in the deliberation.

~~(E)~~

(D) Any other moneys that may be made available to the office from any other source, including the return from investments of moneys by the Treasurer.

(p) Notwithstanding any other law, the Controller may use the moneys in the fund for cashflow loans to the General Fund, as provided in Sections 16310 and 16381.

(q) (1) Effective January 1, 2027, the Engaged California Program is hereby established within the office.

(2) The purposes of the Engaged California Program is to facilitate structured, ongoing dialogue between Californians and state government through deliberation, shared learning, and the development of actionable recommendations that inform government services and policies.

(3) For purposes of this ~~subdivision~~, “platform” means ~~the technology, platform, data infrastructure, and tools necessary to enable the Engaged California Program.~~ *subdivision and subdivision (o), the following definitions apply:*

(i) “Deliberation” is a structured dialogue with a defined audience in which participants engage on a defined topic to produce actionable recommendations that inform government services, programs, and policies.

(ii) “Personal information” has the same meaning as that term is defined in Section 1798.3 of the Civil Code.

(iii) “Platform” means the technology, data infrastructure, and tools necessary to enable the Engaged California Program to facilitate a deliberation.

(4) The office shall have the following responsibilities with respect to the platform:

(A) Design, operate, and maintain the platform.

(B) Establish standards, guidance, and best practices for use of the platform, consistent with state and federal law.

(C) Ensure the platform remains up-to-date for future deployment.

(5) Upon appropriation of moneys sufficient to fund at least one Engaged California topic ~~either pursuant to paragraph (8) or by an act of~~ *by the Legislature, and selection of a topic under paragraph (6)*, the office shall have the following responsibilities with respect to the Engaged California Program:

(A) ~~Select~~ *Implement the deliberation for topics for deliberation selected* in compliance with paragraph (6).

(B) ~~Activate the platform~~ ***Deploy a platform that is suitable*** for each ~~the~~ topic selected.

(C) ~~For each topic selected, ensure~~ ***Solicit participation from*** a diverse group of participants who ~~reflect the demographic, geographic, and socioeconomic diversity of California.~~ ***participants, including all economic segments of the community, members of protected classes under Section 12955, and, as appropriate, the geographic population specific to a selected topic for deliberation.***

(D) For each topic selected, identify state agencies, as that term is defined in Section 11000, with relevant knowledge or ~~expertise.~~ ***expertise to support the office in designing and conducting the deliberation.***

(6) Pursuant to subparagraph (A) of paragraph (5), topics for deliberation shall be selected in compliance with the following requirements:

~~(A) The office shall select topics in consultation with stakeholders, which may include, but are not limited to, the public, the Legislature, the Governor's Office, and state departments and agencies.~~

(A) (i) The Speaker of the Assembly or the President pro Tempore of the Senate may select topics for deliberation.

(ii) The Secretary of the Government Operations Agency must approve any topic selected by the director and may select topics for deliberation.

(B) A topic for deliberation shall define a clear problem to address and meet all of the following criteria:

(i) The topic is relevant to the lived experiences or interests of Californians.

~~(ii) The topic presents an appropriate level of complexity that allows for informed discussion and collective learning.~~

~~(iii) The topic involves differing perspectives that would benefit from structured public deliberation.~~

~~(iv)~~

(ii) The topic is actionable, including that decisions or policy actions may reasonably be taken based on the outcomes of the deliberation.

(iii) The topic has the potential to meaningfully impact Californians or improve government services and outcomes.

(iv) The topic is appropriate for public deliberation and would benefit from input beyond the traditional stakeholder civic engagement process.

(7) Upon selection of a topic, ~~the communications and external affairs teams~~ of any state agency identified pursuant to subparagraph (D) of paragraph (5) shall do both of the following:

(A) Coordinate with the office to provide outreach, community engagement, and statement communications expertise necessary ~~for~~ **to support** the Engaged California Program.

~~(B) Subject to existing law, provide any necessary data and relevant information.~~

~~(8) The office may accept supplemental funding to fulfill any responsibility set forth in this subdivision from partner organizations, including other state entities, philanthropic organizations, civil groups, and other similar organizations provided that acceptance of that supplemental funding is otherwise in accordance with existing law.~~

~~(9) Notwithstanding Section 13340, any moneys received for purposes of the Engaged California Program shall be continuously appropriated, without regard to fiscal years, to the office for purposes of the program.~~

(B) Subject to existing law, provide any necessary data and relevant information, provided that the data or information does not include any personal information. Any personal information collected in relation to this paragraph by the agency or the office shall not be used without consent from the individual identified or described.

ARGUMENTS IN SUPPORT: Elevate California writes in support:

Elevate California’s mission is to bridge the gap between everyday Californians and the policymaking process. Too often, traditional avenues for public participation fail to capture the full diversity of perspectives across our state and structural barriers exclude ordinary Californians from meaningful civic engagement.

AB 2103 represents an important step forward in modernizing how Californians engage with their government. By codifying Engaged California as a permanent statewide public engagement program within the Office of Data and Innovation, this bill ensures that more inclusive, representative, and deliberative processes become a sustained part of state governance.

Engaged California’s model—bringing together diverse cohorts of residents, providing balanced educational materials, and facilitating structured dialogue—aligns closely with Elevate California’s commitment to amplifying the voices of everyday Californians. AB 2103 provides the stability and flexibility needed to sustain and scale this effort across state government.

Also writing in support, Project Liberty states:

AB 2103 codifies Engaged California as a permanent program within the Office of Data and Innovation, addressing limitations in traditional public participation methods. While public hearings, town halls, and comment periods remain important, they often fail to reach a representative cross-section of Californians due to barriers such as time, geography, and accessibility.

Engaged California offers a more inclusive approach. By bringing together diverse participant cohorts, providing clear and nonpartisan information, and facilitating structured dialogue, the program enables more informed and meaningful public input. It also turns that

input into actionable insights, helping decision makers create policies and programs that better reflect the needs and experiences of Californians.

Project Liberty has deep experience building the kind of digital public infrastructure that powers programs like Engaged California. Our work on open protocols and deliberative platforms, in partnership with governments and institutions around the world, demonstrates that technology-enabled civic engagement can operate at scale while maintaining the trust and safety that meaningful public participation requires.

By establishing Engaged California in statute, AB 2103 ensures continuity across administrations and reinforces the state's commitment to transparent, inclusive, and effective governance.

REGISTERED SUPPORT / OPPOSITION:**Support**

Elevate California
Project Liberty LLC
TechCa
TechNet

Opposition

None on file.

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