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THIRD READING

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Bill No: AB 343  
Author: Pacheco (D), et al.  
Amended: 7/1/25 in Senate  
Vote: 21

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SENATE JUDICIARY COMMITTEE: 12-0, 6/24/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

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**SUBJECT:** California Public Records Act: elected or appointed officials

**SOURCE:** California Judges Association

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**DIGEST:** This bill expands the definition of “elected or appointed official” under the California Public Records Act (CPRA) to include retired judges, court commissioners, federal judges, federal defenders, or judges of a federally recognized Indian tribe, active or retired State Bar Court judges, and appointees of a court to serve as children’s counsel in a family or dependency proceeding.

**ANALYSIS:**

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. (California Constitution, Article (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. (Government (Gov.) Code §§ 7920.000 et seq.)
  - 3) Provides that the home addresses, home telephone numbers, personal cellular telephone numbers, and birthdates of all employees of a public agency are not public records and are not open to public inspection. (Gov. Code § 7928.300(a).)
  - 4) Prohibits a person from knowingly posting the home address or telephone number of any elected or appointed official, or of the official's residing spouse or child, on the internet knowing that person is an elected or appointed official and intending to cause imminent great bodily harm that is likely to occur or threatening to cause imminent great bodily harm to that individual, and provides that a violation is a misdemeanor, unless the violation leads to the bodily injury of the official, or their residing spouse or child, in which case the violation is a misdemeanor or a felony. (Gov. Code § 7928.210.)
  - 5) Prohibits any person, business, or association from soliciting, selling, or trading on the internet the home address or telephone number of an elected or appointed official with the intent to cause imminent great bodily harm to the official or to any person residing at the official's home address. Authorizes an official whose home address or telephone number is solicited, sold, or traded in violation of this prohibition to bring an action in court and provides that they can get specified damages. (Gov. Code § 7928.230.)
  - 6) Prohibits a state or local agency from publicly posting the home address, telephone number, or both the name and assessor parcel number of any elected or appointed official on the internet without first obtaining the written permission of that individual. (Gov. Code § 7928.205.)

- 7) Defines an “elected or appointed official” to include, among others, judges, court commissioners, federal judges, federal defenders, and a judge of a federally recognized Indian tribe. (Gov. Code § 7920.500.)

This bill:

- 1) Expands the definition of “elected or appointed official” to include: a retired judge, court commissioner, federal judge, federal defender, or judge of a federally recognized Indian tribe; an active or retired State Bar Court judge; and an appointee of a court to serve as children’s counsel in a family or dependency proceeding.
- 2) States that the Legislature finds and declares that the limitation on the access to public records in this bill is necessary to protect elected or appointed officials and their families from harassment or targeted violence.

## Comments

The recent events in Minnesota where elected politicians and their spouses were targeted in their homes and, in one instance, tragically killed provides a stark reminder that serving in public office poses risks for those who choose to serve and their family.<sup>1</sup> This bill seeks to extend existing protections under the CPRA that relate to the disclosure of the home address or telephone number of an elected or appointed official to: retired judges, court commissioners, federal judges, federal defenders and judges of a federally recognized Indian tribe; an active or retired State Bar Court judge; and an appointee of a court to serve as children’s counsel in a family or dependency proceeding. The author and sponsor of this bill argue this is needed to ensure retired judicial officers continue to have their personal information protected and to ensure that persons being appointed as counsel in family or dependency proceedings have their personal information protected as well due to the often-heightened emotional and sensitive nature of those proceedings.

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

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<sup>1</sup> Steven Karnowski, et. al, *The man suspected of shooting 2 Minnesota lawmakers is in custody after surrendering to the police*, AP News, (June 16, 2025), available at <https://apnews.com/article/minnesota-lawmakers-shot-8ce70a94c9eb90688baaa1a71faef6cc>.

election),<sup>2</sup> 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)<sup>3</sup> to further increase public access to government records by requiring local agencies to comply with the CPRA and the Ralph M. Brown Act<sup>4</sup>, 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 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. (*see* Gov. Code § 7924.110(a).) For example, the home addresses, home telephone numbers, personal cellular telephone numbers, and birthdates of all employees of a public agency are not public records and are not open to public inspection. (Gov. Code § 7928.300(a).)

The CPRA provides existing civil and criminal protections for the disclosure or posting of information of an “elected or appointed official” with the intent to cause imminent great bodily harm to the official or to any person residing at the official’s home address. (Gov. Code § 7928.210 & 7928.230.) Additionally, a state or local agency is prohibited from publicly posting the home address, telephone number, or both the name and assessor parcel number of any elected or appointed official on the internet without first obtaining the written permission of that individual. (Gov. Code § 7928.205.)

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<sup>2</sup> Prop. 59 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 1 (Burton, Ch. 1, Stats. 2004).)

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

<sup>4</sup> The Ralph M. Brown Act is the open meetings laws that applies to local agencies. (Gov. Code §§ 59450 et. seq.)

California generally recognizes that public access to information concerning the conduct of the people's business is a fundamental and necessary right. (Cal. Const., art. I, § 3; Gov. Code, § 7921.000.) At the same time, the state recognizes that this right must be balanced against the right to privacy. (Cal. Const., art. I, § 1.) By expanding the definition of "elected or appointed official," this bill arguably limits access to public records. This bill states this limitation is necessary to protect elected or appointed officials and their families from harassment or targeted violence and that this outweighs the interest in public disclosure of their personal information. In light of the concerns raised by this bill, this limitation seems warranted and consistent with the public policy of protecting the personal information of elected or appointed officials.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

The Senate Appropriations Committee writes regarding the fiscal impact:

- Unknown, potentially significant cost to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil and criminal actions. This bill allows specified officials whose information has been made public to bring a civil action seeking injunction or declarative relief, which may lead to additional case filings that otherwise would not have been commenced, with attendant workload and resource costs to the court. The expanded crime in this bill will also increase costs to the trial courts. Defendants are constitutionally guaranteed certain rights during criminal proceedings, including the right to a jury trial and the right to counsel (at public expense if the defendants are unable to afford the costs of representation).

The fiscal impact of this bill to the courts will depend on many unknowns, including the numbers of people charged with an offense and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. In 2023–24, over 4.8 million cases were filed statewide in the superior courts, including 451,647 misdemeanor cases, and 179,821 felony cases. Filings increased over the past year, driven mostly by misdemeanors and infractions, and civil limited cases. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount

appropriated to backfill for trial court operations.

- Unknown, potentially significant costs (General Fund) to the Department of Corrections and Rehabilitation (CDCR) to incarcerate people for the crime expanded by this bill. The Legislative Analyst's Office (LAO) estimates the average annual cost to incarcerate one person in state prison is \$133,000. The annual cost of operating a mental health crisis bed at CDCR is around \$400,000. As part of the ongoing Coleman court case, CDCR has been incurring fines monthly since April 2023 for failing to reduce vacancy rates for five mental health classifications. The state has paid over \$200 million in fines to date, and is still accruing fines. Thus, if even if just one person is sentenced to state prison for one year under this bill, it will add significant costs pressures to CDCR.
- Unknown, potentially significant costs (local funds, General Fund) to the counties to incarcerate people for the crime expanded by this bill. The average annual cost to incarcerate one person in county jail varies by county, but likely ranges from \$70,000 to \$90,000 per year. For example, in 2021, Los Angeles County budgeted \$1.3 billion for jail spending, including \$89,580 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).
- Potential cost pressures (General Fund) to the Department of State Hospitals (DSH), in order to adequately house, treat, and care for persons committed to DSH that otherwise would not. Cost pressures to DSH are connected with an increase in state prison sentences. Expanding a crime will increase the number of defendants declared incompetent to stand trial (IST), or committed to DSH due to their being not guilty by reason of insanity. DSH's proposed budget for fiscal year 2025-26 totals \$3.4 billion – an increase of \$3.4 million from the 2024 Budget Act. An increase the DSH population would result in the need for additional funding.
- No significant fiscal impact to the Department of Justice (DOJ). However, DOJ notes to staff that, while the impact of this would not pose a significant impact to the DOJ, as numerous bills this session may result in no significant impact to the DOJ, should an aggregate of these bills chapter, the DOJ would submit a workload BCP for additional resources to process the increase to the DOJ workload.

**SUPPORT:** (Verified 8/29/25)

California Judges Association (Source)  
California Tribal Business Alliance  
Judicial Council of California  
Rob Bonta, Attorney General

**OPPOSITION:** (Verified 8/29/25)

None received

**ARGUMENTS IN SUPPORT:** The author writes:

California law prohibits the online posting of an elected or appointed official's home address, telephone number, and parcel number without their permission. Nationwide elected and appointed officials face rising threats and violence against themselves and their family members. AB 343 extends the definition of elected or appointed official to retired state, federal, and tribal judges, court commissioners, and federal defenders, adding safeguards to these essential professions. This bill also includes children's counsel appointed by the court in a family or dependency proceeding as they often are subjected to threats from disgruntled relatives at their law offices and homes.

The California Judges Association, the sponsor of this bill, writes in support stating:

In recent years, violence against judges has seen a significant increase nationwide. According to the U.S. Marshals Service, the entity in charge of protecting federal judges, they assessed 5,873 threats and inappropriate communications against the judiciary between 2021 and 2022. In general, federal judges, prosecutors, and court officials have faced over 4,500 threats in total—an unfortunate 400% increase since 2015. Additionally, state court facilities have recently been targeted nationwide by bomb threats, while state supreme court justices handling controversial cases experience rising incidents of threats and intimidation. There have been numerous instances of individuals with malicious intent using information found in public records to locate the address of an elected or appointed official.

Nationwide elected and appointed officials face rising threats and violence against themselves and their family members. Unfortunately, the recent assassination of a Kentucky district judge in his own chamber's, the attempted

murder of a Nevada district judge, and the violent harassment on public official's family members highlight the continued need to ensure existing safeguards from improper disclosure of personal and sensitive information don't end when a person retires. Current law provides additional disclosure protections to elected and appointed officials, as defined in Government Code Section 7920.500, beyond the other privacy laws. Unfortunately, this limited definition only applies to active state and federal judges, court commissioners, and tribal judges. This bill extends the definition to retired state, federal, and tribal judges, court commissioners, and federal defenders. Additionally, this bill also includes children's counsels appointed by the court in a family or dependency proceeding to ensure children's voices remain heard. [...]

Additionally, in some jurisdictions, when children need representation and an advocate in family, probate, or juvenile dependency court, the court appoints children's counsel. These court appointees essentially give voice to the interests and concerns of children. Unfortunately, children's counsel is too often subjected to threats to their safety at their law offices and homes because of their important work. Reportedly, a litigant recently learned the home addresses of several attorneys believed to be children's counsel in Family Court and went to the homes of the attorneys (and other professionals involved in the Family Court system) to take audio recordings and video recordings for publication in various social media platforms.

Children's counsel in both Family Court and Juvenile Dependency performs similar functions (i.e. home visits, investigation regarding allegations of child abuse) as some parties that are currently included as elected and appointed officials such as an employee of the district attorney or public defender.

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca



Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta,  
Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Amanda Mattson / JUD. / (916) 651-4113  
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**\*\*\*\* END \*\*\*\***