

AMENDED IN ASSEMBLY AUGUST 7, 2006
AMENDED IN ASSEMBLY AUGUST 15, 2005
AMENDED IN ASSEMBLY JULY 7, 2005
AMENDED IN ASSEMBLY JUNE 23, 2005
AMENDED IN ASSEMBLY JUNE 15, 2005
AMENDED IN SENATE MAY 11, 2005
AMENDED IN SENATE MAY 4, 2005
AMENDED IN SENATE MARCH 31, 2005

SENATE BILL

No. 682

Introduced by Senator ~~Simitian Migden~~
(Coauthor: ~~Assembly Member Evans~~)

February 22, 2005

An act to ~~add Article 4 (commencing with Section 1798.9) to Chapter 1 of Title 1.8 of Part 4 of Division 3 of the Civil Code, relating to privacy; amend Section 34 of Chapter 33 of the Statutes of 2002, relating to postsecondary education facilities, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 682, as amended, ~~Simitian Migden. Identity Information Protection Act of 2005. Postsecondary education facilities.~~

Existing law appropriates \$10,487,000 to the California State Library and \$85,035,000 to the California State University from the Public Buildings Construction Fund for preliminary plans, working drawings, construction, and equipment for the J. Paul Leonard

Library and Sutro Library joint project. The State Public Works Board is authorized to issue lease-revenue bonds or bond anticipation notes to finance the design or construction, or both, of the joint project and other specified projects. The funds appropriated for the joint project and other specified projects are available for encumbrance until June 30, 2008.

This bill would instead appropriate \$12,421,000 to the California State Library and \$104,132,000 to the California State University from the Public Buildings Construction Fund for preliminary plans, working drawings, and construction, of the J. Paul Leonard Library and Sutro Library joint project on the San Francisco Campus. The bill would provide that the funds appropriated for the joint project and other specified projects are available for encumbrance until June 30, 2010.

~~Existing law, the Information Practices Act of 1977, regulates the collection and disclosure of personal information regarding individuals by state agencies, except as specified. The intentional disclosure of medical, psychiatric, or psychological information in violation of the disclosure provisions of the act is punishable as a misdemeanor if the wrongful disclosure results in economic loss or personal injury to the individual to whom the information pertains.~~

~~This bill would enact the Identity Information Protection Act of 2005. The act would require identification documents, except as specified, that are created, mandated, purchased, or issued by various public entities that use radio waves to broadcast personal information, or to enable personal information to be read remotely, to meet specified requirements. The bill would provide that a person or entity that intentionally remotely reads or attempts to remotely read a person's identification document using radio waves without his or her knowledge shall be punished by imprisonment in a county jail for up to one year, a fine of not more than \$5,000, or both that fine and imprisonment.~~

~~In addition, because the intentional disclosure of medical, psychiatric, or psychological information in violation of the disclosure provisions of the Information Practices Act of 1977, which would include this act, is punishable as a misdemeanor if the wrongful disclosure results in economic loss or personal injury to the individual to whom the information pertains, and because remotely reading or attempting to remotely read a person's identification document without his or her knowledge would be punishable as a misdemeanor,~~

~~this bill would create a new crime, thereby imposing a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: ~~no~~yes. Fiscal committee: yes. State-mandated local program: ~~yes~~no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 34 of Chapter 33 of the Statutes of 2002
2 is amended to read:

3 SEC. 34. (a) There is hereby appropriated the sum of six
4 hundred ~~forty-one million two hundred eighty-nine thousand~~
5 ~~dollars (\$651,289,000)~~ *seventy-two million three hundred twenty*
6 *thousand dollars (\$672,320,000)* from the Public Buildings
7 Construction Fund, as established in Section 15845 of the
8 Government Code, in accordance with the following schedule:

9 (1) ~~Ten million four hundred eighty-seven thousand dollars~~
10 ~~(\$10,487,000)~~ *Twelve million four hundred twenty-one thousand*
11 *dollars (\$12,421,000)* to the California State Library for project
12 10.04.004-Joint Library: J. Paul Leonard Library and Sutro
13 Library - Preliminary plans, working drawings, construction, and
14 equipment.

15 (2) The sum of two hundred seventy-nine million twenty-five
16 thousand dollars (\$279,025,000) to the University of California
17 for the following projects:

18 (A) Sixty-six million one hundred twenty-six thousand dollars
19 (\$66,126,000) for Davis Campus: project 99.03.205-Veterinary
20 Medicine 3A - Construction.

21 (B) Fifty-five million three hundred nineteen thousand dollars
22 (\$55,319,000) for Irvine Campus: project 99.09.325-Natural
23 Sciences Unit 2 - Construction and equipment.

24 (C) Sixteen million four hundred forty-nine thousand dollars
25 (\$16,449,000) for Merced Campus: project 99.11.010-Site
26 Development and Infrastructure, Phase 2 - Working drawings
27 and construction.

1 (D) Thirty-five million six hundred seventy-five thousand
2 dollars (\$35,675,000) for Riverside Campus: project
3 99.05.160-Engineering Building Unit 2 - Construction.

4 (E) Thirty-seven million three hundred sixty-nine thousand
5 dollars (\$37,369,000) for San Diego Campus: project
6 99.06.315-Engineering Building Unit 3B - Construction and
7 equipment.

8 (F) Twenty-six million nine hundred four thousand dollars
9 (\$26,904,000) for Santa Barbara Campus: project 99.08.110-Life
10 Sciences Building - Construction and equipment.

11 (G) Forty-one million one hundred eighty-three thousand
12 dollars (\$41,183,000) for Santa Cruz Campus: project
13 99.07.125-Engineering Building - Construction and equipment.

14 (3) The sum of ~~one hundred ninety-one million three hundred~~
15 ~~nine thousand dollars (\$191,309,000)~~ *two hundred ten million*
16 *four hundred six thousand dollars (\$210,406,000)* to the
17 California State University for the following projects:

18 (A) ~~Eighty-five million thirty-five thousand dollars~~
19 ~~(\$85,035,000)~~ *One hundred four million one hundred thirty-two*
20 *thousand dollars (\$104,132,000)* for San Francisco Campus:
21 project 06.84.104-Joint Library: J. Paul Leonard Library and
22 Sutro Library - Preliminary plans, working drawings, *and*
23 ~~construction, and equipment.~~

24 (B) Thirty-eight million one hundred eight thousand dollars
25 (\$38,108,000) for Los Angeles Campus: project
26 06.73.094-Physical Science Replacement Building - Preliminary
27 plans, working drawings, construction, and equipment.

28 (C) Twenty-four million two hundred fifteen thousand dollars
29 (\$24,215,000) for San Marcos Campus: project
30 06.68.121-Academic Hall II, Building 13 - Preliminary plans,
31 working drawings, and construction, and equipment.

32 (D) Forty-three million nine hundred fifty-one thousand
33 dollars (\$43,951,000) for Monterey Bay Campus: project
34 06.74.006-Library - Construction.

35 (4) The sum of one hundred seventy million four hundred
36 sixty-eight thousand dollars (\$170,468,000) to the Board of
37 Governors of the California Community Colleges for the
38 following projects:

39 (A) Eight million nine hundred seventy-five thousand dollars
40 (\$8,975,000) for Rancho Santiago Community College District,

1 Santiago Canyon College project 40.48.118-Learning Resource
2 Center - Construction and equipment.

3 (B) Seventeen million three hundred forty-three thousand
4 dollars (\$17,343,000) for State Center Community College
5 District, Madera County Educational Center project
6 40.64.302-Academic Facilities, Phase 1B - Construction and
7 equipment.

8 (C) Thirteen million nine hundred ten thousand dollars
9 (\$13,910,000) for Sequoias Community College District, College
10 of the Sequoias project 40.56.110-Multimedia Learning Resource
11 Center - Construction and equipment.

12 (D) Seventeen million five hundred twenty thousand dollars
13 (\$17,520,000) for Victor Valley Community College District,
14 Victor Valley Community College project 40.66.115-Advanced
15 Technology Complex - Construction and equipment.

16 (E) Twelve million five hundred fifty-five thousand dollars
17 (\$12,555,000) for San Luis Obispo County Community College
18 District, Cuesta College project 40.51.111-Library Addition
19 Reconstruction - Construction and equipment.

20 (F) Ten million five hundred forty-eight thousand dollars
21 (\$10,548,000) for Mount San Jacinto Community College
22 District, Menifee Valley Center project 40.34.211-Learning
23 Resource Center - Construction and equipment.

24 (G) Thirty-five million seven hundred seventy thousand
25 dollars (\$35,770,000) for Los Rios Community College District,
26 Folsom Lake Center project 40.27.502-Instructional Facilities,
27 Phase 1B - Construction and equipment.

28 (H) Eight million four hundred thirty-eight thousand dollars
29 (\$8,438,000) for Citrus Community College District, Citrus
30 College project 40.09.120-Math/Science Building Replacement -
31 Construction and equipment.

32 (I) Twenty-nine million three hundred fifty-eight thousand
33 dollars (\$29,358,000) for Palomar Community College District,
34 Palomar College project 40.38.113-High Technology
35 Laboratory-Classroom Building - Construction and equipment.

36 (J) Seven million twenty-three thousand dollars (\$7,023,000)
37 for Mendocino-Lake Community College District, Mendocino
38 College project 40.29.117-Science Building - Construction and
39 equipment.

1 (K) Nine million twenty-eight thousand dollars (\$9,028,000)
2 for Merced Community College District, Merced College project
3 40.30.114-Interdisciplinary Academic Center - Construction and
4 equipment.

5 (b) The State Public Works Board may issue lease-revenue
6 bonds, notes, or bond anticipation notes pursuant to Chapter 5
7 (commencing with Section 15830) of Part 10b of Division 3 of
8 Title 2 of the Government Code to finance the design or
9 construction, or both, of the projects authorized by subdivision
10 (a).

11 (c) The State Public Works Board and the participating agency
12 or department may obtain interim financing for the project costs
13 authorized in subdivision (a) from any appropriate source,
14 including, but not limited to, the Pooled Money Investment
15 Account pursuant to Sections 16312 and 16313 of the
16 Government Code.

17 (d) Each participating agency or department having a project
18 authorized in subdivision (a) is authorized and directed to
19 execute and deliver any and all leases, contracts, agreements, or
20 other documents necessary or advisable to consummate the sale
21 of bonds or otherwise effectuate the financing of the projects
22 scheduled in subdivision (a).

23 (e) The State Public Works Board may authorize the
24 augmentation of the cost of construction of the projects
25 scheduled in subdivision (a) pursuant to that board's authority
26 under Section 13332.11 of the Government Code. In addition, the
27 board may authorize any additional amount necessary to
28 establish a reasonable construction reserve and to pay the cost of
29 financing including the payment of interest during the design and
30 construction of the projects, the costs of financing a debt service
31 fund, and the cost of issuance of permanent financing for the
32 projects. This additional amount may include interest payable on
33 any interim financing obtained.

34 (f) In the event that the bonds authorized for projects in
35 subdivision (a) are not sold, the participating agency or
36 department that has initiated loans shall commit a sufficient
37 portion of its current support appropriation, as determined by the
38 Department of Finance, to repay any interim financing. It is the
39 intent of the Legislature that this commitment be made until all

1 interim financing is repaid either through the proceeds of the sale
2 of bonds or from an appropriation.

3 (g) Notwithstanding any other provision of law, the funds
4 appropriated in subdivision (a) shall be available for
5 encumbrance until June 30, ~~2008~~ 2010.

6 (h) The project identified under subparagraph (B) of paragraph
7 (2) of subdivision (a) for the University of California-Irvine
8 Natural Sciences Unit 2 may utilize design-build construction
9 consistent with the University of California's practices, policies,
10 and procedures.

11 (i) The State Public Works Board shall not itself be deemed a
12 lead or responsible agency for purposes of the California
13 Environmental Quality Act as set forth in Division 13
14 (commencing with Section 21000) of the Public Resources Code
15 for any activities under the State Building Construction Act of
16 1955 as set forth in Part 10b (commencing with Section 15800)
17 of Division 3 of Title 2 of the Government Code). This
18 subdivision does not exempt any participating agency or
19 department from the requirements of the California
20 Environmental Quality Act. This subdivision is declarative of
21 existing law.

22
23
24
25
26
27

**All matter omitted in this version of the bill
appears in the bill as amended in
Assembly, August 15, 2005 (JR11)**