

**Introduced by Senator Fuller**February 24, 2012

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An act to amend and repeal Section 11440.30 of, and to add Sections 11440.35 and 11547.5 to, the Government Code, relating to state government.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1453, as introduced, Fuller. Teleconferencing centers.

Existing law establishes, until January 15, 2015, the California Technology Agency, administered by the Secretary of California Technology. The agency and the secretary, among other duties, are required to establish and enforce state information technology strategic plans, policies, standards, and enterprise architecture. Existing law also, pursuant to the Administrative Procedure Act, allows an adjudicative proceeding, as defined, to be conducted by electronic means, subject to certain conditions, including, but not limited to, the lack of an objection by all parties to the proceeding.

This bill would require the California Technology Agency, or its successor entity, to establish on or before July 1, 2014, and operate thereafter, 8 two-way video teleconferencing centers strategically placed throughout the state to allow individuals who are required to attend adjudicative proceedings to observe, appear, and participate in those proceedings by video teleconferencing. This bill would also require any notice of an adjudicative proceeding to include information explaining a required attendee's option to observe, appear, or participate in those proceedings by using a teleconferencing center. This bill would make conforming changes to existing law to repeal the conditions with regard to conducting hearings by electronic means when the teleconferencing centers are operational.

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

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

1 SECTION 1. Section 11440.30 of the Government Code is  
2 amended to read:  
3 11440.30. (a) The presiding officer may conduct all or part of  
4 a hearing by telephone, television, or other electronic means if  
5 each participant in the hearing has an opportunity to participate in  
6 and to hear the entire proceeding while it is taking place and to  
7 observe exhibits.  
8 (b) The presiding officer may not conduct all or part of a hearing  
9 by telephone, television, or other electronic means if a party  
10 objects.  
11 (c) *This section is repealed on the earlier of the following:*  
12 (1) *The date that the director receives written notice pursuant*  
13 *to Section 11547.5.*  
14 (2) *July 1, 2014.*  
15 SEC. 2. Section 11440.35 is added to the Government Code,  
16 to read:  
17 11440.35. (a) An individual required to attend an adjudicative  
18 proceeding shall have the ability to observe, appear, or participate  
19 in that proceeding by video teleconferencing at a teleconferencing  
20 center established pursuant to Section 11547.5.  
21 (b) Any required notice of an adjudicative proceeding shall  
22 include a statement explaining the option available to an individual  
23 required to attend the proceeding to observe, appear, or participate  
24 in that proceeding pursuant to subdivision (a).  
25 (c) This section shall become operative on the earlier of the date  
26 that the director receives written notice pursuant to Section 11547.5  
27 or July 1, 2014.  
28 SEC. 3. Section 11547.5 is added to the Government Code, to  
29 read:  
30 11547.5. (a) The California Technology Agency, or its  
31 successor entity, shall establish on or before July 1, 2014, and  
32 operate thereafter, eight two-way video teleconferencing centers  
33 strategically placed throughout the state to allow individuals who  
34 are required to attend adjudicative proceedings to observe, appear,  
35 and participate in those proceedings by video teleconferencing.

1 (b) The agency, or its successor entity, may comply with the  
2 requirements of subdivision (a) by contracting with federal, local,  
3 or private entities.

4 (c) The agency, or its successor entity, shall provide written  
5 notice to the Director of the Office of Administrative Proceedings  
6 when the eight two-way video teleconferencing centers are  
7 operational.

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