

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 06/26/2012
POSITION: Neutral

BILL NUMBER: SB 1075
AUTHOR: Sen Rules

BILL SUMMARY: Uniform Electronic Legal Material Act.

This bill would adopt the Uniform Electronic Legal Material Act (UELMA), which provides requirements for the authentication, preservation, and security of electronic materials. This bill would designate the Legislative Counsel Bureau (LCB) as the official publisher for electronic legal material.

FISCAL SUMMARY

The LCB indicates that this bill would result in one-time costs of \$135,000 to \$165,000 General Fund (GF) for set up, authentication, archiving, and on-site storage and \$50,000 to \$70,000 GF annually thereafter for storage, licensing renewals, and auditing/sampling. The LCD further indicates that these costs could be absorbed from existing resources.

COMMENTS

The Department of Finance is neutral on this measure because it would ensure that official online state legal material is preserved and made permanently available to the public in unaltered form. This bill would increase the state's accountability and transparency by providing legal materials to the public.

Existing law:

- Establishes the LCB.
- Requires the LCB to make the California Codes, statutes, and the California Constitution available to the public in electronic form.
- Provides that any electronic public access shall be in addition to other electronic or print distribution of the information.

This bill would:

- Designate the LCB as the official publisher for electronic legal material.
- Require the LCB as the official publisher to ensure the accuracy and continued use of the preserved electronic material, and to provide for back up and disaster recovery of the preserved electronic material.
- Provide that where an official publisher publishes legal material only in electronic form, the material must be designated as official, and the legal material must be authenticated, secured, and preserved.
- Specify best practices of other official publishers and states, which official publishers must consider in implementing the UELMA.
- Become operative on July 1, 2015.

Analyst/Principal (0222) J.Carosone	Date	Program Budget Manager Lisa Ann Mangat	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

BILL ANALYSIS--(CONTINUED)**Form DF-43****AUTHOR****AMENDMENT DATE****BILL NUMBER**

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COMMENTS (continued)

The purpose of this bill is to adopt the UELMA. The UELMA is a uniform law that establishes digital preservation protections for "official" state government electronic legal materials by requiring that official publishers provide for the preservation and security of the records. The UELMA was drafted and approved by the Uniform Law Commission and approved by the Council of State Governments as "suggested state legislation."

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					Fund Code
	LA	(Dollars in Thousands)					
	CO	PROP					
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015	
0160/Leg Counsel	SO	No		----- See Fiscal Summary -----		0001	