

## **PROCEDURE FOR EXAMINING RECORDS IN JOINT CUSTODY OF THE ASSEMBLY AND SENATE**

The Legislative Open Records Act of 1975 guarantees public access to information concerning the conduct of the Legislature in attending to the people's business. With regard to Joint Senate and Assembly Legislative records, the Joint Committee on Rules is charged with the custody of records and with the implementation of the Legislative Open Records Act. The following inspection guidelines have been adopted by the Joint Committee on Rules pursuant to the requirements of the Act.

1. Complete the attached Request to Examine Legislative Records form stating specifically what records you wish to inspect.
2. If the records are subject to disclosure (exceptions are listed below), the Chief Administrative Officer of the Joint Committee on Rules will authorize the inspection and have the records made available to you.
  - a. If your request is denied, you are entitled to a written explanation from the Joint Committee on Rules within four (4) days during legislative sessions and ten (10) days during recesses.
  - b. If an extended time is required to procure the records you have requested, you may make an appointment to inspect them at a specified future date and time.
3. Records may not be removed from the Joint Rules Committee office, or office designated for records inspection. They must be inspected in the presence of a designated staff member.
4. You are entitled to copies of records; however, copies may be charged at 10 cents per page.
5. Before leaving return all original records and sign and date the form attesting that you have examined the records.
6. Your request form will be maintained by the Joint Rules Committee; a copy will be sent to the Legislator or employee who is the subject of your request.

The following categories of Legislative records, among others, are exempt from mandatory public inspection pursuant to Sections 9072 and 9075 of the Government Code:

1. Records prepared before December 2, 1974.
2. Records pertaining to certain claims against the Legislature until they are finally adjudicated or settled, and records pertaining to litigation to which the Legislature is a party until such litigation has been finally adjudicated or settled.
3. Personnel files, medical files, and similar files pertaining to the privacy of individuals.
4. Preliminary drafts, notes, or memoranda among Members and staff, other than committee staff analyses directed to all committee members.
5. Records of individual names and phone numbers of senders and receivers of telephone and telegraph communications. The annual report required by Section 9131 of the Government Code provides total charges for each Member.
6. Records of individual transactions for fuel or lubricants for committee leased cars. The annual report required by Section 9131 of the Government Code provides total charges for each Member.
7. Communications from private citizens to the Legislature.
8. Records of complaints to the Legislature, its investigations, and its security procedures.
9. Correspondence of Members and their staffs.
10. Correspondence to Members and their staffs on matters other than legislation.
11. Written commentary submitted to the committee on legislation and the commentary (a) was not utilized by the staff of a fiscal committee in the presentation of the analysis of legislation or (b) is otherwise determined by the committee or its staff to be confidential.
12. Records where, based on the facts of the particular case, the Joint Rules Committee believes the public interest served by their nondisclosure clearly outweighs the public interest served by their disclosure.

# REQUEST TO EXAMINE RECORDS IN JOINT CUSTODY OF THE ASSEMBLY AND SENATE

**To: Joint Rules Committee**

Pursuant to Article 3.5 (commencing with Section 9070) of the Government Code, I hereby request to examine the following legislative records:

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Name of person making request: \_\_\_\_\_

Representing: \_\_\_\_\_  
(organization)

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

I was permitted to examine the committee records described above on

\_\_\_\_\_

(date)

**Return to:**

Joint Rules Committee  
Attention: Debra Gravert, Chief Administrative Officer  
State Capitol, Room 3016  
Sacramento, CA 95814

(916) 319-2800  
Fax (916) 319-2810

## APPROVAL

Authorized by: \_\_\_\_\_ Date: \_\_\_\_\_

Time In: \_\_\_\_\_ Time Out: \_\_\_\_\_