

1 [SB 48 Public records disclosure]

2 URGING THE CALIFORNIA STATE LEGISLATURE AND GOVERNOR DAVIS TO  
3 APPROVE SENATE BILL 48 REVISING THE CALIFORNIA PUBLIC RECORDS ACT

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5 WHEREAS, The California Public Records Act provides that the records of state and  
6 local agencies, unless exempt, should be made available upon payment of fees to cover  
7 costs; and,

8 WHEREAS, The California Public Records Act requires each agency to determine  
9 within 10 days from the receipt of a request for records whether the request seeks disclosable  
10 records within the possession of the agency and to notify the person making the request of  
11 that determination and the reasons therefor; and,

12 WHEREAS, The California Public Records Act authorizes persons to institute judicial  
13 proceedings to enforce his or her right to inspect or receive a copy of any public record; and,

14 WHEREAS, Persons have continued to face difficulties in their attempts to inspect or  
15 copy disclosable public records under the California Public Records Act; and,

16 WHEREAS, The California State Legislature is currently considering Senate Bill 48,  
17 which was introduced by Senator Sher; and,

18 WHEREAS, Senate Bill 48 would provide that any person who is notified of a denial of  
19 a request for public records may appeal to the Attorney General within 15 days of the date of  
20 the denial; and,

21 WHEREAS, Senate Bill 48 would require the Attorney General to issue a written  
22 decision within 15 days of the date that the written request and written response of the  
23 agency is received by the Attorney General; and,

24 WHEREAS, Senate Bill 48 would require the Attorney General to fine an agency \$100  
25 per day for illegally withholding documents; and,

1           WHEREAS, Senate Bill 48 is on file with the Clerk of the Board of Supervisors in File  
2 No. 990012 ; now, therefore, be it

3           RESOLVED, That the Board of Supervisors of the City and County of San Francisco  
4 endorses Senate Bill 48 and urges the California State Legislature to approve this legislation;  
5 and, be it

6           FURTHER RESOLVED, That a copy of this resolution be forwarded to his Honor, the  
7 Mayor, with a request that he transmit copies to the delegation from San Francisco, as well as  
8 Governor Davis, with a request they take all action necessary to achieve the objectives of this  
9 resolution.

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# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails Resolution

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**File Number:** 990012

**Date Passed:**

Resolution urging the California State Legislature and Governor Davis to approve Senate Bill 48 revising the California Public Records Act.

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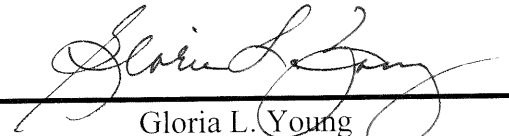
January 11, 1999 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng,  
Yaki, Yee

Absent: 1 - Medina

File No. 990012

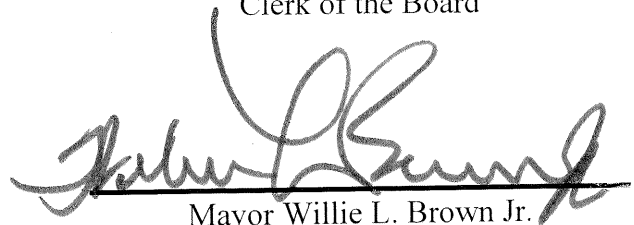
I hereby certify that the foregoing Resolution was ADOPTED on January 11, 1999 by the Board of Supervisors of the City and County of San Francisco.



Gloria L. Young  
Clerk of the Board

JAN 22 1999

Date Approved



Mayor Willie L. Brown Jr.