

March 5, 2024

The Honorable Kelly Seyarto
California State Senate
1021 O Street, Suite 7120
Sacramento, CA 95814

RE: SB 1034 (Seyarto): California Public Records Act: State of Emergency
Orange County Sanitation District – Support

Dear Senator Seyarto,

On behalf of the Orange County Sanitation District (OC San), I am writing today to support Senate Bill (SB) 1034. This bill adds a clause to the “unusual circumstances” definition pertaining to a request of the California Public Records Act (CPRA). If the Governor proclaims a state of emergency, this qualifies as an “unusual circumstance” as defined in SB 1034, which extends the response time for a public records request to no more than 14 additional days.

A state of emergency can affect state and local agencies’ ability to timely respond to CPRA requests due to decreased staffing or closure of the agency’s facilities. Additionally, difficulties can include a combination of resource constraints, logistical hurdles, safety concerns, and the need to prioritize immediate needs. SB 1034 allows for an extension to the existing law which requires agencies to respond within 10 days of receiving the request, as the state of emergency proclaimed by the Governor falls under an “unusual circumstance”. The agency would now have an extension of not more than 14 days to respond. With an extension during a state of emergency, this will allow agencies to prioritize urgent and life-threatening situations, instead of allocating resources to stay within CPRA compliance.

SB 1034 allows agencies to focus on keeping their communities safe during a state of emergency. During a state of emergency, agencies may face a surge in demand for their services while simultaneously experiencing resource constraints. These constraints can include shortages in staffing, equipment, and supplies, and immediate safety concerns, making it difficult to promptly respond to public record requests to stay within the compliance period. SB 1034 allows agencies to focus on keeping their communities safe in a state of emergency.

OC San applauds your leadership on this issue and is honored to support SB 1034. If you have any questions, please do not hesitate to contact Jennifer Cabral, Administration Manager, at (714) 593-7581 or via mail at JCabral@ocsan.gov.

Sincerely,



Chad P. Wanke
Board Chairman

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