



**GOVERNOR'S OFFICE OF BUSINESS AND ECONOMIC DEVELOPMENT**  
STATE OF CALIFORNIA • OFFICE OF GOVERNOR EDMUND G. BROWN JR.

**GUIDELINES FOR PUBLIC ACCESS TO PUBLIC RECORDS**

(Government Code Section 6250, et seq.)

**The Public Records Act**

The purpose of the California Public Records Act is to give the public greater access to information about how the State conducts the public's business. The law (beginning at California Government Code Section 6250) requires the Governor's Office of Business and Economic Development (GO-Biz) and other government agencies to make public records available on request. GO-Biz has set up these guidelines to ensure that members of the public fully understand how to exercise their right to inspect and get copies of public records. Public records in the possession of GO-Biz which are not exempt from disclosure under the Public Records Act shall be available for inspection, and copies of such public records shall be provided, pursuant to these guidelines.

**What are "public records"?**

"Public records" include any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by a governmental agency regardless of physical form or characteristics. "Writing" means handwriting, typewriting, printing, photocopying, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing, any form of communication or representation, including letters, words, pictures, sounds or symbols, and any record thereby created, regardless of the manner in which the record has been stored.

**Requesting Inspection or Copies of Public Records**

Requests should be sufficiently specific and focused to enable identification, location, and retrieval of the public records sought. If a request is not specific and focused, GO-Biz staff will assist the requester to identify public records that are responsive to the request or to the purpose of the request. While not required, the GO-Biz recommends that requests be submitted in writing to both streamline the response process and help GO-Biz accurately identify the records sought.

Written requests are encouraged to be directed to the Deputy Director of Legal Affairs, Governor's Office of Business and Economic Development, 1400 10<sup>th</sup> Street, 2<sup>nd</sup> Floor, Sacramento, CA 95814, via email at [GO-Biz.publicrecords@gov.ca.gov](mailto:GO-Biz.publicrecords@gov.ca.gov), or facsimile: (916) 322-0693. For requests by phone, please call (916) 322-0694 or (877) 345-4633.

Your request does not need to be in any particular form, but it will help us respond more effectively if you include a clear and specific description of the records you are asking for. If possible, identify dates, subjects, titles and authors of the records requested. Although not required, if you provide us your contact information (name, address, telephone number and e-mail address), it will enable us to reach you if we need to clarify your request.

Anyone with a disability who requires accommodation to access GO-Biz records should notify us of their accommodation needs.

**When will GO-Biz respond to my records request?**

Government agencies have 10 days from the date a request is received to tell you what documents they will provide, and what documents they will not, and why. GO-Biz must also give you an estimate of when the records will be available. In certain cases (for example, the request is "voluminous" files, requires consultation with another agency, is for records held off-site, or other circumstances defined in Government Code 6253), an agency can, with written notice to the requestor, give itself another 14 days to respond.



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**How soon will I get the records?**

The requested documents can either be made available with the initial response or within a reasonable time after. It is GO-Biz's policy that records not exempt from disclosure by State law will be open for public inspection with the least possible delay and expense to the requesting party. (Please note, the law does not require agencies to create new documents that otherwise would not exist, simply to respond to a request, or to create lists or reports in response to questions. In addition, you cannot request documents that have not yet been created, that is, you cannot make requests into the future.)

**Inspecting Public Records**

Public records in the possession of GO-Biz which are not exempt from disclosure shall be available for inspection during GO-Biz's normal business hours (8:00 a.m. – noon and 1:00 p.m.- 5:00pm Monday – Friday, subject to holidays and ordered closures). Public records which are clearly identifiable and disclosable will be made available as soon as possible. In some cases, staff will need time to review the records to determine whether all or part of a record may be privileged, confidential, or otherwise exempt from disclosure. To ensure that your requested documents are ready and available, it helps if you make an appointment, although this is not required. Inspecting public records is subject to a rule of reason regarding time and duration, and must be consistent with the efficient function of the State's office.

If the request seeks inspection of numerous records, a mutually agreeable time shall be established for the inspection. GO-Biz functions will not be disrupted to permit inspection of records, and records will not be available for inspection during periods when the records are required by GO-Biz personnel in the performance of their duties. Records shall not be removed from the possession of GO-Biz. **It is a crime to steal, remove, destroy, mutilate, deface, alter, or falsify records.** A GO-Biz employee may be present during the inspection of records to prevent the loss or destruction of records. Upon completion of the inspection, the person conducting the inspection shall relinquish physical possession of the records.

**Obtaining copies of Public Records**

Copies of public records that are not exempt from disclosure will be provided at the cost of 25 cents per page for duplication. After GO-Biz determines the number of pages of records responsive to a request, GO-Biz may require the requester to pay the duplication costs before the copies are made and provided. GO-Biz does not accept payment of estimated duplication costs at the time a request is made.

**Obtaining Public Records in Electronic Format**

If a request seeks public records in an electronic format, GO-Biz will provide those public records that are not exempt from disclosure in an electronic format if the records are kept in that format at the time the request is received. GO-Biz reserves the right to change its direct costs, if any, of providing copies of records in electronic format.

**Public Records Exempt from Disclosure**

In balancing the public's right to access public records with recognized individual right of privacy and the need for government agencies to be able to competently perform their duties, the Legislature has established certain categories of records as exempt from public disclosure. Accordingly, GO-Biz may refuse to disclose records which are exempt from disclosure under the Public Records Act (see for example Government Code sections 6254 and 6255).