

# HANDOUT 2

## Examples of Legally Defined Information Classifications

### CALIFORNIA CIVIL CODE SECTIONS

#### 1798.3.

As used in this chapter:

(a) The term “personal information” means any information that is maintained by an agency that identifies or describes an individual, including, but not limited to, his or her name, social security number, physical description, home address, home telephone number, education, financial matters, and medical or employment history. It includes statements made by, or attributed to, the individual.

#### 1798.29.

(g) For purposes of this section, “personal information” means either of the following:

(1) An individual’s first name or first initial and last name in combination with any one or more of the following data elements, when either the name or the data elements are not encrypted:

(A) Social security number.

(B) Driver’s License number, California Identification Card number, tax identification number, passport number, military identification number, or other unique identification number issued on a government document commonly used to verify the identity of a specific individual.

(C) Account number, credit or debit card number, in combination with any required security code, access code, or password that would permit access to an individual’s financial account.

(D) Medical information.

(E) Health insurance information.

(F) Unique biometric data generated from measurements or technical analysis of human body characteristics, such as fingerprint, retina, or iris image, used to authenticate a specific individual. Unique biometric data does not include a physical or digital photograph, unless used or stored for facial recognition purposes.

(G) Automated License Plate Recognition (ALPR) System Information (as defined in Civil Code Section 1798.90.5).

(2) A user name or email address, in combination with a password or security question and answer that would permit access to an online account.

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### **PUBLIC CONTRACT CODE SECTIONS**

#### **10115.15.**

(b) The Department of General Services shall conduct random audits of the submitted utilization plans to determine compliance with this article, and shall retain on file all submitted utilization plans for auditing purposes. During any audit of a submitted utilization plan, the Department of General Services may ask a vendor to submit a list of all the minority, women, and disabled veteran business enterprises included as subcontractors in the vendor's plan for the previous year. This information shall remain confidential.

### **PUBLIC UTILITIES CODE**

#### **454.5.**

(g) The commission shall adopt appropriate procedures to ensure the confidentiality of any market sensitive information submitted in an electrical corporation's proposed procurement plan or resulting from or related to its approved procurement plan, including, but not limited to, proposed or executed power purchase agreements, data request responses, or consultant reports, or any combination, provided that the Public Advocate's Office of the Public Utilities Commission and other consumer groups that are nonmarket participants shall be provided access to this information under confidentiality procedures authorized by the commission.

### **VEHICLE CODE SECTIONS**

#### **1808.4.**

(a) For all of the following persons, the person's home address that appears in a record of the department is confidential if the person requests the confidentiality of that information:

- (1) Attorney General.
- (2) State Public Defender.
- (3) A Member of the Legislature.
- (4) An active or retired judge or court commissioner.
- (5) A district attorney.
- (6) A public defender.

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(7) An attorney employed by the Department of Justice, the office of the State Public Defender, or a county office of the district attorney or public defender.

(8) A city attorney, city prosecutor, or an attorney who submits verification from their public employer that the attorney represents the city in matters that routinely place the attorney in personal contact with persons under investigation for, charged with, or convicted of, committing criminal acts, if that attorney is employed by a city attorney or city prosecutor.

(9) A nonsworn police dispatcher.

(10) A child abuse investigator or social worker, working in child protective services within a social services department.

(11).....

#### **EDUCATION CODE SECTIONS**

##### **49602.**

Any information of a personal nature disclosed by a pupil 12 years of age or older in the process of receiving counseling from a school counselor as specified in Section 49600 is confidential.

##### **60616.**

Any achievement test adopted by the state board pursuant to this chapter may be reviewed by any Member of the Legislature or any member of the governing board of a school district, if the member agrees in writing prior to the review to maintain the confidentiality of the test.

These are presented as examples only and are not a complete list.



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