



































California













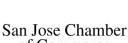








CONNECTION. EDUCATION. COMMUNITY. ADVOCACY.



Consumer









Chamber

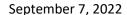


TECHNET









The Honorable Gavin Newsom Governor, State of California 1303 10th St., Suite 1173 Sacramento, CA 95814

Via email to: leg.unit@gov.ca.gov

Re: Requesting signature on <u>S.B. 1262</u>, (Bradford)

Dear Governor Newsom,

We are over 50 businesses and associations that strongly support S.B. 1262, a bill which allows consumers to start work and be placed in rental housing as quickly as possible. The bill does not create new law, but, rather, it restores the status quo for access to court records.

Senate Bill 1262 restores the long-standing accessibility of driver's license numbers (DLN) and dates of birth (DOB) in California court electronic indexes. Due to the prevalence of common names, this critical information is necessary to establish whether a court record belongs to a specific job or rental housing applicant. Without a return to the status quo, an applicant's name could produce hundreds or thousands of records unrelated to that individual.

The more than 20-year practice of using that information to filter through records was dismantled in May 2021. Last year, a California Court of Appeals decision incorrectly interpreted California Rule of Court Rule 2.507 as prohibiting any electronic access in indexes of DOBs or DLNs, including the ability to use this information as search filters. This decision drastically limits the results returned to users of electronic indexes. This decision caused the background check process to slow to a crawl or grind to a halt.

If organizations, including those who are legally mandated to perform background checks on applicants, can no longer use search filters such as date of birth and driver's license number in conducting routine court records checks, they will be left with nothing but names, and little or no way to associate a court record with a specific individual. This is especially problematic with the prevalence of common names. Hundreds—indeed, thousands—of potential false positives will result, rendering record search results meaningless.

Many businesses and nonprofits are required to perform background checks before they can put people to work. Even if not required, some organizations or apartment owners will conduct checks to ensure that they are maintaining a safe environment. The *Hamrick* decision has made those record checks impossible to complete, resulting in significant delays or denials of job or housing applications.

When a person wants a job or apartment, they often need that opportunity right away. It is vital that we restore the ability to timely review applicant's records. Without S.B. 1262, those applicants are at risk of being denied access to work and housing. The bill allows us to process background checks more efficiently and accurately.

We thank you in advance for your support for S.B. 1262, and we look forward to its passage.

Signed,

American Staffing Association Apartment Association of Greater Los Angeles Asian American Hotel Owners Association Brea Chamber of Commerce Carlsbad Chamber of Commerce

American Financial Services Association

California Apartment Association California Bankers Association California Building Industry Association
California Cable & Telecommunications
Association
California Chamber of Commerce
California Credit Union League
California Financial Services Association
California Hospital Association
California Hotel & Lodging Association

¹ <u>All of Us or None of Us - Riverside Chapter v. Hamrick</u>, (2021) 64 Cal.App.5th 751 [279 Cal.Rptr.3d 422] ("Hamrick").

California Restaurant Association California Rental Housing Association California Retailers Association California Staffing Association Coalition for Sensible Public Record Access **Consumer Data Industry Association** Corona Chamber of Commerce Danville Area Chamber Family Business Association of California Fountain Valley Chamber of Commerce Freemont Chamber of Commerce Fresno Chamber of Commerce Gilroy Chamber of Commerce Greater Conejo Valley Chamber of Commerce Greater High Desert Chamber of Commerce Imperial Valley Regional Chamber of Commerce La Cañada Flintridge Chamber of Commerce and **Community Association**

Laguna Niguel Chamber of Commerce
Long Beach Area Chamber of Commerce
Los Angeles Area Chamber of Commerce
Mission Viejo Chamber of Commerce
National Credit Reporting Association
Newport Beach Chamber of Commerce
NFIB
Official Police Garages of Los Angeles
Professional Background Screening Association
Rancho Cordova Chamber of Commerce
San Jose Chamber of Commerce
Santa Maria Valley Chamber of Commerce
Simi Valley Chamber of Commerce
Southern California Rental Housing Association

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Sue Weaver CAUSE

Tulare Chamber of Commerce West Ventura County Business Alliance Valley Industry & Commerce Association