



September 7, 2022

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

Via email to: [leg.unit@gov.ca.gov](mailto:leg.unit@gov.ca.gov)

Re: Requesting signature on [S.B. 1262](#), (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.<sup>1</sup> 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 Financial Services Association  
American Staffing Association  
Apartment Association of Greater Los Angeles  
Asian American Hotel Owners Association  
Brea Chamber of Commerce  
Carlsbad Chamber of Commerce  
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

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<sup>1</sup> [All of Us or None of Us - Riverside Chapter v. Hamrick](#), (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  
Sue Weaver CAUSE  
TechNet  
Tulare Chamber of Commerce  
West Ventura County Business Alliance  
Valley Industry & Commerce Association