

INITIAL STATEMENT OF REASONS

PROBLEM STATEMENT

California Civil Code section 1798.17 requires a privacy notice, regarding the collection and use of personal information, to be provided "... on or with any form used to collect personal information from individuals..." The Department of Justice (Department) is adding a privacy notice to five forms and updating the revision dates of those forms as referenced in Title 11, Section 4002, of the California Code of Regulations.

BENEFITS

The addition of the privacy notice benefits the general public by providing the following information as required pursuant to California Civil Code section 1798.17:

- The name of the agency and the division within the agency requesting the information.
- The title, business address, and telephone number of the agency official who is responsible for the system of records and who shall, upon request, inform an individual regarding the location of his or her records and the categories of any persons who use the information in those records.
- The authority that authorizes the maintenance of the information.
- With respect to each item of information, whether submission of such information is mandatory or voluntary.
- The consequences of not providing all or any part of the requested information.
- The principal purpose or purposes for which the information is to be used.
- Any known or foreseeable disclosures which may be made of the information pursuant to subdivision (e) or (f) of Civil Code section 1798.24.
- The individual's right of access to records containing personal information which are maintained by the agency.

PURPOSE AND NECESSITY

§ 4002

This section is amended for the sole purpose of updating the revision dates of the five forms referenced in this section to correspond with the addition of privacy notices. It should be noted that the information required on each of the forms, as previously established via incorporation by reference, is not being changed by this rulemaking activity.

The addition of the privacy notice to forms that require submission of personal information is necessary for the Department to comply with Civil Code section 1798.17.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORT OR DOCUMENTS

The Department did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the adoption of the regulations in this rulemaking.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department has concluded the proposed regulations will not affect (1) the creation or elimination of jobs within California, (2) the creation of new businesses or the elimination of existing businesses within California, (3) the expansion of businesses currently doing business within California. This conclusion is based on the proposed regulations merely updating the revision date on five forms due to the addition of a privacy notice. There are no fees or costs associated with the privacy notice.

As detailed above, the proposed regulations will benefit the general public by providing notice regarding the collection and use of personal information including an individual's right of access to records maintained by the Bureau of Firearms that contain that individual's personal information.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

The Department has determined that the proposed regulations will not have a significant, statewide, adverse economic impact affecting business because the forms referenced in the proposed regulations are used only by individuals rather than businesses.

REASONABLE ALTERNATIVES TO THE REGULATIONS AND THE DEPARTMENT'S REASONS FOR REJECTING THOSE ALTERNATIVES

No reasonable alternatives to the regulations were presented to or considered by the Department that would be either more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome.