An act to amend Section 8331 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL’S DIGEST

AB 63, as amended, Fong. State government.
Existing law requires state agencies to make available on the internet a plain-language form through which individuals can register complaints or comments relating to the performance of those agencies.

This bill would require, if the agency furnishes information or renders services to the public, or engages in any other state program or activity that involves public contact, that the plain-language form made available on the internet pursuant to these provisions utilize an A, B, C, D, and F grading system that individuals can use to rate their experience based upon the performance of the agency. The bill would require individuals to be given the option whether to display their complaint, comment, or grade publicly among other complaints, comments, and grades posted publicly on an agency’s internet website by other individuals.

SECTION 1. Section 8331 of the Government Code is amended to read:

8331. (a) (1) State agencies shall make available on the Internet, commencing July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99, a plain-language form through which individuals can register complaints or comments relating to the performance of that agency. The agency shall provide instructions on filing the complaint electronically, or on the manner in which to complete and mail the complaint form to the state agency, or both, consistent with whichever method the agency establishes for the filing of complaints.

(2) If the agency directly furnishes information or renders services to the public, including, but not limited to, providing public safety, protection, or prevention services, administering state benefits, implementing public programs, managing public resources or facilities, or holding public hearings, or engages in any other state program or activity that involves public contact, the plain-language form made available on the Internet pursuant to this section shall utilize an A, B, C, D, and F grading system that individuals can use to rate their experience based upon the performance of the agency.

(3) Complaints, comments, and, if applicable, the A through F grades received by the agency shall be made publicly available on the agency’s internet website. Individuals shall have the option whether to display their complaint, comment, or grade publicly among other complaints, comments, and grades made or given by other individuals posted on the agency’s internet website.

(b) Any printed complaint form used by a state agency as part of the process of receiving a complaint against any licensed individual or corporation subject to regulation by that agency shall be made available by the agency on the Internet, commencing July 1, 2001, unless otherwise authorized by the Department of Information Technology pursuant to Executive Order D-3-99. The agency shall provide instructions on filing the complaint electronically, or on the manner in which to complete and mail the complaint form to the state agency, or both, consistent
with whichever method the agency establishes for the filing of complaints.

(c) State agencies making a complaint form available on the Internet shall, to the extent feasible, do both of the following:

(1) Advise individuals calling the state agency to lodge a complaint of both of the following:

(A) The availability of the complaint form on the Internet.

(B) That many public libraries provide Internet access.

(2) Include on the Internet the location at which this information may be accessed in the telephone directory in order that citizens will be aware that they may contact the state agency via the Internet or by telephone.

(d) Public libraries, to the extent permitted through donations and other means, may do each of the following:

(1) Provide Internet access to their patrons.

(2) Advertise that they provide Internet access.

(e) Notwithstanding subdivision (a) of Section 11000, state agency as used in this section includes the California State University.