

AMENDED IN ASSEMBLY MAY 18, 2023

AMENDED IN ASSEMBLY APRIL 27, 2023

AMENDED IN ASSEMBLY MARCH 16, 2023

CALIFORNIA LEGISLATURE—2023–24 REGULAR SESSION

ASSEMBLY BILL

No. 1637

Introduced by Assembly Member Irwin

February 17, 2023

An act to add Section 50034 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1637, as amended, Irwin. Local government: internet websites and email addresses.

(1) The California Constitution authorizes cities and counties to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws and further authorizes cities organized under a charter to make and enforce all ordinances and regulations in respect to municipal affairs, which supersede inconsistent general laws.

The California Public Records Act requires a local agency to make public records available for inspection and allows a local agency to comply by posting the record on its internet website and directing a member of the public to the internet website, as specified.

This bill, no later than January 1, ~~2026~~, 2027, would require a local agency, as defined, that maintains an internet website for use by the public to ensure that the internet website utilizes a “.gov” top-level domain or a “.ca.gov” second-level domain and would require a local agency that maintains an internet website that is noncompliant with that

requirement to redirect that internet website to a domain name that does utilize a “.gov” or “.ca.gov” domain. This bill, no later than January 1, 2026, 2027, would also require a local agency that maintains public email addresses to ensure that each email address provided to its employees utilizes a “.gov” domain name or a “.ca.gov” domain name. By adding to the duties of local officials, the bill would impose a state-mandated local program.

(2) The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

~~(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.~~

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The Cybersecurity and Infrastructure Security Agency
- 4 (CISA), within the Department of Homeland Security, sponsors
- 5 the “.gov” top-level domain and makes it available solely to United
- 6 States-based government organizations and publicly controlled
- 7 entities, including California’s local agencies.
- 8 (b) California’s local agencies qualify for a “.gov” domain
- 9 without paying any fee.
- 10 (c) Using “.gov” increases security by enforcing multifactor
- 11 authentication on all accounts in the “.gov” registrar, requiring
- 12 browsers to only use a Hypertext Transfer Protocol Secure

1 (HTTPS) connection with “.gov” domains, and enabling the
2 addition of a security contact, making it easier for the public to
3 alert the agency about potential security issues with the agency’s
4 online services.

5 (d) The Government Operations Agency oversees the “.ca.gov”
6 domain name program, and the Department of Technology
7 manages the registration, change, and renewal process for “.ca.gov”
8 domains. Agencies are not required to pay any fee for a “.ca.gov”
9 domain.

10 (e) To administer the “.ca.gov” second-level domain, the
11 Department of Technology has established policies and protocols
12 consistent with federal policy, including, but not limited to, the
13 federal Interagency Committee on Government Information’s
14 Recommended Policies and Guidelines for Federal Public Websites
15 and the federal .gov Registrar administered by CISA.

16 (f) Users of websites or other internet services with a “.ca.gov”
17 domain can be assured they are accessing an official California
18 governmental resource.

19 SEC. 2. Section 50034 is added to the Government Code, to
20 read:

21 50034. (a) (1) No later than January 1, ~~2026~~, 2027, a local
22 agency that maintains an internet website for use by the public
23 shall ensure that the internet website utilizes a “.gov” top-level
24 domain or a “.ca.gov” second-level domain.

25 (2) If a local agency that is subject to paragraph (1) maintains
26 an internet website for use by the public that is noncompliant with
27 paragraph (1) by January 1, ~~2026~~, 2027, that local agency shall
28 redirect that internet website to a domain name that does comply
29 with paragraph (1).

30 (b) No later than January 1, ~~2026~~, 2027, a local agency that
31 maintains public email addresses for its employees shall ensure
32 that each email address provided to its employees utilizes a “.gov”
33 domain name or a “.ca.gov” domain name.

34 (c) For purposes of this section, “local agency” ~~has the same~~
35 ~~meaning as that term is defined in Section 54951.~~ *means a city,*
36 *county, or city and county.*

37 SEC. 3. The Legislature finds and declares that Section 2 of
38 this act adding Section 50034 to the Government Code addresses
39 a matter of statewide concern and is not a municipal affair as that
40 term is used in Section 5 of Article XI of the California

1 Constitution. Therefore, Section 1 of this act adding Section 50034
2 to the Government Code applies to all cities, including charter
3 cities.

4 ~~SEC. 4. No reimbursement is required by this act pursuant to~~
5 ~~Section 6 of Article XIII B of the California Constitution because~~
6 ~~a local agency or school district has the authority to levy service~~
7 ~~charges, fees, or assessments sufficient to pay for the program or~~
8 ~~level of service mandated by this act, within the meaning of Section~~
9 ~~17556 of the Government Code.~~

10 *SEC. 4. If the Commission on State Mandates determines that*
11 *this act contains costs mandated by the state, reimbursement to*
12 *local agencies and school districts for those costs shall be made*
13 *pursuant to Part 7 (commencing with Section 17500) of Division*
14 *4 of Title 2 of the Government Code.*