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Welfare and Institutions Code § 5330 – Compiled January, 2012

Our review of the annotated history reveals the following legislative history (every “c.” below represents a separate legislative bill):

§ 5330

Added: 1967, c. 1667

Amended:

- **1975, c. 1108:** inserted, in the introductory provision, “or of Chapter 3 (commencing with Section 4330) of Part 1 of Division 4,” (subsequently amended; see 1980 amendment note).
- **1980, c. 676:** substituted, in the introductory provision “or of Chapter 1 (commencing with Section 11860) of Part 3 of Division 10.5 of the Health and Safety Code” for “or of Chapter 3 (commencing with Section 4330) of Part 1 of Division 4”.
- **1998, c. 738:** rewrote this section to read as it does currently. *Prior to 1998, the statute read as follows:*

Any person may bring an action against an individual who has willfully and knowingly released confidential information or records concerning him in violation of the provisions of this chapter, or of Chapter 1 (commencing with Section 11860) of Part 3 of Division 10.5 of the Health and Safety Code, for the greater of the following amounts:

- (1) Five hundred dollars (\$500).
- (2) Three times the amount of actual damages, if any, sustained by the plaintiff.

Any person may, in accordance with the provisions of Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of the Code of Civil Procedure, bring an action to enjoin the release of confidential information or records in violation of the provisions of this chapter, and may in the same action seek damages as provided in this section.

It is not a prerequisite to an action under this section that the plaintiff suffer or be threatened with actual damages.

Four bills affected this section.

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