

2025-26 SESSION

**SENATE
THIRD READING PACKET**

FRIDAY, SEPTEMBER 12, 2025



**OFFICE OF SENATE FLOOR ANALYSES
651-1520**

SENATE THIRD READING PACKET

Attached are analyses of bills on the Daily File for Friday, September 12, 2025.

<u>Note</u>	<u>Measure</u>	<u>Author</u>	<u>Location</u>
	<u>SB 78</u>	Seyarto	Unfinished Business
	<u>SB 568</u>	Niello	Unfinished Business
	<u>SB 830</u>	Arreguín	Unfinished Business
	<u>SCR 84</u>	Blakespear	Senate Bills - Third Reading File
	<u>SCR 89</u>	Smallwood-Cuevas	Senate Bills - Third Reading File
+	<u>SCR 105</u>	Wahab	Senate Bills - Third Reading File
	<u>SJR 9</u>	Durazo	Unfinished Business
RA	<u>AB 8</u>	Aguiar-Curry	Assembly Bills - Third Reading File
	<u>AB 40</u>	Bryan	Assembly Bills - Third Reading File
RA	<u>AB 45</u>	Bauer-Kahan	Assembly Bills - Third Reading File
RA	<u>AB 84</u>	Muratsuchi	Assembly Bills - Third Reading File
	<u>AB 226</u>	Calderon	Assembly Bills - Third Reading File
	<u>AB 234</u>	Calderon	Assembly Bills - Third Reading File
	<u>AB 237</u>	Patel	Assembly Bills - Third Reading File
	<u>AB 299</u>	Gabriel	Assembly Bills - Third Reading File
	<u>AB 334</u>	Petrie-Norris	Assembly Bills - Third Reading File
	<u>AB 366</u>	Petrie-Norris	Assembly Bills - Third Reading File
RA	<u>AB 378</u>	Valencia	Assembly Bills - Third Reading File
	<u>AB 572</u>	Kalra	Assembly Bills - Third Reading File
	<u>AB 644</u>	Gabriel	Assembly Bills - Third Reading File
	<u>AB 695</u>	Fong	Assembly Bills - Third Reading File
	<u>AB 732</u>	Macedo	Assembly Bills - Third Reading File
	<u>AB 735</u>	Carrillo	Assembly Bills - Third Reading File
	<u>AB 782</u>	Quirk-Silva	Assembly Bills - Third Reading File
	<u>AB 789</u>	Bonta	Assembly Bills - Third Reading File
	<u>AB 808</u>	Addis	Assembly Bills - Third Reading File
RA	<u>AB 847</u>	Sharp-Collins	Assembly Bills - Third Reading File
	<u>AB 881</u>	Petrie-Norris	Assembly Bills - Third Reading File
	<u>AB 888</u>	Calderon	Assembly Bills - Third Reading File
	<u>AB 904</u>	Aguiar-Curry	Assembly Bills - Third Reading File
	<u>AB 962</u>	Hoover	Assembly Bills - Third Reading File
RA	<u>AB 963</u>	Petrie-Norris	Assembly Bills - Third Reading File
	<u>AB 968</u>	Boerner	Assembly Bills - Third Reading File
	<u>AB 1018</u>	Bauer-Kahan	Assembly Bills - Third Reading File
	<u>AB 1036</u>	Schultz	Assembly Bills - Third Reading File
	<u>AB 1043</u>	Wicks	Assembly Bills - Third Reading File
	<u>AB 1079</u>	Ávila Farías	Assembly Bills - Third Reading File
	<u>AB 1084</u>	Zbur	Assembly Bills - Third Reading File
	<u>AB 1108</u>	Hart	Assembly Bills - Third Reading File
RA	<u>AB 1127</u>	Gabriel	Assembly Bills - Third Reading File
	<u>AB 1143</u>	Bennett	Assembly Bills - Third Reading File
RA	<u>AB 1156</u>	Wicks	Assembly Bills - Third Reading File
RA	<u>AB 1178</u>	Pacheco	Assembly Bills - Third Reading File
	<u>AB 1231</u>	Elhawary	Assembly Bills - Third Reading File
	<u>AB 1273</u>	Patterson	Assembly Bills - Third Reading File
	<u>AB 1331</u>	Elhawary	Assembly Bills - Third Reading File

+ ADDS

RA Revised Analysis

* Analysis pending

<u>Note</u>	<u>Measure</u>	<u>Author</u>	<u>Location</u>
RA	<u>AB 1376</u>	Bonta	Assembly Bills - Third Reading File
	<u>AB 1388</u>	Bryan	Assembly Bills - Third Reading File
	<u>AB 1448</u>	Hart	Assembly Bills - Third Reading File
	<u>AB 1454</u>	Rivas	Assembly Bills - Third Reading File
	<u>ACR 2</u>	Jackson	Assembly Bills - Third Reading File
	<u>ACR 32</u>	Carrillo	Assembly Bills - Third Reading File
	<u>ACR 40</u>	Fong	Assembly Bills - Third Reading File
	<u>ACR 61</u>	Stefani	Assembly Bills - Third Reading File
	<u>ACR 95</u>	Kalra	Assembly Bills - Third Reading File
	<u>ACR 100</u>	Kalra	Assembly Bills - Third Reading File
	<u>ACR 106</u>	Kalra	Assembly Bills - Third Reading File
	<u>AJR 6</u>	Aguiar-Curry	Assembly Bills - Third Reading File
	<u>AJR 9</u>	Wallis	Assembly Bills - Third Reading File

+ ADDS

RA Revised Analysis

* Analysis pending

UNFINISHED BUSINESS

Bill No: SB 78
Author: Seyarto (R), et al.
Amended: 9/2/25
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 15-0, 4/8/25

AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Cervantes, Dahle, Gonzalez, Grayson, Limón, Menjivar, Richardson, Seyarto, Umberg, Valladares

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25

AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab

NO VOTE RECORDED: Dahle

SENATE FLOOR: 38-0, 5/29/25

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Limón, Reyes

ASSEMBLY FLOOR: 77-0, 9/8/25 - See last page for vote

SUBJECT: Department of Transportation: report: state highway system: safety enhancements

SOURCE: Author

DIGEST: This bill requires the California Department of Transportation (Caltrans) to prepare and submit a report to the Legislature by January 1, 2027 that evaluates current efforts and potential opportunities to streamline the processes and procedures for the delivery of safety enhancement projects on the state highway system.

Assembly Amendments of 9/2/25 recast provisions of the Caltrans study on safety enhancements to include recommendations for enhancing interagency coordination and procurement strategies, an evaluation of the use and feasibility of alternative project delivery methods, and an assessment of whether Caltrans has sufficient statutory authority to effectively these methods.

ANALYSIS:

Existing law:

- 1) Assigns Caltrans the responsibility of operating and maintaining state highways (Streets & Highways Code (SHC) §91)
- 2) Establishes the California Traffic Safety Program (OTS), which consists of a comprehensive plan in conformity with the laws of this state to reduce traffic accidents and deaths, injuries, and property damage resulting from accidents. (Vehicle Code (VEH) §2900)
- 3) Requires OTS to provide a detailed presentation and a statement concerning the progress made in implementing the program and recommendations concerning possible legislative action deemed necessary or desirable to implement the program. (VEH §2905)

This bill:

- 1) Requires Caltrans to prepare a report to the Legislature containing the following:
 - a) A review of factors that affect the timing of safety enhancement projects.
 - b) An evaluation of, and Caltrans' statutory authority to utilize, alternative project delivery methods such as design-build, progressive design-build, job order contracting, and construction manager/general contractor, and other innovative approaches.
 - c) Recommendations for enhancing interagency coordination and procurement strategies to streamline delivery of safety enhancement projects.
 - d) A summary of existing and planned department initiatives to streamline the delivery of safety enhancements.
- 2) Requires the report be used as an informational source and be based on available data.

- 3) Prohibits the report from including project-specific findings, imply causality between delivery timelines and safety outcomes, or create a new duty, right, or standard of care for Caltrans.

Comments

- 1) *Purpose of this bill.* According to the author, “By prioritizing safety enhancements in high-risk areas, this bill will reduce the rising toll of traffic fatalities. We need to pay attention to the parts of our highway system that chronically cause serious accidents and ensure they are addressed for the safety of our constituents. California’s future depends on its ability to build and maintain a safe and reliable transportation network. By investing in delayed infrastructure projects, protecting consumers, and prioritizing road safety, we can ensure a better quality of life for all Californians while addressing long-standing challenges.”
- 2) *Traffic safety in California.* Despite the general decrease in driving during the COVID-19 pandemic, traffic crashes and fatalities actually increased. According to OTS, traffic fatalities increased approximately 7.6% from 3,980 in 2020 to 4,285 in 2021. The increase of traffic fatalities in recent years led to the creation of the Vision Zero Network, a collaborative nonprofit campaign with the goal of eliminating all traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all. Today, more than 40 communities (including at least 13 in California) across the country have joined the Vision Zero Network.
- 3) *Safe Systems.* In 2022, Caltrans issued a Director’s Policy on Road Safety (DP-36) that committed the department to a Safe System approach and reaffirmed the vision of reaching zero fatalities and serious injuries on state highways by 2050. Under the Safe System approach, Caltrans focuses on five elements: safe road users, safe roads, safe speeds, safe vehicles, and post-crash care. As part of the policy, Caltrans committed to prioritizing safety in highway planning, operation, construction, and maintenance, to focus on eliminating the most serious crashes rather than all crashes, and eliminating disparities in road safety outcomes.
- 4) *Calmer roads.* One key element of the Safe Systems approach is speed management to ensure that vehicles are traveling at safe speeds on the highways. One approach is to include features along the roadway itself that encourage drivers to maintain a safer speed. These traffic calming devices include things like vehicle speed feedback signs, road markings that create the

impression of reducing spacing on the road to encourage slower speeds, improved crosswalks and pedestrian signage, roundabouts, intersection barriers, road diets, curb bulbous, and speed humps. Caltrans' guide on traffic calming states that traffic calming strategies should be given increased consideration along safety corridors or roadway segments with a high percentage of speed-related collisions.

- 5) *Delays in road infrastructure.* The process by which improvements on the State Highway System are planned is very forward-looking, but also very protracted. The Transportation Asset Management Plan is the strategic plan Caltrans produces every two years that assesses the state of the physical assets on the national and state highway systems. This information, along with information from Caltrans' policy documents, is used to create the State Highways System Management (SHSMP) plan which is an operational plan that includes all major physical assets and deficiencies on the state highway system. The targets set in that plan then are used to establish the set of projects in the State Highway Operation and Protection Program (SHOPP), which is the state's "fix-it-first" program that funds the repair, preservation, and safety improvements on the state highway system. As such, the SHOPP and the projects Caltrans will be working on for the next four years are actually based on the SHSMP from five years prior. Policy changes, like implementation of the Safe System approach, can take a long time to have an impact.

Related/Prior Legislation

SB 936 (Seyarto, 2024) – Would have required Caltrans to complete a study identifying the 15 locations on the state highway system with the highest rates of vehicle collisions and to propose projects to improve road safety at each of these locations by January 1, 2026.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Committee on Appropriations:

- The scope of the report this bill is broad, and Caltrans will face significant new analytical and administrative work to produce it. Costs will likely be in the low- to high hundreds of thousands of dollars (special fund) over the period it takes Caltrans to produce the report.
- Caltrans anticipates one-time costs of approximately \$543,000 to produce the report. According to Caltrans, this amount covers 1.25 personnel years at

an approximate cost \$243,000, as well as, if needed, \$300,000 for a contract with an outside consultant.

SUPPORT: (Verified 9/3/25)

Associated General Contractors of California
Associated General Contractors, California Chapters
Associated General Contractors-san Diego Chapter
California Asphalt Pavement Association
California Trucking Association
Chino Valley Chamber of Commerce
CSAC
League of California Cities
Ontario; City of
Streets for All

OPPOSITION: (Verified 9/3/25)

None received

ARGUMENTS IN SUPPORT: Associated General Contractors, California Chapters writes, "[s]afety is paramount on California's transportation system. AGC strongly supports initiatives aimed at reducing vehicle collisions on the State Highway System. This study presents a valuable opportunity to identify and develop safety projects to address these risks effectively. Furthermore, by examining delays in project delivery would inform additional opportunities for streamlined project delivery."

Ayes: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Jackson, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Noes:

No Vote Recorded: Irwin, Lee, Nguyen

Prepared by: Isabelle LaSalle / TRANS. / (916) 651-4121
9/8/25 19:36:11

****** END ******

UNFINISHED BUSINESS

Bill No: SB 568
Author: Niello (R)
Amended: 9/4/25 in Assembly
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 4/9/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25
AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Dahle

SENATE FLOOR: 38-0, 5/29/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Limón, Reyes

ASSEMBLY FLOOR: 76-1, 9/8/25 - See last page for vote

SUBJECT: Pupil health: epinephrine delivery systems: schoolsites and childcare programs

SOURCE: Author

DIGEST: This bill (1) updates terminology from “epinephrine auto-injectors” to “epinephrine delivery systems” relative to the authority for a pharmacy to furnish epinephrine to local educational agencies (LEAs), the requirement that LEAs provide emergency epinephrine to school nurses or trained personnel, and the authority for school nurses or trained personnel to use epinephrine to provide emergency medical aid to a person suffering from an anaphylactic reaction; (2) specifically includes programs operated by or under contract with LEAs in existing

provisions; and, (3) expands existing provisions to also apply to state or federally subsidized child care programs operated by or under contract with LEAs.

Assembly Amendments of 9/4/25 (1) specifically include programs operated by or under contract with LEAs in existing provisions; (2) expand existing provisions to also apply to state or federally subsidized child care programs operated by or under contract with LEAs; (3) changes references from “school districts, county offices of education, and charter schools” to instead reference “local educational agencies.”

ANALYSIS:

Existing law:

- 1) Requires school districts, county offices of education, and charter schools to provide emergency epinephrine auto-injectors, to be stored in an accessible location upon need for emergency use, to school nurses or trained personnel who have volunteered, to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code (EC) § 49414)
- 2) Authorizes school nurses or trained personnel to use epinephrine auto-injectors to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (EC § 49414)
- 3) Authorizes each private elementary and secondary school in the state to voluntarily determine whether or not to make emergency epinephrine auto-injectors and trained personnel available at its school. In making this determination, a school shall evaluate the emergency medical response time to the school and determine whether initiating emergency medical services is an acceptable alternative to epinephrine auto-injectors and trained personnel. A private elementary or secondary school choosing to exercise the authority provided under this subdivision shall not receive state funds specifically for purposes of this subdivision. (EC § 49414)
- 4) Defines “epinephrine auto-injector” as a disposable delivery device designed for the automatic injection of a pre-measured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (EC § 49414)

- 5) Authorizes a pharmacy to furnish epinephrine auto-injectors to a school district, county office of education, or charter school if all of the following are met:
 - a) The epinephrine auto-injectors are furnished exclusively for use at a school district site, county office of education, or charter school.
 - b) A physician and surgeon provides a written order that specifies the quantity of epinephrine auto-injectors to be furnished. (Business and Professions Code (BPC) § 4119.2)
- 6) Requires school districts, county offices of education, or charter schools to maintain records regarding the acquisition and disposition of epinephrine auto-injectors furnished by a pharmacy, for a period of three years from the date the records were created. The school district, county office of education, or charter school shall be responsible for monitoring the supply of epinephrine auto-injectors and ensuring the destruction of expired epinephrine auto-injectors. (BPC § 4119.2)

This bill:

- 1) Updates terminology from “epinephrine auto-injectors” to “epinephrine delivery systems” relative to the authority for a pharmacy to furnish epinephrine to LEAs, the requirement that LEAs provide emergency epinephrine to school nurses or trained personnel, and the authority for school nurses or trained personnel to use epinephrine to provide emergency medical aid to a person suffering from an anaphylactic reaction.
- 2) Updates terminology from “auto-injectable epinephrine” to “epinephrine delivery systems” relative to the authority for a student to be assisted by the school nurse or other designated school personnel, or to carry and self-administer prescription epinephrine.
- 3) Clarifies that the requirement to provide emergency epinephrine delivery systems, and the associated responsibilities, applies to each schoolsite of an LEA, including any program operated by or under contract with an LEA, and expands the responsibilities to any state or federally subsidized childcare program operated by or under contract with the LEA.
- 4) Clarifies and simplifies existing references to dosage, by striking language relating to “regular” and “junior” epinephrine auto-injectors and instead

reference consideration of the ages and weights of individuals at the public school.

- 5) Amends the definition of volunteer or trained personnel, authorized to administer epinephrine under specified conditions, to include employees of a childcare program who have volunteered, received training, and are subject to liability limitations pursuant to existing law.
- 6) Changes references from “school district site, county office of education, or charter school” to “local educational agency.”

Comments

Need for this bill. According to the author, “In 2014, the Legislature passed, on a bi-partisan basis, SB 1266 (Huff) which required epinephrine in public schools. This measure has helped safeguard children (saving countless lives to date) and has ensured our school health professionals have the necessary medication on hand at school to provide lifesaving treatment.

“According to Food Allergy Research Education (FARE), as many as 33 million Americans suffer from life threatening allergies. It is estimated that nearly 6 million of these people are children under the age of 18 – *that is one in every 13 children - or 2 in every classroom.* Many first time allergic reactions that require epinephrine happen at school.

“Anaphylaxis is a potentially lethal allergic reaction. It can happen when a person is stung by a bee, ingests food such as shellfish or nuts, or maybe even just comes in contact with something as simple as latex. Epinephrine is the first line of treatment for someone who is experiencing anaphylaxis. It can be easily administered and has very little side-effect. Allergic reactions can be severe, even fatal, without prompt administration of epinephrine.

“Since the passage of SB 1266, the state has made access to preschool a priority and is now expanding to Universal Preschool. State preschool was not contemplated under the original bill although the intent of the author was to provide access to all students. It is now necessary to not only modernize the code with medication delivery system language changes (as new and improved medication has come to market), but to also address the potential gap that preschoolers may have by not being specifically called out in the original bill.

“Some districts have expressed confusion if they are supposed to be providing the epinephrine in their preschool programs. This clarity is needed for schools to ensure they do not have any exposed liability for their preschool students.”

Auto-injector vs delivery system. On August 9, 2024, the United States Food and Drug Administration (FDA) approved an epinephrine nasal spray for the emergency treatment of allergic reactions, including those involving anaphylaxis in adults and children weighing at least 66 pounds. This is the first epinephrine product that is not administered by injection. The FDA noted that “anaphylaxis is life-threatening, and some people, particularly children, may delay or avoid treatment due to fear of injections. The availability of epinephrine nasal spray may reduce barriers to rapid treatment of anaphylaxis.” As a result, it is necessary to broaden references in statute to enable the use of epinephrine nasal sprays in schools.

Related/Prior Legislation

AB 228 (Sanchez, 2025), an urgency measure, replaces references to “emergency epinephrine auto-injectors” to “emergency epinephrine delivery systems,” and modifies the requirement that LEAs provide emergency epinephrine auto-injectors to instead reference at least one type of FDA-approved emergency epinephrine delivery system. AB 228 was held in the Assembly Appropriations Committee.

AB 2714 (Wallis, 2024) was substantially similar to this bill. AB 2714 was held in the Assembly Appropriations Committee.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee, this bill would impose the following costs:

- 1) One-time Proposition 98 General Fund costs of an unknown but potentially significant amount, possibly in the hundreds of thousands of dollars, for LEAs to stock emergency epinephrine delivery systems at each schoolsite. If each of the state’s approximately 10,000 schools now purchase one system, which may cost \$50 per unit, then statewide costs would be \$500,000. However, many programs exist that provide epinephrine delivery systems to schools at no cost and many LEAs already stock them at each schoolsite as a best practice. Therefore, actual costs to LEAs statewide may be significantly lower.

- 2) Minor and absorbable costs for the California Department of Education to revise their existing periodic training review to include emergency epinephrine delivery systems beyond auto-injectors.

SUPPORT: (Verified 9/8/25)

Alameda County School Nurse Network
 American Academy of Pediatrics, California
 American College of Allergy, Asthma and Immunology
 Association of Regional Center Agencies
 Asthma and Allergy Foundation of America
 California Academy of Physician Assistants
 California Association of School Police Chiefs
 California Coalition of School Safety Professionals
 California School Nurses Organization
 California Society for Allergy, Asthma and Immunology
 California State University, East Bay Department of Nursing
 CleanEarth4Kids.org
 Elijah-Alavi Foundation
 Food Allergy & Anaphylaxis Connection Team
 Food Allergy Nurses Association
 Los Angeles School Police Management Association
 Los Angeles School Police Officers Association
 Natalie Giorgi Sunshine Foundation
 National Association of Pediatric Nurse Practitioners
 Riverside Police Officers Association
 Riverside Sheriffs' Association
 San Francisco State University

OPPOSITION: (Verified 9/8/25)

None received

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo,

Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis,
Ward, Wicks, Wilson, Zbur, Rivas

NOES: Ávila Farías

NO VOTE RECORDED: Bonta, Lee, Nguyen

Prepared by: Lynn Lorber / ED. / (916) 651-4105

9/8/25 19:42:28

****** END ******

UNFINISHED BUSINESS

Bill No: SB 830
Author: Arreguín (D), et al.
Amended: 9/2/25 in Assembly
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 4/8/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SENATE FLOOR: 37-0, 4/24/25 (Consent)
AYES: Allen, Alvarado-Gil, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Archuleta, Reyes, Rubio

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-0, 9/10/25
AYES: Blakespear, Gonzalez, Menjivar, Pérez, Reyes
NO VOTE RECORDED: Valladares, Dahle, Hurtado

ASSEMBLY FLOOR: 79-0, 9/8/25 - See last page for vote

SUBJECT: California Environmental Quality Act: administrative and judicial streamlining benefits: hospital: City of Emeryville

SOURCE: Author

DIGEST: This bill establishes expedited administrative and judicial review procedures under the California Environmental Quality Act (CEQA) for an "environmental leadership hospital campus project" in the City of Emeryville, requiring the courts to resolve lawsuits within 365 days, to the extent feasible.

Assembly Amendments of 9/2/25 remove the previous content of this bill related to telehealth and replaces it with the current content of this bill creating a CEQA streamlining process for an “environmental leadership hospital campus project” in the City of Emeryville.

ANALYSIS:

Existing law:

- 1) CEQA requires lead agencies with the principal responsibility for carrying out or approving a project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for the project, unless the project is exempt from CEQA. (Public Resources Code (PRC) §21000 et seq.). If a project may have a significant effect on the environment, the lead agency must prepare a draft EIR. (CEQA Guidelines §15064(a)(1), (f)(1))
- 2) Establishes the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900, Buchanan, Chapter 354, Statutes of 2011), which established CEQA administrative and judicial review procedures for an "environmental leadership" project. The Act was later extended and modified in 2021 (SB 7, Atkins, Chapter 19, Statutes of 2021). (PRC §21178 et seq.)
- 3) Establishes streamlining provisions for a broad swath of energy, transportation, water, and semiconductor projects eligible for expedited judicial review under CEQA in SB 149 (Caballero, Chapter 60, Statutes of 2023). Projects must meet certain environmental and labor criteria to be eligible for this certification. The streamlining certification ends January 1, 2033.

This bill:

- 1) Requires the Emeryville City Council to certify an eligible hospital project for streamlining (i.e., expedited administrative and judicial review) if the city finds the following conditions will be met:
 - a) The project will result in an investment of at least one billion dollars in California upon completion.
 - b) The project does not result in any net additional greenhouse gas (GHG) emissions, as specified.
 - c) The project applicant will enter into a legally binding and enforceable community benefits agreement with the lead agency that may include

specified measures in addition to any other mitigation measures required pursuant to CEQA.

- d) The project will achieve a reduction in vehicle miles traveled per capita of at least 15 percent compared to existing development.
 - e) The project will obtain certification as LEED gold standard or better for all new construction that is eligible for LEED certification.
 - f) The project applicant will, before the completion of the project, certify to the lead agency that the project applicant has completed a health impact review by the Attorney General and will comply with any resulting conditions issued by the Attorney General, as specified.
 - g) If measures are required to mitigate significant environmental impacts in a disadvantaged community, those impacts will be mitigated consistent with CEQA and the mitigation measures will be undertaken in, and directly benefit, the affected community.
 - h) The project will generate at least 500 jobs during construction.
 - i) The project creates high-wage, highly skilled jobs that pay prevailing wages and living wages, employs a skilled and trained workforce, as defined, provides construction jobs and permanent jobs for Californians, and helps reduce unemployment. These requirements do not apply to a contractor or subcontractor performing work that is subject to a project labor agreement.
 - j) The project applicant demonstrates compliance with specified recycling requirements.
 - k) The project applicant agrees that all mitigation measures required pursuant to CEQA and any other environmental measures required by this bill shall be conditions of approval of the project, and those conditions will be fully enforceable by the lead agency.
 - l) The project applicant agrees to pay the costs of the trial court and the court of appeal in hearing and deciding any case subject to this section, including payment of the costs for the appointment of a special master if deemed appropriate by the court, in a form and manner provided in the rules of court adopted by the Judicial Council.
 - m) The project applicant agrees to pay the costs of preparing the record of proceedings for the project concurrent with review and consideration of the project pursuant to this division, in a form and manner specified by the lead agency for the project.
- 2) Requires the Judicial Council to adopt rules of court to establish procedures that require resolution, to the extent feasible, within 365 days, including any appeals, of a lawsuit challenging the certification of the EIR or any project approvals.

- 3) Makes related findings.

Background

- 1) *The A, B, C's of CEQA*. CEQA is designed to (a) make government agencies and the public aware of the environmental impacts of a proposed project, (b) ensure the public can take part in the review process, and (c) identify and implement measures to mitigate or eliminate any negative impact the project may have on the environment. CEQA is enforced by civil lawsuits that can challenge any project's environmental review.

Under CEQA, projects (unless they have a specific exemption) must undergo environmental analysis. This process starts with an initial study which determines what level of further environmental review is needed for a given project. If a project has no significant effects on the environment, or if those effects can be fully mitigated, the project can move forward with a negative declaration (ND) or mitigated negative declaration (MND). If the initial study finds that the project has potential significant effects on the environment, then a full EIR is conducted. An EIR provides thorough environmental review of a proposed project, analyzing the significant direct and indirect environmental impacts of a proposed project. The EIR also includes proposed mitigation measures for any significant effects that it identifies and considers alternatives to the proposed project.

CEQA requires lead agencies with the principal responsibility for carrying out or approving a project to prepare a negative declaration (ND), mitigated negative declaration (MND), or environmental impact report (EIR) for the project, unless the project is exempt from CEQA. (Public Resources Code (PRC) §21000 et seq.). If a project may have a significant effect on the environment, the lead agency must prepare a draft EIR. (CEQA Guidelines §15064(a)(1), (f)(1))

- 2) *Provisions to expedite CEQA*. Under CEQA, state and local agencies must complete and adopt a ND in 180 days, and certify an EIR within a year. If there is a compelling circumstance to extend this timeline, agencies may take longer, but only if the project applicant consents. After the environmental review is completed, the case may be subject to litigation. Judicial Council asserts that it takes over six months just for a CEQA case to get a hearing, let alone reach a decision.

To help speed CEQA cases through the court system, current law provides several measures to prioritize CEQA cases and speed up judicial review, including:

- The Superior Court and the Court of Appeal must give CEQA lawsuits preference over all other civil actions;
- If feasible, the Court of Appeal must hear a CEQA appeal within one year of filing;
- Discovery is generally not allowed, as CEQA cases are generally restricted to review of the record; and
- Counties with a population of over 200,000 must designate one or more judges to develop expertise on CEQA and hear CEQA cases.

- 3) *CEQA Administrative and Judicial Streamlining*. The Legislature has developed streamlining measures to speed CEQA lawsuits against specified projects through the courts. In current law, CEQA streamlining entails both judicial and administrative streamlining. Judicial streamlining requires that a CEQA lawsuit be heard in 270 days, including all appeals, as feasible. Administrative streamlining requires projects to prepare the administrative record, the comprehensive document at the heart of a CEQA case, at the same time as the environmental review documents are prepared. Preparing these documents concurrently, instead of sequentially, saves time if there is a lawsuit. These streamlining measures shorten what is potentially the lengthiest portion of the CEQA process—litigation—while retaining the full environmental review and public engagement offered under CEQA.

In 2011, the Legislature passed the first CEQA streamlining certification program with the Jobs and Economic Improvement Through Environmental Leadership Act (Leadership Act), which created CEQA streamlining for residential, retail, commercial, sports, and recreational use projects that were certified as Environmental Leadership Development Projects (ELDP) by the Governor (AB 900, Buchanan, Chapter 354, Statutes of 2011). The ELDP program was further extended and modified in 2021 with (SB 7, Atkins, Chapter 19, Statutes of 2021) and in 2023, The Legislature expanded these same streamlining provisions for certain energy, transportation, and water infrastructure projects (SB 149, Caballero, Chapter 60, Statutes of 2023).

Comments

- 1) *Purpose of Bill.* According to the author, “Maintaining access to emergency and acute care is critical for the East Bay region, with natural hazard risks, a growing senior population and a shortage of facilities due to the 2015 closure of Doctors Hospital in San Pablo and the announced closure of the Alta Bates Summit Berkeley Hospital by 2030. These closures would put thousands of residents at risk without an accessible emergency room, and put a strain on the region's remaining hospitals.

“After years of community advocacy and discussion, in February 2025, Sutter Health announced plans to invest more than \$1 billion dollars to expand services in the East Bay. At the heart of this regional expansion is the construction of a new, 12-acre Sutter Health Emeryville Campus, which will serve as a key healthcare destination, and will allow for a transition of hospital services to avoid the negative impacts of Alta Bates' closure on East Bay residents. SB 830 is necessary to ensure the region's residents will be able to have access to high-quality care within a 15-minute drive from home or work.”

- 2) *Effectiveness of administrative and judicial streamlining.* A 2019 report by the Senate Office of Research entitled “Review of Environmental Leadership Development Projects” tracked the timeline projects receiving CEQA judicial and administrative streamlining from 2011 to 2018. According to the report, 19 projects were submitted to the Governor to be certified as ELDP projects. Of the ones that were selected for certification and moved forward with the project, the report found that no ELDP project was actually reviewed within 270 days. At the time the report was authored, the following projects had been completed in timelines ranging from 352-578 days.

Project	Business Days	Calendar Days
Kings Arena	243	352
Warriors Arena	257	376
8150 Sunset Boulevard	395	578

However, while ELDP projects were not completed within 270 days, the report also found that projects were reviewed under a faster timeline compared to other similar projects. According to the report, the average time for an ELDP-comparable project to wind its way through the judicial review process was 3-5

years, meaning that the 1-2-year timeline for ELDP projects represents significant time savings.

- 3) *What makes an environmental leader?* SB 830 provides expedited judicial review for an “environmental leadership hospital campus project” (a term created in this bill) in the City of Emeryville. What makes a project an environmental leader that should receive prioritized expedited judicial review, bumping it to the front of the line of cases to be heard in the event of a lawsuit? SB 830 adds some environmental criteria, including that the project does not result in net additional GHG emissions, and will be relatively low-VMT. It also offers some environmental guardrails by specifying that the project applicant will enter into a legally binding and enforceable community benefits agreement with the lead agency that may include specified measures in addition to any other mitigation measures required pursuant to CEQA. This is an important addition, since environmental projects can still have environmental impacts, and thus it is still important to provide additional tools for communities to advocate for measures to mitigate the impacts of projects on their communities, even when the projects are deemed environmental leaders.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

There is no current fiscal analysis on this measure.

SUPPORT: (Verified 9/10/25)

Sutter Health

OPPOSITION: (Verified 9/10/25)

None received

ASSEMBLY FLOOR: 79-0, 9/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Nguyen

Prepared by: Brynn Cook / E.Q. / (916) 651-4108
9/10/25 11:03:30

****** END ******

THIRD READING

Bill No: SCR 84
Author: Blakespear (D), et al.
Introduced: 5/19/25
Vote: 21

SUBJECT: California Rail Month

SOURCE: Author

DIGEST: This resolution recognizes May 2025 as California Rail Month.

ANALYSIS: This resolution makes the following legislative findings:

- 1) Since California become the 31st state in 1850, rail has been historically important in connecting communities to the rest of the nation and growing economic opportunity, making rail services a vital public infrastructure that is intrinsically linked to many of the state's most important goals and celebrated successes.
- 2) There are five local agencies responsible for operating regional rail services: the Southern California Regional Rail Authority operating Metrolink, the Peninsula Corridor Joint Powers Board operating Caltrain, the San Joaquin Regional Rail Commission operating the Altamont Corridor Express, the North County Transit District operating COASTER, and the Sonoma-Marín Area Rail Transit District operating Sonoma-Marín Area Rail Transit.
- 3) The California State Rail Plan establishes a long-term vision for passenger and freight rail services across the state, recognizing the urgency of developing a rail network by 2050 that is zero emission, provides reliable and frequent service, and is interconnected as part of a multimodal transportation ecosystem.
- 4) The California State Rail Plan has set a goal of providing nearly 200 million daily passenger-miles on a statewide rail network by 2050.
- 5) The California State Rail Plan has identified \$65 billion in federal, state, local, and private investment to be completed in the state over the next 10 years, and

has a vision for a total investment of \$307 billion by 2050 which will create an economic return of over \$537 billion for the state; and be it further.

- 6) The state plans to have approximately 1,500 miles of rail electrified by 2050 and 440 miles of rail constructed over the next 10 years.

This resolution recognizes as California Rail Month in recognition of the invaluable contributions that rail has made to the state

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 5/22/25)

None received

OPPOSITION: (Verified 5/22/25)

None received

Prepared by: Sofia Pachon-Mendez / SFA / (916) 651-1520
5/27/25 17:45:39

**** END ****

THIRD READING

Bill No: SCR 89
Author: Smallwood-Cuevas (D), et al.
Amended: 6/25/25
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-1, 7/8/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener
NOES: Niello
NO VOTE RECORDED: Valladares

SUBJECT: Diversity, Equity, and Inclusion

SOURCE: Author

DIGEST: This resolution affirms the Legislature's commitment to Diversity, Equity, and Inclusion (DEI) principles at a time when DEI efforts and programs are under attack.

ANALYSIS:

Existing law:

- 1) Provides that no state shall deny to any person within its jurisdiction the equal protection of the laws. (United States Constitution (U.S. Const.), 14th Amend., § 1.)
- 2) Provides that a person may not be denied the equal protection of the laws, and that a citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens. (California Constitution (Cal. Const.), art. I, § 7.)
- 3) Provides that Congress shall make no law abridging the freedom of speech. (U.S. Const., 1st amend.)

This resolution:

1) Declares that:

- a) The American Dream has been a beacon of hope for generations.
- b) The American Dream embodies the ideals of opportunity, prosperity, and upward mobility, promising that every person should have the chance to achieve what they themselves define as success and fulfillment through hard work and determination.
- c) Many today feel that their American Dream is unattainable.
- d) The American Dream belongs to all of us.
- e) Our highest accomplishments as a state and nation have been achieved when we harness the strengths of all people regardless of their identities to overcome our greatest challenges.
- f) DEI is a centuries-old movement deeply rooted in America's founding principles and its subsequent legacy of civil rights and social justice efforts aimed at delivering the laws, policies, and initiatives that enable America to live up to our Constitution's promises.
- g) DEI policies, from the Nineteenth Amendment to the United States Constitution to the Civil Rights Act of 1964 to the Americans with Disabilities Act of 1990, among others, reflect the corrective legislative and legal actions taken across our nation's history to expand and guarantee access to the educational, economic, and civic obligations and capacities of our nation.
- h) California has been a leader in promoting diversity, equity, and inclusion within the California state service to achieve equitable work cultures.
- i) Governor Newsom signed an executive order directing state agencies and departments to take additional actions to embed equity analysis and considerations in their mission, policies, and practices and establishing the Racial Equity Commission.
- j) The California State Assembly passed a resolution to require the Assembly to explore methods to integrate equity more formally into its daily activities, including the potential adoption of an equity impact analysis into the existing committee and floor bill analysis process.

- k) DEI principles and policies promote equal access to opportunities, foster an environment of respect and belonging, and ensure that every individual—regardless of background—can fully participate in all aspects of society.
- l) DEI policies are intended not only to promote access, but to proactively dismantle systematic inequalities in education, employment, housing, health care, and civic participation that have disproportionately impacted communities of color, indigenous peoples, women, LGBTQ+ individuals, individuals with disabilities, and other historically excluded groups.
- m) DEI initiatives often include targeted recruitment, culturally competent workplace training, equity-focused budgeting, inclusive curriculum development, and disaggregated data reporting to address measurable disparities in outcomes.
- n) DEI is essential to creating a society where all individuals are valued, heard, and included.
- o) DEI is based on removing barriers to opportunity so our merits can speak for themselves.
- p) DEI is committed to widening pathways to the American Dream for every community so that all people can reap the benefits of shared prosperity in our nation.
- q) Freedom of speech and expression are fundamental constitutional rights, protecting the ability of individuals to voice their ideas and opinions without interference, punishment, or retaliation by the government.
- r) Retaliatory actions such as terminating, silencing, or marginalizing qualified public servants, educators, and professionals based on their advocacy for equity or their identities—including race, gender, or LGBTQ+ status—represent a dangerous erosion of civil liberties and a threat to representative leadership in public life.
- s) Attempts to prohibit DEI practices diminish the diversity of perspectives that strengthen our society, and conflict with antidiscrimination laws.
- t) The federal government under the Trump Administration and ongoing political actors have sought to dismantle DEI frameworks, including banning DEI training in federal agencies, attempting to eliminate race-conscious admissions policies, and threatening funding for universities that incorporate equity-related content.

- u) These efforts not only undermine civil rights progress but contradict core democratic values enshrined in the United States Constitution and upheld through decades of precedent, such as *Brown v. Board of Education* and *Griggs v. Duke Power Co.*
 - v) Efforts to attack DEI are harmful to our country.
- 2) Resolves, by the Senate of the State of California and with the Assembly concurring:
- a) The Legislature affirms its commitment to DEI as an essential foundation for achieving the American Dream and fostering environments where all individuals have the freedom to be healthy, prosperous, and safe and have the opportunity to realize their full potential.
 - b) The Legislature encourages local, state, and federal policymakers, educational institutions, workplaces, and other organizations to adopt and uphold DEI principles that promote inclusivity, protect freedom of expression, remove barriers, and provide equitable opportunities for all individuals to pursue their dreams.
 - c) The Secretary of the Senate shall transmit copies of this resolution to the author for appropriate distribution.

Comments

In the face of ongoing attacks on DEI and the dismantling of DEI programs, this resolution reaffirms the Legislature's commitment to DEI as a necessary foundation for ensuring that all persons have the opportunity to realize their full potential. This resolution recites the history and purpose of DEI and California's leading role in promoting diversity, equity, and inclusion within state government and across the state. This resolution also recognizes that attempts to prohibit DEI practices and programs diminish the diversity of perspectives, which weakens, rather than strengthens, our society. This resolution states that these anti-DEI efforts are harmful to our country. Finally, this resolution states that the Legislature encourages local, state, and federal policymakers, educational institutions, workplaces, and other institutions to adopt and uphold DEI principles that promote inclusivity, protect freedom of expression, remove barriers, and provide equitable opportunities for all individuals to pursue their dreams.

FISCAL EFFECT: Appropriation: Fiscal Com.: No Local:

SUPPORT: (Verified 7/9/25)

None received

OPPOSITION: (Verified 7/9/25)

None received

Prepared by: Allison Whitt Meredith / JUD. / (916) 651-4113
7/9/25 16:03:42

****** END ******

THIRD READING

Bill No: SCR 105
Author: Wahab (D) and Wiener (D), et al.
Introduced: 9/8/25
Vote: 21

SUBJECT: Human Rights: Gaza

SOURCE: Author

DIGEST: This resolution reaffirms California's commitment to universal human rights and calls for the end to the humanitarian catastrophe in Gaza and the immediate release of all hostages.

ANALYSIS: This resolution makes the following legislative findings:

- 1) The horrific humanitarian catastrophe in Gaza caused by the conflict between Israel and Hamas has resulted in the documented loss of over 60,000 lives and the displacement of 1,700,000 Palestinians, and widespread destruction, prompting calls for immediate action for a cease-fire, humanitarian aid, and relief.
- 2) Hamas and allied fighters killed approximately 1,200 people in Israel, and kidnaped roughly 251 hostages during the horrific October 7 terror attacks; roughly 50 hostages remain living under dire conditions in Gaza.
- 3) The World Health Organization has reported a profound collapse of the health system, with many hospitals only partially functional and critical shortages of power, water, medicines, and supplies.
- 4) International humanitarian law prohibits removal of ethnic groups from their homelands, collective punishment, the use of civilians as human shields, and indiscriminate attacks that kill civilians, and United Nations bodies and the International Committee of the Red Cross have repeatedly reminded all parties including both the Israeli government and Hamas of these obligations.
- 5) California is home to significant Jewish, Muslim, Arab, Israeli, and Palestinian communities, each of which plays a significant role in the life of our state and

contributes to the beautiful tapestry that makes California the beacon of hope that it is, and California has a compelling interest in affirming human dignity, the protection of civilians, and the importance of compliance with international law.

This resolution supports and calls for immediate steps to end the humanitarian catastrophe in Gaza, including famine conditions, civilian casualties and injuries, destruction of homes and infrastructure, and the collapse of health and education systems.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/11/25)

None received

OPPOSITION: (Verified 9/11/25)

None received

Prepared by: Aizenia Randhawa / SFA / (916) 651-1520
9/11/25 11:44:42

**** END ****

UNFINISHED BUSINESS

Bill No: SJR 9
Author: Durazo (D), Arreguín (D), Caballero (D) and Hurtado (D), et al.
Amended: 9/2/25
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 6/24/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE FLOOR: 29-6, 7/3/25
AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NOES: Alvarado-Gil, Choi, Jones, Niello, Strickland, Valladares
NO VOTE RECORDED: Dahle, Grove, Ochoa Bogh, Reyes, Seyarto

ASSEMBLY FLOOR: 59-11, 9/2/25 - See last page for vote

SUBJECT: Immigrants in California: mass immigration raids

SOURCE: The Coalition for Humane Immigrant Rights of Los Angeles; Central American Resource Center; California Immigrant Policy Center

DIGEST: This resolution strongly condemns and denounces recent mass immigration raids that have targeted immigrant workers and families in California and the engagement of the military in immigration enforcement operations in response to community protests.

Assembly Amendments of 9/2/25 add coauthors and make technical changes.

ANALYSIS:

Existing federal law:

- 1) Provides that the federal government has the exclusive authority to regulate immigration and naturalization. (United States Constitution (U.S. Const.), Art. 1, Sec. 8.)
- 2) Provides that the Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, anything in the Constitution or laws of any state to the contrary notwithstanding. (U.S. Const. Art. VI)
- 3) Provides that Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. (U.S. Const. Amend. 1)
- 4) Provides that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. (U.S. Const. Amend 4.)
- 5) Provides that no person shall [...] be deprived of life, liberty, or property, without due process of law. (U.S. Const. Amend 5)
- 6) Provides that the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people, and prohibits the federal government from “conscripting” the states to enforce federal regulatory programs. (U.S. Const. Amend 10.)
- 7) Provides that all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside, and that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. (U.S. Const. Amend 14, Sec. 1.)

Existing state law:

- 1) Establishes the Values Act, which prohibits law enforcement agencies (LEAs) from using resources to investigate, interrogate, detain, detect or arrest people for immigration enforcement purposes, as specified. (Government (Gov.) Code, § 7284.6, et. seq.)

- 2) Provides individuals who are in the custody of local LEAs with information about their procedural and legal rights in the event that immigration authorities want to contact them. These provisions are commonly known as the Truth Act. (Gov. Code, §§ 7283, 7283.1, & 7283.2.)
- 3) Known as the TRUST Act, defines the circumstances in which local law enforcement agencies may comply with immigration detainer requests. (Gov. Code, §§ 7282, 7282.5.)
- 4) Requires the California Department of Corrections and Rehabilitation to cooperate with the Department of Homeland Security by providing the use of prison facilities, transportation, and general support, as needed, for the purposes of conducting and expediting deportation hearings and subsequent placement of deportation holds on undocumented immigrants who are incarcerated in state prison. (Penal Code, § 5026.)

This resolution:

- 1) Finds that California is home to more than 10 million immigrants, the nation's largest by population and proportion, including over 2 million undocumented residents, who enrich our communities, strengthen our economy, and contribute to the cultural and social fabric of the Golden State.
- 2) Finds that immigrants are deeply rooted in our state's communities, families, and workforce, with 45% of all children in California having at least one immigrant parent and over 50% of all California workers being immigrants or children of immigrants.
- 3) Finds that deporting a parent or family member has serious detrimental impacts on children, affecting 3.3 million mixed-status families in California.
- 4) Finds that Latino and Asian families make up some of the largest undocumented groups, with a majority coming from Mexico, Central America, Asia, and South America.
- 5) Finds that deportations tear families apart by separating parents from their children, leaving lasting emotional scars by increasing psychological distress, physical health issues, social isolation, and setbacks in their educational future.
- 6) Finds that United States Immigration and Customs Enforcement has targeted Home Depot stores, car washes, business vendors, construction sites, and garment factories in predominantly Latino communities.

- 7) Finds that United States citizens, based on their skin color and appearance, have been unlawfully harassed, handcuffed, arrested and deported.
- 8) Finds that since June 6, 2025, U.S. Immigration and Customs Enforcement (ICE), along with armed federal agents, conducted military-style immigration raids and arrests at work sites, homes, and public spaces, creating a climate of fear among immigrants dropping their children off at school, going to work, attending faith services, seeking medical or emergency services, or shopping for essential needs.
- 9) Finds that since June 6, 2025, more than 1,600 people have been arrested in the indiscriminate raids at work sites, homes, and public spaces across the County of Los Angeles and dozens more people have been arrested across the Counties of Orange, Riverside, San Bernardino, and Ventura.
- 10) Finds that while conducting immigration raids and arrests, ICE and Customs and Border Protection agents sealed off entire streets with the assistance of local law enforcement and federalized National Guard troops, utilized unmarked armored vehicles, and conducted warrantless raids in a militarized and indiscriminate manner, sparking widespread panic, fear, and terror among immigrant workers, families, and communities.
- 11) Finds that the recent immigration raids have been heavily militarized, included the unconstitutional detention and arrest of residents without due process, disproportionately affected communities of color, separated families, undermined public safety and trust in local governments, and deterred families from accessing health care, education, and emergency assistance.
- 12) Finds that members of Congress were denied access to conduct oversight visits at the federal “B-18” detention facility and the Adelanto ICE Processing Center to inspect the conditions of detention, despite their right to do so under federal law, and attorneys were repeatedly denied access to people who were arrested during the indiscriminate immigration raids and arrests.
- 13) Finds that the unconstitutional immigration raids and arrests quickly prompted tens of thousands of community, labor, and faith protests at multiple locations, including the Edward R. Roybal Federal Building and the City of Paramount, where immigration raids were ongoing.
- 14) Finds that the protests were overwhelmingly peaceful, with demonstrators exercising their First Amendment rights to oppose the Trump Administration’s

mass immigration raids and to stand in solidarity with immigrant families impacted by these federal actions.

- 15) Finds that during the course of these protests, Service Employees International Union California President David Huerta was injured, arrested, and detained after federal authorities alleged he was obstructing enforcement activities, while union representatives and community members assert he was wrongfully arrested while lawfully observing law enforcement.
- 16) Finds that the immigration raids and arrests consist of potential violations of constitutional rights, including raids and arrests conducted without warrants and using racial profiling.
- 17) Finds that despite clear evidence that local authorities were fully capable of responding to these events, President Trump unilaterally deployed 4,000 California National Guard members and 700 Marines over the objection of California Governor Gavin Newsom, with President Trump's stated intent to crush dissent and further intensify and militarize immigration raids and arrests.
- 18) Finds that the federal escalation appears to be part of a deliberate strategy to provoke chaos, suppress and criminalize dissent, and terrorize immigrant communities across California and the nation.
- 19) Finds that President Trump's administration has signaled an intention to intensify nationwide immigration raids and arrests, creating an ongoing threat and danger to California families, workplaces, and neighborhoods.
- 20) Finds that multiple elected officials, religious groups, labor unions, and advocacy organizations have denounced the mass immigration raids and pledged to protect and support immigrant communities.
- 21) Finds that immigrants play a vital role in stimulating the economy as workers, business owners, taxpayers, and consumers and that their contributions boost national economic growth and lower the United States deficit.
- 22) Finds that immigrants help power the fourth largest economy in the world, sourcing one-half of a trillion dollars' worth of products, which represents 5 percent of the state's gross domestic product, and that immigrants also make up nearly one-half of California's agricultural workers, and fuel key industries like manufacturing, construction, and hospitality.
- 23) Finds that California's immigrants contributed \$8.5 billion in state and local taxes in 2022 and play a vital role in stimulating the state's economy.

- 24) Finds that on June 12, 2025, President Trump announced that changes were coming and that “Our great Farmers and people in the Hotel and Leisure business have been stating that our very aggressive policy on immigration is taking very good, longtime workers away from them, with those jobs being almost impossible to replace,” but on June 16, 2025, the United States Department of Homeland Security and ICE told staff that it must continue to conduct immigration raids at agricultural businesses, hotels, and restaurants, creating a whiplash of confusion that continues to wreak havoc on our economy, agricultural industry, and small businesses.
- 25) Resolves that the Legislature hereby strongly condemns the mass immigration raids, targeting of immigrant workers and families, and the militarized federal response in California, and denounces President Trump’s deployment of military forces to suppress community protests and engage in immigration enforcement operations.
- 26) Resolves that California stands with immigrant families, workers, and community leaders, and will not tolerate the terrorizing of our neighborhoods under the guise of “enforcement.”
- 27) Resolves that California rejects the criminalization of peaceful protest and reaffirms the constitutional rights of all residents to organize, demonstrate, and demand justice without fear of violent retaliation.
- 28) Resolves that the Legislature affirms its commitment to safeguarding the rights and safety of all Californians, regardless of immigration status, by upholding the fundamental principles of equal treatment, due process, and civil liberties under the law.
- 29) Resolves that the Legislature supports the expansion of legal services and emergency response resources to protect workers, children, and families affected by immigration enforcement.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

N/A

SUPPORT: (Verified 9/2/25)

California Immigrant Policy Center (co-source)

Central American Resource Center (co-source)

The Coalition for Humane Immigrant Rights of Los Angeles (co-source)

A New Way of Life Reentry Project

ACLU California Action
Alliance for a Better Community
Alliance for Boys and Men of Color
Almas Libres
American Friends Service Committee
Asian Americans Advancing Justice Southern California
Asian Law Alliance
Avan Immigrant Services
Beverly-Vermont Community Land Trust
Brotherhood Crusade
Buen Vecino
Cair California
California Alliance for Youth and Community Justice
California Coalition for Women Prisoners
California Community Action Partnership Association
California Faculty Association
California Federation of Labor Unions, AFL-CIO
California for Safety and Justice
California Lulac State Organization
California Public Defenders Association
California Rural Legal Assistance Foundation
California School-based Health Alliance
California United for a Responsible Budget
Center for Gender and Refugee Studies-California
Centro Binacional Para El Desarrollo Indigena Oaxaqueño
Centro Community Hispanic Association (Centro Cha Inc.)
Centro Legal De LA Raza
CFT- a Union of Educators & Classified Professionals, Aft, Afl-cio
Community Action Board of Santa Cruz County
Community Action Board of Santa Cruz County, INC.
Community Health Project Los Angeles
Community Legal Services in East Palo Alto
Contra Costa Immigrant Rights Alliance
Courage California
CPCA Advocates
Dreamer Fund
Drug Policy Alliance
East Bay Community Law Center
Education and Leadership Foundation
Ella Baker Center for Human Rights

Empowering Women Impacted by Incarceration
End Child Poverty California Powered by Grace
Ensuring Opportunity Campaign
Equality California
Esperanza Community Housing
Fair Chance Project
Freedom for Immigrants
Fresh Lifelines for Youth
Hpeace: Health Professionals for Equality and Community Empowerment
Immigrant Defenders Law Center
Immigrant Legal Defense
Immigration Institute of the Bay Area
Immigration Resource Center of San Gabriel Valley
Inclusive Action for the City
Indivisible CA Statestrong
Initiate Justice
Initiate Justice Action
Inland Coalition for Immigrant Justice
Instituto De Educacion Popular Del Sur De California
Korean Resource Center
LA Defensa
LA Raza Community Resource Center (san Francisco)
Latino Coalition for a Healthy California
Local 148 LA County Public Defenders Union
Los Angeles LGBT Center
Los Cien Sonoma County
Mixteco/indigena Community Organizing Project
National Lawyers Guild Los Angeles
New Light Wellness
Northeast Valley Health Corporation
Northern California Coalition for Just Immigration Reform
On the Move
Orale: Organizing Rooted in Abolition Liberation and Empowerment
People for Mobility Justice
Pico California
Pomona Economic Opportunity Center
Prevention Institute
Public Counsel
Raizes Collective
Restoring Hope California

Rubicon Programs
Salvadoran American Leadership and Educational Fund
San Bernardino Community Service Center, INC
San Bernardino Community Service Center, INC.
SEIU California
Services, Immigrant Rights and Education Network
Silicon Valley De-bug
Sister Warrior Freedom Coalition
Smart Justice California
Social Justice Collaborative
Sonoma County Sanctuary Coalition
South Asian Network
South Bay People Power
Southeast Asia Resource Action Center
St John's Community Health
T.r.u.s.t. South LA
Thai Community Development Center
The Children's Partnership
The San Fernando Valley Young Democrats
The W. Haywood Burns Institute
UnidosUS
Unitarian Universalists of Petaluma
USF School of Law Racial Justice Clinic
Valor
Vera Institute of Justice
VIDAS
Vision Y Compromiso
Western Center on Law & Poverty
World Relief Southern California

OPPOSITION: (Verified 9/2/25)

None received

ASSEMBLY FLOOR: 59-11, 9/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers,

Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani,
Valencia, Ward, Wicks, Wilson, Zbur, Rivas
NOES: Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Patterson,
Sanchez, Ta, Tangipa
NO VOTE RECORDED: Alanis, Berman, Castillo, Flora, Jeff Gonzalez, Hoover,
Lackey, Macedo, Wallis

Prepared by: Alex Barnett / PUB. S. /
9/3/25 13:34:02

****** END ******

THIRD READING

Bill No: AB 8
Author: Aguiar-Curry (D)
Amended: 9/5/25 in Senate
Vote: 27

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 11-0, 7/7/25
AYES: Ashby, Choi, Archuleta, Arreguín, Grayson, Menjivar, Niello,
Smallwood-Cuevas, Strickland, Umberg, Weber Pierson

SENATE REVENUE AND TAXATION COMMITTEE: 5-0, 7/9/25
AYES: McNerney, Valladares, Ashby, Grayson, Umberg

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 73-1, 6/2/25 - See last page for vote

SUBJECT: Cannabis: cannabinoids: industrial hemp

SOURCE: California Cannabis Operators Association

DIGEST: This bill establishes the framework and pathway for the integration of industrial hemp into the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) beginning January 1, 2028 and requires the incorporation of industrial hemp to comply with specified provisions of MAUCRSA. This bill prohibits a licensee from possessing industrial hemp, as specified, until January 1, 2028; establishes a quarantine procedure for industrial hemp at the entry point of the cannabis market; revises numerous definitions under MAUCRSA; prohibits the sale of synthetic cannabis products and inhalable cannabis products containing tetrahydrocannabinols (THC) derived from hemp; permits a topical cosmetic product that is not consumable to contain a THC concentration of not more than an amount determined by the Department of Public Health (DPH) in regulation, not to exceed 0.3% total THC and; makes numerous other clarifying and conforming changes related to integration.

Senate Amendments of 9/5/25 add language to resolve a chaptering conflict with SB 861.

ANALYSIS:

Existing law:

- 1) Enacts (MAUCRSA) to provide for a comprehensive regulatory framework for the cultivation, distribution, transport, storage, manufacturing, processing, and sale of medicinal and adult-use cannabis. (Business and Professions Code (BPC) §§ 26000 *et seq.*)
- 2) Excludes industrial hemp from the definition of cannabis under MAUCRSA. (BPC § 26001)
- 3) Establishes the Department of Cannabis Control (DCC) within the Business, Consumer Services, and Housing Agency for purposes of administering and enforcing MAUCRSA. (BPC § 26010)
- 4) Provides for 20 total types of cannabis licenses including subtypes for cultivation, manufacturing, testing, retail, distribution, and microbusiness; requires each licensee except for testing laboratories to clearly designate whether their license is for adult-use or medicinal cannabis. (BPC § 26050)
- 5) Prohibits the sale of cannabis products that are alcoholic beverages, including through an infusion of cannabis or cannabinoids derived from industrial hemp into alcoholic beverages. (BPC § 26070.2)
- 6) Defines “industrial hemp” as a crop that is limited to types of the plant *Cannabis sativa* L. having no more than three-tenths of one percent THC contained in the dried flowering tops, whether growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin produced therefrom. (Health and Safety Code (HSC) § 11018.5(a))
- 7) Establishes a regulatory framework for industrial hemp under the Sherman Food, Drug, and Cosmetic Law (Sherman Law) administered by the California Department of Public Health (CDPH), under which manufacturers of products containing industrial hemp are required to obtain a process food registration and comply with good manufacturing practices. (HSC §§ 111920 *et seq.*)

- 8) Requires the distribution or sale of industrial hemp products to include documentation of a certificate of analysis (COA) from an independent testing laboratory that confirms that the industrial hemp raw extract, in its final form, does not exceed THC concentration of an amount determined allowable by the CDPH in regulation, or that the mass of the industrial hemp extract used in the final form product does not exceed a THC concentration of 0.3%. (HSC § 111921)
- 9) Authorizes the CDPH to adopt regulations to determine maximum serving sizes for hemp-derived cannabinoids, hemp extract, and products derived therefrom, active cannabinoid concentration per serving size, the number of servings per container, and any other requirements for foods and beverages. (HSC § 111922)

This bill:

- 1) Requires, until January 1, 2028, a licensed cannabis manufacturer to only use cannabinoid concentrates and extracts that are manufactured or processed exclusively from cannabis obtained from a licensed cannabis cultivator. Prohibits, until January 1, 2028, a licensee from possessing, transporting, distributing, manufacturing, or selling industrial hemp on or from a licensed premises, except that a licensed testing laboratory may test industrial hemp.
- 2) Adds “industrial hemp” to the following definitions under MAUCRSA: Batch, Harvest batch, and Distributor.
- 3) Establishes, updates, adds, and refines various definitions, including:
 - a) “cannabinoid” to mean a chemical compound found in cannabis and industrial hemp that binds to or otherwise activates cannabinoid receptors in humans and animals
 - b) “cannabis”, “cannabis concentrate”, and “cannabis product” under MAUCRSA to have the same meaning under the Uniformed Controlled Substance Act as specified in the Health and Safety Code (HSC)
 - c) “CBD isolate” to mean a compound extracted from the cannabis or industrial hemp consisting of CBD (CAS-number 13956-29-1), with a purity level greater than 99% and that does not contain any form of tetrahydrocannabinol or synthetic cannabinoid

- d) “CBN isolate” to mean a compound extracted from cannabis or industrial hemp consisting of cannabis, as specified, with a purity level greater than 99% and that does not contain any form of tetrahydrocannabinol or synthetic cannabinoid
 - e) “commercial cannabis activity” to include cultivation of cannabis
 - f) “industrial hemp” under MAUCRSA to have the same meaning as under the Uniform Controlled Substance Act as specified in the (HSC)
 - g) “licensed market” to mean the California licensed market for cannabis, industrial hemp, and cannabis products that is subject to regulation under MAUCRSA
 - h) “synthetic cannabinoid” under MAUCRSA to mean a cannabinoid or cannabinoid-like compound that is produced by using biosynthesis, bioconversion, or chemical synthesis, reaction, modification, conversion, or a similar process, including but limited to, any form of THC was produced by the conversion of CBD (CAS number 13956-29-1), or any other chemical substance identified by the DCC in regulation. Specifies various items not included in the definition of synthetic cannabinoid.
- 4) Exempts regulated products under the Sherman Act that do not contain cannabinoids other than CBD isolate from MAUCRSA.
 - 5) Prohibits under MAUCRSA the introduction into the licensed market of cannabis concentrate or cannabis products derived in whole or part from industrial hemp that have been manufactured without a cannabis manufacturing license.
 - 6) States that cannabis products and cannabis concentrates are not considered food, as specified.
 - 7) Permits the state to destroy any package, label, advertisement bearing the universal symbol or its likeness that violates MAUCRSA, as specified.
 - 8) Clarifies that other state and local agencies have authority to take enforcement for violations of MAUCRSA, including violations of the penal code.

- 9) Requires for purposes of a bond that it be enough to cover the all costs of destruction including administrative, investigatory, and enforcement costs incurred by the DCC.
- 10) Deletes the requirement for the DCC to establish procedures for issuance and revocation of unique identifiers for activities associated with a cultivation license, as specified,
- 11) Revises the requirements of the track and trace program to include a software tracking system to capture data and track movement of cannabis through the supply chain from cultivation to sale.
- 12) Includes “industrial hemp cultivator” and “industrial hemp” in the provisions of the track and trace program, as specified.
- 13) Updates terms related to the track and trace program, as specified.
- 14) Updates requirements under the unique identification program.
- 15) Incorporates industrial hemp into the licensure requirements for retailers, distributors, microbusinesses, and combined activities, as specified.
- 16) Prohibits a person from selling, offering, or providing a product in California that is any of the following:
 - a) An alcoholic beverage that contains cannabinoids;
 - b) An inhalable cannabis product containing THC derived from industrial hemp;
 - c) Hemp flower or pre-roll that contains hemp flower or hemp-derived cannabinoids, whether infused or not.
 - d) Any product containing synthetic cannabinoids or a cannabis product manufactured outside the licensed market.
- 17) Clarifies that industrial hemp or cannabis products derived exclusively from industrial hemp may be continuously transported through California without entering the licensed market, provided they are not sold in California, or

shipped out of California by a licensee.

- 18) Requires industrial hemp, upon entry into the licensed market to be held in quarantine by the distributor, and tested by a licensed testing laboratory to confirm that it meets the definition of industrial hemp before being transferred to another licensee or incorporated into a cannabis product. Requires quarantined plant material that is determined not to be industrial hemp to be destroyed.
- 19) Deletes the current prohibition on noncannabis foods or beverages products from containing industrial hemp for purposes of cannabis retailers selling noncannabis related food and beverages.
- 20) Makes specified provisions for incorporating industrial hemp into the cannabis marketplace effective January 1, 2028.
- 21) Revises the definition of “concentrated cannabis” between January 1, 2026 and January 1, 2028 and establishes a new definition effective January 1, 2028.
- 22) Presumes that a product intended for human or animal consumption that contains or purports to contain any tetrahydrocannabinol is a cannabis product, as specified.
- 23) Revises the definition of “industrial hemp” under the Uniform Controlled Substances Act, as specified, which includes a formula for total THC concentration to be determined by the California Department of Food and Agriculture (CDFA).
- 24) Clarifies under the Sherman, Food, Drug and Cosmetic law that a dietary supplement, food, or beverage, is not adulterated by the inclusion of cannabidiol or cannabinol isolate derived from industrial hemp so long as it does not contain any other cannabinoid or synthetic cannabinoid.
- 25) Permits a product that is applied topically to skin and is not consumable to contain a THC concentration that is not more than the amount determined by the Department of Public Health through regulation, but not to exceed 0.3%.
- 26) Sets standards for industrial hemp raw hemp extract to be incorporated into food, food additives, beverages or dietary supplements, as specified.

- 27) Makes provisions of this bill related to industrial hemp under the Sherman, Food, Drug, and Cosmetic laws operative January 1, 2028, except the standards for industrial raw hemp extract, the prohibition on inhalable hemp products and testing requirements to prove THC concentration levels do not exceed DPH limits, as determined by DPH effective January 1, 2026.
- 28) Clarifies that industrial hemp is only subject to the provisions of the MAUCRSA upon entry into the licensed cannabis market.
- 29) Prohibits the sale of hemp flower and help pre-rolls for consumption within the state.
- 30) Includes any synthetic cannabinoid, as defined under MAUCRSA, in the references to “synthetic cannabinoid compound” under the Controlled Substance Use Act in the HSC.
- 31) Clarifies that it is illegal for a person 18 years of age or older to employ minor to sell, transport or otherwise distribute cannabis or cannabis products.
- 32) Authorizes the California Department of Tax and Fee Administration (CDTFA) or a law enforcement agency to seize products unlawfully sold at a cannabis or tobacco retail location and provides for specific civil penalties in addition to the suspension or revocation of the retailer’s license, as specified.
- 33) Prohibits a person that is engaged in the business of selling cigarettes or tobacco products in California from possessing, storing, owning, or making a retail sale of cannabis, or cannabis products, as specified.
- 34) States the presumption that a product contains or purports to contain a cannabinoid product, regardless of the nature or the source of the cannabinoid, and the presumption may be rebutted by evidence showing the product complies with specified requirements.
- 35) Makes numerous other technical, clarifying, and conforming changes related to the integration and regulation of industrial hemp.

Background

Pursuant to the provisions of MAUCRSA, the regulated commercial cannabis market in California operates as a closed system. Cannabis or cannabis products

are prohibited from being transported outside of California and cannabis sourced in other states is not allowed into California's cannabis market. Cannabis products in California must meet strict regulatory requirements, derived from the voter initiative Proposition 64, The Control, Regulate and Tax Adult Use of Marijuana Act (Prop 64). California's cannabis products are required to meet safety standards prior to retail sale and are subject to product testing requirements. Under current law, a separate license is required for every corner of the cannabis market, which includes growing cannabis, transporting cannabis, making cannabis products, testing cannabis products, selling cannabis, and holding an event where cannabis is sold.

The DCC requires the testing of all batches of cannabis goods prior to sale. DCC regulated testing labs test cannabis goods to make sure they are free of contaminants and labeled with accurate amounts of cannabinoids and terpenes, or other additives. Licensed testing laboratories report results on the COA, which states whether the batch passes or fails testing for each substance. The DCC is responsible for oversight over the licensed testing laboratories in this State.

Under current law, and as specified in Prop 64, no part of hemp regulation in California is conducted by the DCC, however, testing laboratories issued a license by the DCC are also authorized to test hemp products, as specified. Hemp is explicitly prohibited under the provisions of MAUCRSA. Supply chains and regulations for industrial hemp and cannabis are kept principally separate in California. DCC presently mandates that licensed cannabis retailers are prohibited from selling any non-cannabis goods besides cannabis accessories and branded merchandise (4, California Code of Regulations § 15407), and industrial hemp falls under the category of a "non-cannabis good". In addition, California law stipulates that industrial hemp may not be cultivated on premises licensed by DCC.

Hemp plants and cannabis plants are both the same species. The difference that sets hemp and cannabis apart is the amount of THC. As prescribed by federal and California law, industrial hemp is defined as *C. sativa* plants, which have low levels of THC (under 0.3%). The Farm Bill made it legal to grow and sell hemp products containing less than 0.3% THC throughout the United States. By making hemp federally legal and recognized as an agriculture commodity, it permitted hemp-derived CBD products to flourish. Hemp has many recognized purposes and is used in a variety of different ways including fiber, paper, food products, skincare and bio fuel among others.

In California, hemp is regulated by the CDFA for agricultural purposes and by the CDPH when it is used in food, beverage, or cosmetic products. Consumer dietary supplements, food, or beverage products manufactured using industrial hemp must comply with the Sherman law. In addition, manufacturers and distributors of industrial hemp products must register with the CDPH's Food and Drug Branch. The Sherman Law also specifies the allowed composition of industrial hemp products and imposes specific labeling and marketing restrictions. Businesses engaged in the manufacturing, packing, or holding of industrial hemp products are required to register with CDPH. However, for those that grow industrial hemp as a crop, is under the jurisdiction of the CDFA.

Although hemp-derived CBD products are technically required to have less than 0.3% THC, there have been numerous instances of CBD products containing both synthetic cannabinoids and higher levels of THC than what is permitted for hemp-derived CBD products. Those types of products are identifying as “CBD” products and are being shipped across the country. It is widely reported that some hemp manufacturers have been exploiting the law to produce and market hemp products that contain THC without the safeguards in place for similar cannabis products. Intoxicating hemp products have been made available at major and small retailers and marketed for their intoxicating THC properties. This bill proposes to expressly ban sales of specified cannabis products in settings where tobacco is sold.

According to information in the recently released White Paper, *The Great Hemp Hoax*: it reported results of its study that focused on branded “hemp” products, to test for potency and composition to determine if the underlying composition was that of “hemp” (containing no synthesized cannabinoids) or something more. According to the White Paper study results, it found that despite the strict prohibition in AB 45 that no hemp product used for consumer consumption have cannabinoids produced for human consumption, more than half the tested products exceed the federal THC limit for hemp (0.3%). Furthermore, under California’s stricter prohibition (including delta-8), 88% of products failed to meet hemp standards.

Whether hemp and cannabis products should be allowed to coexist in a regulatory context has been debated consistently over the past several years. Because both plants contain the same cannabinoids, it is often the case that two essentially identical products—CBD gummies, for example—are regulated and sold differently based on whether the CBD was derived from cannabis or industrial hemp.

As stated in the DCC's Hemp Report, "the inclusion of hemp into the commercial cannabis supply chain is a complex undertaking that requires careful consideration of significant policy questions. The approach utilized to accomplish this end would have direct impacts on the cannabis industry, hemp industry, the standard consumer market, medicinal and adult-use consumers, Department staff and the public." The report raised issues related to compliance with track and trace, the inclusion of hemp from sources outside of California, as cannabis or cannabis products are only to include California-sourced product; market impacts and tax implications; and necessary time for regulatory updates.

To help address the illicit intoxicating hemp market and create a pathway to bring industrial hemp under the DCC's regulatory umbrella, this bill will expressly authorize the integration of industrial hemp into the cannabis regulatory system at a point past the cultivation process. Notably, this bill does not capture the regulation of hemp cultivation. Hemp cultivators will continue to be regulated under the purview of CDFA, while cannabis cultivators will continue to be regulated under the DCC. Unfortunately, those regulatory models are vastly different. This bill will require the DCC to be responsible for ensuring products comprising of industrial hemp do not contain synthetic cannabinoids, meet the current safety standards, labeling and packaging requirements, are included in track and trace (after cultivation), abide by licensed delivery, distribution and retail sale requirements. This bill will maintain and expand the ban on any type of inhalable industrial hemp products, although it is unclear how that will be tested for compliance, given the similarity in the base components of hemp and cannabis.

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: Yes

According to the Senate Committee on Appropriations, DCC reports implementation costs of approximately \$2.5 million in Fiscal Year (FY) 2026-27, and ongoing annual costs beginning in FY 2026-27 of approximately \$5.8 million. This bill will also result in unknown, potentially significant administrative costs, ranging in the low millions of dollars, to the California Department of Tax and Fee Administration and unknown fiscal impact, potentially ranging into the hundreds of thousands of dollars, to the CDPH to develop regulations regarding topical skin products. The Department of Pesticide Regulation reports annual ongoing costs of \$221,000 for the development of guidelines for industrial hemp. This bill will also result in unknown, potentially significant cost pressures to the state funded trial court system to adjudicate alleged violations of this measure, as well as unknown, potentially significant costs (local funds) to the counties to incarcerate people for the crimes created by this bill.

SUPPORT: (Verified 9/11/25)

California Cannabis Operators Association (Source)
Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California District Attorneys Association
California Narcotic Officers' Association
California Norml
California Reserve Peace Officers Association
California State Association of Counties
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Good Farmers Great Neighbors
Kiva Confections
League of California Cities
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
Rural County Representatives of California
UFCW - Western States Council

OPPOSITION: (Verified 9/11/25)

Coachella Valley Cannabis Alliance Network
Long Beach Collective Association
Hermosa Coalition for Drug-Free Kids
San Francisco Cannabis Retailers Alliance
United Cannabis Business Association

ARGUMENTS IN SUPPORT: Supporters note generally that AB 8 enhances the enforcement of unregulated, intoxicating hemp products while simultaneously creating a pathway to integrate hemp into the cannabis regulatory structure.

ARGUMENTS IN OPPOSITION: Opponents note generally that recent amendments to this bill are not sufficient to address past issues raised by the opponents and recent amendments are not adequate to ensure that intoxicating hemp-derived cannabinoids do not enter the legal market under the AB 8 framework.

ASSEMBLY FLOOR: 73-1, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Bonta, Gallagher, Hadwick, Hart, Ta

Prepared by: Elissa Silva / B., P. & E.D. / 916-651-4104
9/11/25 11:14:38

**** END ****

THIRD READING

Bill No: AB 40
Author: Bryan (D) and Berman (D)
Amended: 8/21/25 in Senate
Vote: 27 - Urgency

SENATE HEALTH COMMITTEE: 7-1, 6/11/25
AYES: Menjivar, Durazo, Limón, Padilla, Richardson, Rubio, Wiener
NOES: Grove
NO VOTE RECORDED: Valladares, Gonzalez, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 58-9, 4/21/25 - See last page for vote

SUBJECT: Redistricting: congressional districts

SOURCE: Author

DIGEST: This bill provides that the Congressional district maps contained in AB 604 (Aguiar-Curry, Chapter 96, Statutes of 2025) become operative only if ACA 8 (Rivas, Resolution Chapter 156, Statutes of 2025) is approved by voters and if Texas, Florida, or another state adopts a new congressional district map after August 1, 2025, and prior to January 1, 2031, and such redistricting is not required by a federal court order.

Senate Floor Amendments of 8/21/25 replace the contents of this bill with language stating that the bill containing the legal descriptions of the congressional district maps does not take effect unless specified conditions are met.

ANALYSIS:

Existing law contained in Article XXI of the California Constitution:

- 1) Requires that in the year following the year in which a national census is taken under the direction of Congress at the start of a decade, the Citizens

Redistricting Commission (CRC) adjusts the lines of congressional, State Senatorial, Assembly and Board of Equalization districts, pursuant to specified standards and procedures.

- 2) Creates the CRC in each year ending in the number zero to consist of 14 members, five who are registered with the largest political party in the state; five who are registered with the second largest political party in the state; four who are not registered to either of those parties.
- 3) Specifies that the CRC shall create single-member districts that comply with the U.S. Constitution and the federal Voting Rights Act, among other requirements.
- 4) Requires the CRC to issue both maps of districts and a report explaining how the maps comply with the constitutional requirements for districts.
- 5) Places original and exclusive jurisdiction for legal challenges to a map with the California Supreme Court.

This bill:

- 1) Provides that the provisions in AB 604 become operative if both of the following conditions are satisfied:
 - a) ACA 8 is approved by the voters and takes effect.
 - b) Texas, Florida, or another state adopts a new congressional district map that takes effect after August 1, 2025, and before January 1, 2031, and such redistricting is not required by a federal court order. In the State of Ohio, this includes a new congressional district map adopted pursuant to a specified partisan process prescribed in the Ohio State Constitution.
- 2) Contains an urgency clause.

Background

Prior to 2011, Article XXI of the California Constitution gave the California Legislature the power to establish district maps for congressional and state offices once every ten years following a U.S. Census.

In November 2008, the voters passed Proposition 11, which amended Article XXI to the California Constitution to create an independent redistricting commission, the CRC, to redistrict State Senatorial, Assembly, and Board of Equalization districts every ten years following a U.S. Census. In November 2010, Proposition

20 passed and added establishing congressional district maps to the duties of the CRC.

The CRC created congressional, State Senatorial, Assembly, and Board of Equalization districts for the first time in 2011 and then again in 2021.

Comments

- 1) *Effective Date.* ACA 8 will appear on the ballot as Proposition 50 at a special election called by SB 280 (Cervantes, Chapter 97, Statutes of 2025) for November 4, 2025. Should ACA 8 pass at that election, the new maps for congressional districts contained in AB 604 would be used only if, pursuant to this bill, another state puts into use its own new congressional districts that are not required by a federal court order or by a specified process in Ohio. Thus, California’s new congressional district maps could be triggered any time between now and the 2030 election.
- 2) *Support and Opposition.* Communications of support and opposition received relate to mid-decade redistricting in general, and not to a specific measure within this legislative package. Supporters in general assert that this legislation is a needed response to the actions others states, specifically Texas, are taking at the urging of President Trump. They also point out that this legislation asks the voters of the state to decide on whether to approve new congressional districts, rather than politicians making the decision. Supporters further note that the legislation reaffirms California’s support of independent redistricting commissions both here and nationwide.

Opponents’ concerns center on the financial burden of the special election, the short timeframe for public comment on this legislative package, and that California’s congressional delegation already includes relatively few Republican members. The League of Women Voters of California (LWV) notes that it stands “entirely apart from political parties on mid-cycle redistricting and squarely in the fight against President Trump’s authoritarian and dangerous policies that threaten the civil rights and liberties of all Americans.” The LWV here and in other states, however, opposes all attempts to gerrymander congressional lines on a partisan basis.

Related/Prior Legislation

AB 604 (Aguiar-Curry and Gonzalez, Chapter 96, Statutes of 2025) contains the legal descriptions of California congressional districts that would be adopted pursuant to this proposed constitutional amendment.

ACA 8 (Rivas and McGuire, Resolution Chapter 156, Statutes of 2025) would, if approved by the voters, implement new congressional districts pursuant to AB 604 that could take effect as soon as the 2026 elections.

SB 280 (Cervantes and Pellerin, Chapter 97, Statutes of 2025) calls a special election for November 4, 2025, requires the Secretary of State to submit ACA 8 to the voters at that election as Proposition 50, and provides for the conduct of that election.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/21/25)

Please see comment #2 for more details about support and opposition.

Eleni Kounalakis, California Lieutenant Governor
Jose Medina, Riverside County Supervisor, District 1
Paloma Aguirre, San Diego County Supervisor, District 1
Terra Lawson-Remer, San Diego County Supervisor, District 3
AAPI Equity Alliance
AFSCME California
Alliance for a Better Community
Altadena Chamber of Commerce
Arab Resource & Organizing Center Action
Asian American Drug Abuse Program
Battleground California
Black Women Organizing for Political Action
Borderlands for Equity
CA Church IMPACT
CAUSE Action Fund
California Donor Table
California Federation of Labor Unions, AFL-CIO
California Nurses Association
California Professional Firefighters
California Teachers Association
Central Valley Immigrant Integration Collaborative
Child Care Providers United
Climate Action Campaign
Compass Family Services
Costa Mesa Democrats
Democracy Strategy Partners

Democratic Party of Orange County
Democratic Party of San Fernando Valley
El Concilio California
HB Huddle
Imperial Valley Equity and Justice
Indivisible California: StateStrong
Indivisible El Dorado
Indivisible Stanislaus
Inland Empire United
Little Manila Rising
Los Angeles County Democratic Party
Los Angeles County Young Democrats
Outdoor Outreach
Planned Parenthood Affiliates of California
Reproductive Freedom for All California
San Francisco Democratic Party
Search to Involve Pilipino Americans
SEIU California
South Asian Network
Starting Over Strong
Teamsters California
TruEvolution
UDW/AFSCME Local 3930
United Food and Commercial Workers Western States Council
United Way Santa Cruz County
The Unity Council
Voices for Progress
WDN Action
Women's March Foundation
Thousands of individuals

OPPOSITION: (Verified 8/21/25)

Please see comment #2 for more details about support and opposition.

Kevin W. Crye, Shasta County Supervisor, District 1
Alliance San Diego
California Business Roundtable
California Common Cause
California Consumer Advocates for Affordability and Safety
California Hispanic Chamber of Commerce

California Manufacturers and Technology Association
CalTax
Greater High Desert Chamber of Commerce
Govern for California
Greater San Fernando Valley Chamber of Commerce
Independent Voter Education
Independent Voter Project
NFIB
Protect the Voters FIRST Act
Simi Valley Chamber of Commerce
The Two Hundred for Homeownership
United Latinos Action
Unity Party of California
Thousands of individuals

ASSEMBLY FLOOR: 58-9, 4/21/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Ellis, Hadwick, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

NO VOTE RECORDED: Alanis, Castillo, Chen, Davies, Dixon, Flora, Gallagher, Jeff Gonzalez, Hoover, Papan, Ramos, Sharp-Collins

Prepared by: Carrie Cornwell and Scott Matsumoto / E. & C.A. / (916) 651-4106
8/26/25 9:11:40

**** END ****

THIRD READING

Bill No: AB 45
Author: Bauer-Kahan (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-1, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello

NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 63-11, 6/3/25 - See last page for vote

SUBJECT: Privacy: health data: location and research

SOURCE: University of California

DIGEST: This bill strengthens existing law protecting health and location data privacy with regard to those seeking reproductive health services.

Senate Floor amendments of 9/5/25 provide a series of carve outs from the protections of the bill, including for the Department of Corrections and Rehabilitation and probation departments. narrow the scope of the bill by including a number of exemptions and indicate where collected civil penalties will be awarded.

Senate Floor amendments of 9/9/25 remove exemptions and instead clarify the impact of the bill on other relevant laws.

ANALYSIS:

Existing law:

- 1) Provides that all people are by nature free and independent and have inalienable rights including, among others, the right to privacy. (California Constitution (Cal. Const.), art. I, § 1.)
- 2) Prohibits the state from denying or interfering with an individual's reproductive freedom in their most intimate decisions, which includes their fundamental right to choose to have an abortion and their fundamental right to choose or refuse contraceptives. (Cal. Const., art. I, § 1.1.)
- 3) Holds that the state constitution's express right to privacy extends to an individual's decision about whether or not to have an abortion. (*People v. Belous* (1969) 71 Cal.2d 954.)
- 4) Provides that a person or business shall not collect, use, disclose, or retain the personal information of a person who is physically located at, or within a precise geolocation of, a family planning center, except only as necessary to perform the services or provide the goods requested by the person. A person or business shall not sell or share this personal information. (Civil Code (Civ. Code) § 1798.99.90.)
- 5) Authorizes an aggrieved person or entity, including a family planning center, to institute and prosecute a civil action against any person or business who violates the above provision for injunctive and monetary relief and attorney's fees within three years of discovery of the violation. If the court finds for the petitioner, recovery shall be in the amount of three times the amount of actual damages and any other expenses, costs, or reasonable attorney's fees incurred in connection with the litigation. (Civ. Code § 1798.99.90.)
- 6) Establishes the Reproductive Privacy Act and provides that the Legislature finds and declares that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions. (Health & Safety Code (Health & Saf. Code) § 123460 et. seq.)
- 7) Provides that the state may not deny or interfere with a person's right to choose or obtain an abortion prior to viability of the fetus or when the abortion is necessary to protect the life or health of the person. (Health & Saf. Code § 123466.)

- 8) Provides that a law of another state that authorizes a person to bring a civil action against a person or entity who does any of the following is contrary to the public policy of this state:
 - a) Receives or seeks an abortion;
 - b) Performs or induces an abortion;
 - c) Knowingly engages in conduct that aids or abets the performance or inducement of an abortion; or
 - d) Attempts or intends to engage in the conduct described above. (Health & Saf. Code § 123467.5(a).)
- 9) Provides various safeguards against the enforcement of other states' laws that purport to penalize individuals from obtaining gender-affirming care that is legal in California. (Civ. Code § 56.109, Code of Civil Procedure (Code Civ. Proc.) §§ 2029.300, 2029.350, Family Code (Fam. Code) §§ 3421, 3424, 3427, 3428, 3453.5.)
- 10) Establishes the California Consumer Privacy Act (CCPA), as amended by Proposition 24 (2020), which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civ. Code § 1798.100 et seq.)

This bill:

- 1) Prohibits a person from collecting, using, disclosing, selling, sharing, or retaining the personal information of a natural person who is physically located at, or within a precise geolocation of, a family planning center, except as specified.
- 2) Provides that it is permissible to collect or use the personal information of a natural person who is physically located at, or within a precise geolocation of, a family planning center, but only as necessary to perform the services or provide the goods requested by the natural person.
- 3) Establishes that an aggrieved person or entity, including a family planning center, may institute and prosecute a civil action against any person who

violates this bill for injunctive and monetary relief and attorney's fees within three years of discovery of the violation.

- 4) Prohibits a person from geofencing an entity that provides in-person health care services in California for any of the following purposes:
 - a) To identify or track a person seeking, receiving, or providing health care services.
 - b) To collect personal information from a person seeking, receiving, or providing health care services.
 - c) To send notifications to a person related to their personal information or health care services.
 - d) To send advertisements to a person related to the person's personal information or health care services.
- 5) Defines "geofence" as any technology that enables spatial or location detection to establish a virtual boundary around, and detect an individual's presence within, a "precise geolocation" as defined in subdivision (w) of Section 1798.140.
- 6) Prohibits the selling of personal information to, or sharing of personal information with, a third party for the use of such information to violate the above provision.
- 7) Establishes that any person that violates these geofencing provisions shall be subject to an injunction and liable for a civil penalty of \$25,000 for each violation, which shall be assessed and recovered in a civil action brought in the name of the people of the State of California by the Attorney General. The court may consider the good faith cooperation of the entity or person in determining the amount of the civil penalty.
- 8) Establishes that any civil penalty recovered and the proceeds of any settlement of any said action, shall be deposited in the California Reproductive Justice and Freedom Fund, as provided.
- 9) Permits any person that owns, operates, manages, or otherwise provides services to an in-person health care entity to geofence the entity's own location to provide necessary health care services, including the use of location-based alarm devices to monitor newborns and memory-impaired individuals.

- 10) Permits any person that provides reproductive health care services to utilize geofencing for the purpose of providing security services to protect patients.
- 11) Prohibits research records, in a personally identifying form, developed or acquired by a person in the course of conducting research relating to anyone seeking or obtaining health care services, or relating to personal information, from being released in response to a subpoena or request if that subpoena or request is based on another state's laws that interfere with a person's rights under the Reproductive Privacy Act.
- 12) Defines the relevant terms.
- 13) Provides that it does not prohibit geofencing activities conducted by a labor organization, as defined in Section 1117 of the Labor Code, or an employee organization, as defined in subdivision (a) of Section 3501 of, subdivision (a) of Section 3513 of, or subdivision (f) of Section 3562 of, the Government Code, if geofencing does not result in the labor union's collection of names or personal information without the express consent of an individual and is for activities concerning workplace conditions, worker or patient safety, labor disputes, or organizing.
- 14) Clarifies that it shall not be construed to alter applicable law, including pursuant to Section 3010 of the Penal Code, regarding use by a law enforcement agency of personal information, including geolocation information, generated by an electronic monitoring device.
- 15) Prohibits research records, in a personally identifying form, developed or acquired by a person in the course of conducting research relating to anyone seeking or obtaining health care services, or relating to personal information, from being released to law enforcement for either of the following purposes, unless that release is pursuant to a subpoena not otherwise prohibited:
 - a) Enforcement of another state's law that interferes with a person's rights under the Reproductive Privacy Act (Article 2.5 (commencing with Section 123460) of Chapter 2 of Part 2 of Division 106 of the Health and Safety Code).
 - b) Enforcement of a foreign penal civil action, as defined in Section 2029.200 of the Code of Civil Procedure.

Background

Since the 1973 holding in *Roe v. Wade*, the U.S. Supreme Court has continuously held that it is a constitutional right to access abortion before fetal viability. However, on June 24, 2022, the Court voted 6-3 to overturn the holding in *Roe* and found that there is no federal constitutional right to an abortion. As a result of the *Dobbs* decision, people in roughly half the country may lose access to abortion services or have them severely restricted. A growing number of states have been passing laws putting residents who seek essential gender-affirming care at risk of being prosecuted. States are attempting to classify the provision and seeking of gender-affirming health care as a crime warranting prison time and are threatening parents with criminal penalties if they attempt to travel to another state in order to secure life-saving gender-affirming care for their child.

California has enacted numerous laws to protect the right to gender-affirming care and the fundamental right to reproductive freedom, including laws prohibiting a person or business from collecting, using, disclosing, or retaining the personal information of a person who is physically located at, or within a precise geolocation of, a family planning center, except as specified. Concerns have been raised about new insidious tactics to target individuals exercising these rights. This bill responds by restricting the use of geofencing technology around specified health facilities and adding protections for research records related to those seeking specified health care services with exceptions.

This bill is sponsored by the University of California and is supported by various organizations, including Planned Parenthood and Attorney General Rob Bonta. The Association of National Advertisers is opposed. For a more thorough discussion, please see the Senate Judiciary Committee analysis of this bill.

Comments

According to the author:

In our current political climate where reproductive freedoms are constantly under threat, personal data privacy has become a key mechanism for defending access to health care. We have all seen the unabashed threat posed by the federal administration regarding reproductive healthcare and the ever-evolving ways used to prosecute individuals accessing these basic rights. In the last few months, it has also become clear the ways in which research projects and data are under threat and can be weaponized against researchers and participants. While federal regulations cover most health care data

privacy issues, there are gaps in coverage when it comes to personal information collected through research and geolocation data. AB 45 closes these gaps and protects research records from disclosure in response to a subpoena or other law enforcement request based on other states' laws interfering with abortion rights and prohibits geofencing an entity that provides in-person health care services.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:
The Contractors State License Board (CSLB) reports:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. By creating a new cause of action and authorizing a new civil penalty with statutory damages, this bill may lead to additional case filings that otherwise would not have been commenced and could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- The Department of Justice (DOJ) reports that while the impact of AB 45 would not pose a significant impact to the DOJ, as numerous bills this session may result in no significant impact to the DOJ, should an aggregate of these bills chapter, the DOJ would submit a workload BCP for additional resources to process the increase to the DOJ workload.

SUPPORT: (Verified 9/9/25)

University of California (Source)
American College of Obstetricians & Gynecologists - District IX
Attorney General Rob Bonta
California Civil Liberties Advocacy

California Hospital Association
California Medical Association
California Pan-Ethnic Health Network
California Women's Law Center
Essential Access Health
Planned Parenthood Affiliates of California
Reproductive Freedom for All California

OPPOSITION: (Verified 9/9/25)

Association of National Advertisers

ARGUMENTS IN SUPPORT: Planned Parenthood Affiliates of California writes:

Existing law protects against the disclosure of medical information related to an abortion in a clinical setting. However, when an individual discloses this information while participating in research, the same protections against disclosure do not exist. Given the personal nature of this data and the current federal political atmosphere, worrying about privacy protections and risking confidentiality of one's personal information should not be a reason to cease research or participation in critical women's health studies.

Additionally, the same concerns extend to personal privacy through geofencing, which tracks and uses an individual's location data to trigger a response when in a specific place. Geolocation data has been used to target and spread misinformation about abortion, which can be harmful to patients. For example, in Massachusetts, anti-abortion groups targeted the area around reproductive health clinics with pop-up ads promoting "abortion alternatives."

AB 45 fills gaps in privacy protections for health research records and prohibits geofencing around health centers. These changes proactively address privacy concerns to protect personal health information from misuse or abuse.

ARGUMENTS IN OPPOSITION: The Association of National Advertisers writes:

On behalf of the advertising industry, we respectfully oppose AB 45, and we offer this letter to express our concerns about this legislation. We and the companies we represent, many of whom do substantial business in California, strongly believe consumers deserve meaningful privacy protections supported by reasonable laws and industry policies. However, as drafted, AB 45 would have an overbroad effect by impeding legitimate advertising to Californians if they are merely near a family planning center. The bill also raises First Amendment concerns by blocking advertising to medical professionals and others inside of entities that provide in-person health care services. Moreover, the bill would permit a private right of action for certain violations, creating the possibility of extensive monetary penalties for well-meaning companies who inadvertently violate the bill's terms.

ASSEMBLY FLOOR: 63-11, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, DeMaio, Ellis, Flora, Gallagher, Hadwick, Lackey, Macedo, Sanchez, Ta, Tangipa

NO VOTE RECORDED: Chen, Dixon, Jeff Gonzalez, Hoover, Patterson

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113
9/11/25 10:08:39

**** END ****

SENATE RULES COMMITTEE
Office of Senate Floor Analyses
(916) 651-1520 Fax: (916) 327-4478

AB 84

THIRD READING

Bill No: AB 84
Author: Muratsuchi (D) and Garcia (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 4-2, 7/16/25
AYES: Pérez, Cortese, Gonzalez, Laird
NOES: Ochoa Bogh, Choi
NO VOTE RECORDED: Cabaldon

SENATE APPROPRIATIONS COMMITTEE: 4-2, 8/29/25
AYES: Caballero, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle
NO VOTE RECORDED: Cabaldon

ASSEMBLY FLOOR: 43-25, 6/5/25 - See last page for vote

SUBJECT: [School accountability: Office of the Education Inspector General: school financial and performance audits: charter school authorization, oversight, funding, operations, networks, and contracting: data systems: local educational agency contractor background checks and contracting](#)

SOURCE: Author

DIGEST: This bill makes a series of changes to the oversight and operation of nonclassroom-based (NCB) charter schools. Specifically, it: (1) increases audit requirements and authorizer responsibilities; (2) revises the funding determination process to include additional financial reporting and a review of charter networks; (3) imposes restrictions on certain contracting practices; and (4) places new limits on the ability of small school districts to authorize NCB charter schools that serve student populations larger than their own.

Deleted: School accountability: Office of the Education Inspector General: school financial and performance audits: charter school authorization, oversight, funding, operations, networks, and contracting: data systems: local educational agency contractor background checks and contracting.

Senate Floor amendments of 9/9/25: (1) expand the annual audit guide to include new schedules on enrollment, funding determinations, contracts, and governance, while adding charter and classified employee advocacy groups to the stakeholder process, (2) allow funding determinations to continue indefinitely if verified annually, (3) require consistency across networks in audits or State Board hearings, (4) restrict certain contracts by banning season passes and attendance incentives, (5) create grant programs for authorizer mentor support, authorizer oversight costs, and charters transitioning to the Standardized Account Code Structure (SACS) accounting system, (6) temporarily bar authorizers under corrective assistance from approving new NCB schools, and (7) direct the Legislative Analyst's Office (LAO) to study the bill's new mandates on charters to inform adjustments to the mandate block grant.

Formatted: Font: Not Italic

ANALYSIS:

Existing law:

- 1) Requires charter schools to submit annual independent financial and compliance audits conducted by certified public accountants.
- 2) Requires that audit reports be submitted to the chartering authority, the county superintendent, the State Controller's Office (SCO), and the California Department of Education (CDE).
- 3) Requires financial and compliance audits to follow General Accounting Office standards and the audit guide developed by the Education Audits Appeal Panel (EAAP), once adopted.
- 4) Does not require charter schools to use SACS, unlike school districts.
- 5) Authorizes the SCO to conduct quality control reviews of audits, but does not require regular selection of charter school audits for review.
- 6) Requires charter schools that offer less than 80% of instructional time on school sites to obtain a funding determination from the State Board of Education (SBE) in order to receive apportionment funding.
- 7) Authorizes the SBE to fund NCB instruction at up to 70% of standard funding unless a higher rate is justified.
- 8) Requires the SBE to consider factors such as the charter school's spending on certificated salaries and benefits, expenditures on schoolsites, and teacher-to-pupil ratios when making a funding determination.

Deleted: Audit & Accounting Standards¶

Deleted: Funding Determination¶

9) Does not require charter schools that are part of a network to apply jointly for a funding determination, nor does it require them to submit updated financial documentation between determination years.

10) Grants charter schools greater flexibility than school districts in contracting and generally exempts them from the Public Contract Code (PCC).

Deleted: School Contractors & Use of Funds¶

11) Permits charter school contracts to be structured as a percentage of school revenue and does not prohibit contracts with private or religious organizations.

12) Allows charter schools to provide funds or credits to families for educational enrichment activities, even if those activities are not provided by credentialed staff.

13) Imposes no statutory restriction on charter school employee compensation based on student attendance or course completion.

14) Requires charter authorizers to provide general oversight, including annual site visits, fiscal monitoring, and compliance with required reporting, such as the Local Control and Accountability Plan (LCAP).

Deleted: Authorizer Oversight & Oversight Fees¶

15) Authorizes authorizers to charge up to 1% of a charter school's revenue for oversight, or up to 3% if the authorizer provides substantially rent-free facilities.

16) Previously supported a Charter School Authorizer Technical Assistance Team at Fiscal Crisis and Management Assistance Team (FCMAT), but that team was defunded in 2020 and no longer operates.

17) Results in wide variation in the quality and depth of authorizer oversight, particularly among small school districts with limited capacity.

18) Requires California Longitudinal Pupil Achievement Data System (CALPADS) to collect student demographic and achievement data, but this system is not integrated with the state's attendance-based funding system.

Deleted: Student Attendance Data Reform¶

19) Requires charter schools to report attendance data separately to CDE, which can allow for duplicative or inflated attendance reporting.

20) Permits any school district, regardless of size or capacity, to authorize charter schools, including NCB charter schools.

Deleted: District Authorizers¶

- 21) Does not impose a statutory cap on the number of charter school pupils a district may authorize in proportion to its own average daily attendance (ADA).
- 22) Does not authorize or require the reassignment of charter schools to larger or more capable authorizers upon renewal.
- 23) Authorizes local educational agencies (LEAs), including charter schools, to offer IS and CBIS programs under specific requirements related to credentialed supervision, content rigor, and written learning agreements.
- 24) Prohibits pupils with an Individualized Education Plan (IEP) from participating in IS unless their IEP explicitly allows it.
- 25) Imposes a funding penalty for CBIS if more than 10% of an LEA's total ADA is generated through CBIS, unless the LEA qualifies for an exemption.
- 26) Imposes a moratorium on the authorization of new NCB charter schools until January 1, 2026.
- 27) Allows existing NCB charter schools to seek renewals or material revisions during the moratorium, under specified conditions.

This bill:

- 1) Requires training for LEA auditors.
- 2) Updates the audit compliance procedures and audit guide to include sampling guidance, enrollment and attendance by month, related-party transactions, student-teacher ratios, large transfers, funding determinations, credit card/electronic payments, and charter oversight practices.
- 3) Establishes risk-based quality control reviews by the State Controller.
- 4) Requires schools to correct over-appropriated attendance and post audits on their websites.
- 5) Creates the Office of the Inspector General under the SBE.
- 6) Aligns charter school audit procedures with those of school districts, including use of the SACS, and establishes a grant program to reimburse charter schools for transitional costs.

Deleted: Independent Study (IS) & Course-Based Independent Study (CBIS)*

Deleted: NCB Moratorium*

Deleted: Audit and Accounting Standards*

- 7) Requires the LAO to analyze the new mandates for purposes of adjusting the charter school mandate block grant.
- 8) Requires charter authorizers with audit findings related to charter oversight to receive technical assistance.
- 9) Authorizes NCB charter schools to retain State Board funding determinations indefinitely if annual audits verify compliance with thresholds.
- 10) Requires schools in an NCB network to either use the same auditor or apply jointly in the same year, with network-wide review of pupil–teacher ratios and spending thresholds.
- 11) Codifies mitigating circumstances, including reserves, one-time funds, and facility expenditures.
- 12) Prohibits private religious schools from serving as public school contractors.
- 13) Prohibits parents from contracting for services solely for their own child.
- 14) Prohibits schools from purchasing season passes for amusement parks, zoos, or family entertainment venues.
- 15) Prohibits gifts to pupils or prospective pupils.
- 16) Requires contractors to hold a business license and insurance and prohibits them from charging pupil fees.
- 17) Requires charter school contracts over \$100,000 to be approved by the governing body.
- 18) Prohibits employee bonuses based on student attendance.
- 19) Requires CDE to study the feasibility of connecting CALPADS with the ADA funding system.
- 20) Requires authorizers to strengthen oversight in key areas, including audit compliance, credit card/electronic payments, governing board monitoring, site visits, attendance accounting, and student–teacher ratios.
- 21) Establishes a grant program to support authorizers with increased oversight costs.

Deleted: *Funding Determination*¶

Deleted: *School Contractors & Use of Funds*¶

Deleted: *Student Attendance Data Reform*¶

Deleted: *Authorizer Oversight*¶

22) Caps the authorizing capacity of small districts (<10,000 ADA) to 100% of their own ADA.

Deleted: District Authorizer Capacity¶

23) Allows existing NCB charters to remain with a small-district authorizer if the district has at least four executive-level staff.

24) Requires the SBE to reassign NCB charters authorized by small districts to a larger district authorizer in the county upon renewal.

Comments

1) *Need for [this bill](#).* According to the author, “Upon the discovery of large-scale fraud perpetrated by a number of nonclassroom based charter schools, the Legislature imposed a moratorium on the establishment of new NCB charter schools, with a commitment to reform NCB charter schools.

Deleted: he

“One example of such fraud includes *People v. McManus*, where the San Diego County District Attorney’s Office indicted 11 defendants in a fraud scheme involving nineteen A3 Charter Schools. A3 Charter Schools created a partnership with a Little League summer sports program and enrolled Little League players in their charter school during the summer months to generate state attendance funding, despite A3 Charter Schools having never provided instruction to these little league players. A3 Charter Schools also transferred pupils between charter schools in their network to collect more than one school year of funding per pupil. The A3 Charter Schools case revealed many weaknesses in the State’s education system in the areas of pupil data tracking, auditing, and school finance.

“Loopholes in state law have allowed these unscrupulous practices at NCB charter schools to continue unchecked, wasting State taxpayer dollars. The state must enact comprehensive reforms, consistent with the 2024 Legislative Analyst’s Office (LAO)/FCMAT report to the Legislature and the Controller’s Taskforce report, to combat fraud before the moratorium on NCB charter schools expires in January 2026. AB 84 does that by improving transparency and accountability among charter school authorizers and charter schools.”

2) *Background on Charter Schools.* Charter schools are public schools that operate under the terms of a charter agreement approved by a school district, county office of education, or the SBE. Established by the Charter Schools Act of 1992, they were intended to increase learning opportunities for all students, especially those who are academically low-achieving, and to promote innovation, site-based decision-making, and performance-based accountability.

Today, charter schools serve over 700,000 students in California. They are publicly funded and tuition-free but operate with greater flexibility in exchange for accountability for results. Charter schools may be operated by nonprofit organizations or, in some cases, by charter management organizations (CMOs) that oversee multiple schools. While most charter schools operate classroom-based programs similar to traditional schools, a significant share operate in a NCB model.

- 3) *What Are NCB Charter Schools?* A charter school is considered NCB if less than 80% of its instructional time occurs under the immediate supervision of a credentialed teacher in a classroom setting. NCB charter schools may offer instruction through virtual, blended, or home-based learning models. These schools often serve high proportions of students with unique learning needs, such as students who are medically fragile, pursuing athletic or artistic careers, or seeking alternatives to traditional settings.

Because NCB schools are not funded automatically based on attendance like classroom-based schools, they must obtain a funding determination from the SBE. This process is based on an evaluation of audited expenditures and is intended to ensure public funds are being used for instructional purposes. However, the process has been widely criticized for its lack of rigor, real-time accountability, and effectiveness in preventing misuse of funds. The integrity of financial reporting in NCB schools plays a critical role in funding eligibility, and, when abused, can be exploited to inflate apportionments and divert public resources.

- 4) *The Moratorium on NCB Charter Schools and Broader 2019 Charter School Reforms.* In 2019, the Legislature passed AB 1505 (O'Donnell, Chapter 486, Statutes of 2019) and AB 1507 (Smith, Chapter 487, Statutes of 2019), which significantly restructured charter school law. Among other changes, AB 1505 strengthened the criteria for charter authorization and renewal by:
- a) Allowing authorizers to consider academic and fiscal impact on the district when reviewing petitions.
 - b) Tying renewal decisions to a school's performance on the California School Dashboard, streamlining renewal for high performers and requiring greater scrutiny for low performers.
 - c) Expanding credentialing requirements to all charter school teachers and applying conflict-of-interest laws to charter boards.

AB 1507 restricted charter schools from operating sites outside their authorizing district's boundaries.

Together, these bills also enacted a moratorium on new NCB charter schools through January 1, 2026. The pause was intended to give the state time to re-evaluate oversight, funding, and academic accountability in the NCB sector, following concerns about weak controls and inconsistent performance.

This bill builds on this reformed oversight landscape by proposing additional audit, fiscal, and governance tools specific to charter school accountability.

5) *The A3 Charter Schools Fraud Case.* The most significant charter school fraud case in California's history, the A3 Education scandal, came to light in 2019. Prosecutors alleged that two individuals created a network of 19 NCB charter schools and enrolled tens of thousands of students, many without their knowledge or participation, to fraudulently claim public funding. The scheme involved:

- a) Inflated and duplicated enrollment using a manipulated "multi-track" calendar.
- b) Unauthorized use of public funds through related-party contracts.
- c) A total fraud estimate of over \$400 million in misappropriated state funds.

The case revealed multiple breakdowns in the oversight chain—from charter authorizers to external auditors to state agencies—prompting calls for systemic reform.

6) *Oversight Reports Prompting Legislative Action.* In response to the A3 scandal and other fraud incidents, state and independent agencies released two major reports:

- a) *SCO Charter School Audit Task Force Report (2024):* Focused on improving the quality of school audits by increasing auditor training, revising the audit guide, establishing certified public accountant review and rotation policies, and ensuring follow-up on audit findings.
- b) *LAO/FCMAT Joint Report on NCB Charter Schools (2024):* Analyzed the NCB funding determination process and recommended major changes to better align funding with instructional delivery. Recommendations included real-time enrollment tracking, clearer definitions of instruction, and changes to charter oversight authority.

- 7) *State audit of Highlands underscores need for stronger oversight.* A June 2025 report by the State Auditor found that Highlands Community Charter improperly claimed over \$180 million in K–12 funding, operated with uncredentialed teachers, and engaged in wasteful spending and conflicts of interest. The audit also faulted Twin Rivers Unified School District and state agencies for lax oversight, despite prior warnings. While not every finding directly maps onto this bill’s provisions, the report highlights systemic weaknesses in oversight, transparency, and governance that this bill seeks to address.
- 8) *Balancing accountability with support for student-centered choice.* This bill has generated substantial public engagement, especially from families who rely on NCB charter schools for educational flexibility. Many of these messages express concern that increased oversight could restrict school choice or reflect a broader opposition to charter schools. These concerns reflect real experiences and deserve to be taken seriously.

At the same time, this bill emerged in response to longstanding oversight concerns and notable fraud cases—not from an effort to limit educational options. In cases like A3 and Highlands, weaknesses in data systems, fiscal reporting, and oversight structures enabled large-scale misuse of public funds. To address these concerns, state agencies developed recommendations aimed at improving transparency, accountability, and operational safeguards in the NCB space.

This bill is built around those recommendations. Many early provisions have been amended or removed in response to stakeholder concerns. The remaining proposals focus on strengthening financial practices, clarifying oversight roles, and ensuring that public funds are used appropriately.

Support for this bill—or for the concepts it puts forward—does not need to signal a position on the broader debate over charter schools. It may simply reflect a belief that clear accountability standards are essential to preserving the innovation and flexibility that many families value in NCB charter programs.

- 9) *Targeted reforms in line with oversight recommendations.* This bill reflects a coordinated response to the findings of the 2024 LAO/FCMAT review of the NCB funding determination process and the SCO’s Charter School Audit Task Force. Both reports identified systemic vulnerabilities in the oversight of NCB charter schools, particularly related to fiscal accountability, weak audit standards, and insufficient authorizer capacity. The bill seeks to close these gaps through a range of provisions aimed at standardizing audits, clarifying

oversight responsibilities, limiting authorizations by small school districts, and increasing transparency in attendance accounting. Unlike early versions of the bill, these reforms are not intended to reduce funding to charter schools or change the instructional models they may offer. Rather, they are focused on ensuring that public funds are spent appropriately and that oversight mechanisms are robust and equitable.

- 10) *Improved audit practices and financial accountability.* A major theme of both the LAO/FCMAT report and the SCO's Charter School Audit Task Force findings was the need to modernize and strengthen charter school audits. The A3 case revealed that NCB charter schools were able to hide fraudulent practices due to insufficient audit procedures, lack of auditor training, and the ability to switch auditors if problems were identified. The bill addresses these concerns by aligning charter school audit procedures with those used for school districts, requiring auditors to receive specialized training, and directing the Education Audit Appeals Panel to revise the audit guide to include new areas of review specific to NCB charter schools, such as teacher-pupil ratios and documentation sampling. These changes are intended to ensure that audits are not only more rigorous but also better able to detect misuse of funds and systemic noncompliance.
- 11) *Ensuring authorizer accountability as part of a comprehensive oversight system.* The most serious charter school fraud cases in California—A3 and Highlands—were perpetrated by school operators who intentionally misused public funds. However, these cases also revealed weaknesses in the oversight infrastructure that allowed misconduct to persist undetected for years. Charter school authorizers play a critical role in ensuring legal compliance and educational quality, but that role varies considerably depending on the size, capacity, and approach of the authorizing district.

In some instances, authorizers lacked sufficient resources or staff expertise to monitor complex NCB programs, especially those serving students far beyond district boundaries. In others, warning signs were missed or under-addressed, despite red flags in audits or financial reports. This bill does not assign blame to authorizers for every instance of misconduct, but it does reflect a broader consensus that oversight obligations must be taken seriously—and that there should be reasonable consequences when they are not.

To that end, the bill strengthens expectations for authorizer monitoring in key risk areas such as attendance accounting, electronic payments, and student-to-teacher ratios. It also seeks to align authorizing capacity with district size and

staff infrastructure. While the bill stops short of imposing direct financial penalties on authorizers, the concept of holding authorizers more accountable—such as through potential reimbursement of oversight fees when duties are neglected—has been raised during policy discussions and may merit future consideration. These reforms are ultimately designed not to penalize oversight agencies, but to ensure that the safeguards intended to protect students and taxpayers function as intended.

- 12) *Matching authorizer capacity to oversight responsibility.* This bill limits the ability of small school districts to authorize NCB charter schools that serve student populations larger than the district itself. Specifically, districts with fewer than 10,000 ADA may authorize NCB charter schools only up to a combined enrollment equal to 100% of their own ADA. Existing NCB charter schools may remain with their current small district authorizer if that authorizer employs at least four executive-level staff. For NCB charter schools that exceed the cap and are authorized by districts without the required staffing capacity, the bill directs the SBE to reassign the charter to a larger authorizer within the county at the time of the school's next renewal. These changes are intended to better align authorizer oversight capacity with the scale of the schools they oversee.
- 13) *Preventing attendance fraud through data modernization and calendar safeguards.* One of the most egregious findings in the A3 fraud case was the manipulation of student enrollment and calendars to double- or triple-count attendance for state funding. This was made possible, in part, because California lacks a real-time, student-level system for tracking ADA. Currently, attendance is reported separately from student demographic data in CALPADS, making it difficult to detect duplicate or sequential enrollments across schools. This bill directs CDE to study the feasibility of integrating attendance data into CALPADS by 2030, laying the groundwork for long-term improvements in fraud detection.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- The California Department of Education (CDE) estimates General Fund costs of \$13.5 million each year to establish and staff the Office of Inspector General. This estimates assumes an office size of 45 staff which includes an Inspector General and a Deputy Inspector General, and that the office would leverage existing HR, IT, and legal services within CDE. The CDE estimates additional General Fund costs of \$174,000 each year for one

position and \$750,000 in one-time General Fund to contract for work associated with the feasibility of integrating the California Longitudinal Pupil Achievement Data System (CALPADS) and apportionment data systems.

- The Fiscal Crisis and Management Assistance Team (FCMAT) estimates Proposition 98 General Fund costs ranging from \$623,000 to \$1.043 million each year and two to three positions to establish and operate the Charter Authorizing Technical Assistance Team. The FCMAT estimates additional, one-time Proposition 98 General Fund costs of \$100,000 to comply with the bill's requirement for the CDE, in consultation with FCMAT, to report on the CALPADS and apportionment data systems alignment.
- This State Controller's Office (SCO) estimates General Fund costs of \$1.6 million each year to hire 7.5 additional staff to implement the bill's provisions regarding independent auditor quality control reviews. These resources would be used to verify mathematical accuracy of additional schedules, certify additional CPA training hours, perform quality control reviews of CPA firms, and additional administrative tasks such as updating the K-12 audit guide.
- This bill could result in additional, unknown Proposition 98 General Fund costs each year for charter schools to comply with the bill's new audit requirements. Each local educational agency (LEA) contracts with an independent auditing firm to conduct its annual audit to verify compliance with state law. These auditing firms could charge higher fees to LEAs to account for the additional requirements.
- To the extent that the bill's increased oversight provisions lead to the closure of some NCB charter schools or there is a reduction in educational options (including vendor-based services) that would be available, the transferring of students to traditional public schools or other charter schools could have a local fiscal impact. The extent of these costs is unknown and would vary depending on the type of LEAs involved, the number of students that transfer, and whether those students qualify for supplemental or concentration grant funding under the Local Control Funding Formula (LCFF). The LCFF entitlements or ADA funding for students that transfer within the public school system would typically follow those students, therefore the overall impact to the state would be cost neutral. However, if the students leave the public school system altogether and choose to attend

private schools, there could be reduced ADA and LCFF costs for those students.

- The bill's oversight provisions along with the establishment of the Office of the Inspector General could potentially result in unknown savings for the state to the extent they prevent or deter future fraud and the misuse of public funds.

SUPPORT: (Verified 9/10/25)

American Federation of State, County and Municipal Employees
California Democratic Party
California Federation of Labor Unions
California School Employees Association
California Teachers Association
CFT- a Union of Educators & Classified Professionals
Consumer Federation of California
Democrats of Rossmoor
Los Angeles County Democratic Party
Public Advocates
Several Individuals

OPPOSITION: (Verified 9/10/25)

21st Century Alliance
Achieve Charter Schools
Advocates for Faith & Freedom
Alder Grove Charter School
Allegiance Steam Academy
Alliance College-Ready Public Schools
Alliance of Independent Learners
Alma Fuerte Public School
Alpha Public Schools
Alta Public Schools
Altus Schools
America's Finest Charter School
American Heritage Charter Schools
Antelope Valley Economic Development & Growth Enterprise
Antioch Charter Academy
Antioch Charter Academy II
Ararat Charter School
Arts in Action Community Charter Schools

ASA Charter School
Aspen Public Schools
Aspire Public Schools
Association of Personalized Learning Schools & Services
Autism Society Inland Empire
Aveson Schools
Big Picture Educational Academy
Big Sur Charter School
Birmingham Community Charter High School
Bridges Charter School
Bridges Preparatory Academy
Brookfield Engineering Science Technology
Butte County Office of Education
Cabrillo Point Academy
California Homeschool Network
California Association of School Business Officials
California Baptist for Biblical Values
California Catholic Conference
California Charter Schools Association
California County Superintendents
California Creative Learning Academy
California Montessori Project
California Online Public School
California Pacific Charter Schools
California Parents for Public Virtual Education
California Policy Center
California Republic Leadership Academy
California Virtual Academies
Camarillo Academy of Progressive Education
Camino Nuevo Charter Academy
Catalyst Legacy
Champs Charter High School of the Arts
Charter Schools Development Center
Children's Community Charter School
Chime Institute
Choices Charter School
City of Huntington Beach
City of Porterville
Clarksville Charter School
Coastal Grove Charter School

College Prep Genius
Community Learning Center Schools
CORE a Community Collaboration
CORE Butte Charter School
CORE Charter School
County of Sonoma
Creative Cultivation Studio
Creative Learners of California
Creative Learning Place
Crossroads Charter Academy
CWC Los Angeles
Da Vinci Schools
Decentralize America
Delta Managed Solutions
Desert Trails Preparatory Academy
Discovery Charter Schools
Dixon Montessori Charter School
Dr. Lewis Dolphin Stallworth Charter School
Dual Language Immersion North County
Edison Bethune Charter Academy
Ednovate
Education for Change Public Schools
Eel River Charter School
El Sol Science and Arts Academy
Element Education
Elevate School
Environmental Charter Schools
Epic Charter School
Equitas Academy Charter Schools
Excel Academy Charter School
Extera Public Schools
Family Partnership Charter School
Feaster (Mae L.) Charter School
Feather River Charter School
Fenton Charter Public Schools
Foothill Learning Academy
Forest Charter School
Forest Ranch Charter
Freedom Angels
Fresno Innovative Charter Schools

Gabriella Charter Schools
Gateway College and Career Academy
Gateway Community Charters
Girls Athletic Leadership Schools Los Angeles
Glacier High School Charter
Golden Eagle Charter School
Golden Valley Charter School
Gorman Learning Charter Network
Granada Hills Charter
Granite Mountain Charter School
Great Valley Academy
Green DOT Public Schools
Griffin Technology Academies
Growth Public Schools
Guajome Schools
Hawking Steam Charter School
Heartwood Charter School
Hemet Christian Homeschool Moms
High Tech Los Angeles
History Rocks!
Home Haven Collective
Hometech Charter School
Howard Gardner Community School
ICEF Public Schools
iLEAD
iLEAD CA Charters 1
iLEAD California
Ingenium Schools
Innovations Academy
Innovative Education Management
Inspire School of Arts and Sciences
Intellectual Virtues Academy High
Invictus Leadership Academy
Irvine International Academy
Ivy Academia
JCS Family of Charter Schools
John Muir Charter Schools
Journey School
Kairos Public Schools
Kavod Charter School

Kepler Neighborhood School
Kid Street Charter School
Kidinnu Academy
KIPP Public Schools Northern California
LA Jolla Band of Luiseno Indians
Larchmont Charter School
Lashon Academy
Learn4life
Learning for Life Charter School
Legislation Take Action
Leonardo Da Vinci Health Sciences Charter School
Lighthouse Baptist Church
Literacy First Charter Schools
Little Explorers Homeschool Co-Op
Live Online Math
Los Angeles Academy of Arts and Enterprise
Magnolia Public Schools
Maria Montessori Charter Academy
Matrix for Success Academy
Mayacamas Countywide Middle School
Meadows Arts and Technology Elementary School
Megapixels School of the Arts
Method Schools
Mission Vista Academy
Montague Charter Academy
Motivated Youth Academy
Mountain Home School Charter
Multicultural Learning Center
Museum School Collaborative
Natomas Charter School
Natomas Homeschool Alliance
Natomas USD for Freedom
Navigator Schools
New Heights Charter School
New West Charter
Nord Country School
Northern United Charter Schools
Northwest Prep Charter School
Nova Academy Early College High School
Ocean Charter School

Odyssey Charter Schools
Olive Grove Charter School
Orange County Academy of Sciences and Arts
Orange County Board of Education
Orange County School of the Arts / California School of the Arts Foundation
Pacific Charter Institute
Pacific Justice Institute - Center for Public Policy
Pacific View Charter School
Pacoima Charter School
Para Los Ninos
Pasadena Rosebud Academy Charter School
Pauma Band of Luiseno Indians
Pazlo Education Foundation
PCA College View
Peabody Charter School
Peninsula Parents for Personalized Education
Plumas Charter School
Port of Los Angeles High School
Pseudogenius Learning Labs
Puente Learning Center
Real Impact.
Redding School District
Redwood Coast Montessori
Redwood Collegiate Academy
Renaissance Arts Academy
Revillage Napa Homeschoolers
Rex and Margaret Fortune School of Education
Rincon Band of Luiseno Indians
River Montessori Charter School
River Oaks Academy Charter School
River Springs Charter School
Rocklin Academy Family of Schools
Sage Oak Charter Schools
San Carlos Charter
San Diego Virtual School
San Jose Conservation Corps & Charter School
Santa Rosa Academy Parents
Santa Rosa French-American Charter School
Save Glendora Schools
Save Our Schools Coalition

Scale Leadership Academy
Scholarship Prep Charter School
Sebastopol Independent Charter
Sequoia Career Academy
Shade Canyon School
Shasta Charter Academy
Shasta View Academy
Sherman Thomas Charter School
Sherwood Montessori
Small School Districts Association
Soar Charter Academy
Southwest California Legislative Council
Sparrow Academy
Stand Up California
Stand Up Sacramento County
Stellar Charter School
Stem Prep Schools
Stride
Success One! Charter
Summit Enrichment Academy
Summit Public Schools
Suncoast Charter
Suncoast Prep Academy
Supporting True Options in Public Education Coalition
Sycamore Creek Community Charter School
Synergy Academies
Taylton High Desert Academy
Teach Public Schools
Tehama eLearning Academy
Temecula Valley Charter School
The Classical Academies
The Cottonwood School
The Foundation for Hispanic Education
The Grove School
The Language Academy of Sacramento
The Learning Choice Academy
The O'Farrell Charter Schools
The Preuss School UCSD
Tierra Pacifica Charter
Tree of Life Charter School

Trillium Charter School
Union Street Charter
Urban Charter Schools Collective
Valley Charter School
Valley Industry and Commerce Association
Valley International Preparatory High School
Valley Life Charter Schools
Valley View Charter Prep
Ventura Charter School of Arts and Global Education
Vibrant Minds Charter School
Virtual Learning Academy, Sage Oak Charter Schools
Vista Charter Public Schools
Vista Oaks Charter School
Voices College Bound Language Academies
Vox Collegiate
We Spark Learning
Westbrook Academy
Western Sierra Charter Schools
Westlake Charter School
Wildflower Open Classroom
William Finch Charter School
Write On!
YPI Charter Schools
Yuba County Career Preparatory Charter School
Numerous Individuals

ARGUMENTS IN SUPPORT: The California School Employees Association (CSEA), sponsor of AB 84, supports the bill as a necessary set of reforms aligned with recommendations from the LAO, FCMAT, the SCO's Charter Audit Task Force, and the California Charter Authorizing Professionals. CSEA argues that California's existing oversight framework for NCB charter schools has proven inadequate, allowing significant misuse of public funds and governance breakdowns.

CSEA highlights the 2019 A3 Education scandal, in which \$400 million in state funds were misappropriated through fraudulent student enrollment schemes and self-dealing contracts. A3 targeted small school districts with limited capacity to serve as authorizers and operated a network of schools under centralized control, using their authority to contract with related entities. CSEA contends that this case illustrates how existing safeguards—audits, authorizer oversight, and the funding determination process—failed to prevent large-scale fraud.

With the NCB charter moratorium set to expire in January 2026, CSEA believes AB 84 is a timely and measured response. The bill reflects the work of nonpartisan agencies tasked with identifying structural gaps and proposing improvements. In CSEA's view, the Legislature must act now to close loopholes and ensure that public funding for NCB charter schools is subject to stronger accountability moving forward.

ARGUMENTS IN OPPOSITION: A coalition representing nearly all California charter schools—including APLUS+, the California Charter Schools Association, and the Charter Schools Development Center—opposes AB 84. While the coalition supports efforts to prevent fraud, it argues that the bill takes a heavy-handed approach that would impose excessive administrative requirements, divert funds from classrooms, and establish two new state bureaucracies. The coalition instead supports SB 414 (Ashby, 2025), which they view as a more balanced and targeted reform effort aligned with the recommendations of recent oversight reports and better suited to support high-performing charter schools.

Opponents contend that AB 84 goes well beyond what recent oversight reports recommend and reopens long-settled policy issues without clear justification. They argue that the bill expands audit and authorizer oversight duties without ensuring accountability for authorizers themselves, caps authorizing authority based on district size without supporting data, and imposes costly mandates on schools and state agencies without providing funding. They also raise concerns about provisions such as limits on teacher compensation for meetings, new reporting obligations, and the creation of new oversight agencies, asserting these are not grounded in evidence and would harm effective educational programs.

While acknowledging that discussions with the author's office and committee staff are ongoing, the coalition believes that AB 84 is not the right vehicle for reform in its current form. They describe the bill as punitive, costly, and unlikely to achieve its intended outcomes. The coalition reaffirms its support for responsible charter school oversight and expresses appreciation for the committee's earlier support of SB 414 as a more appropriate path forward.

ASSEMBLY FLOOR: 43-25, 6/5/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bennett, Boerner, Bonta, Bryan, Calderon, Caloza, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Hart, Kalra, Lee, Lowenthal, Muratsuchi, Nguyen, Papan, Patel, Pellerin, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher,
Jeff Gonzalez, Hadwick, Hoover, Irwin, Lackey, Macedo, Pacheco, Patterson,
Petrie-Norris, Ramos, Michelle Rodriguez, Blanca Rubio, Sanchez, Ta, Tangipa,
Wallis

NO VOTE RECORDED: Bauer-Kahan, Berman, Carrillo, Harabedian, Jackson,
Krell, McKinnor, Ortega, Quirk-Silva, Ransom, Wilson

Prepared by: Ian Johnson / ED. / (916) 651-4105

[9/11/25 13:12:19](#)[9/11/25 13:12:19](#)

**** END ****

Deleted: 9/11/2025 9:42:54

Deleted: ¶

THIRD READING

Bill No: AB 226
Author: Calderon (D) and Alvarez (D), et al.
Amended: 6/16/25 in Senate
Vote: 27 - Urgency

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 8-0, 6/9/25
AYES: Ashby, Choi, Archuleta, Arreguín, Grayson, Niello, Strickland, Umberg
NO VOTE RECORDED: Menjivar, Smallwood-Cuevas, Weber Pierson

SENATE INSURANCE COMMITTEE: 7-0, 6/25/25
AYES: Rubio, Niello, Becker, Caballero, Jones, Padilla, Wahab

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 77-0, 4/1/25 - See last page for vote

SUBJECT: California FAIR Plan Association

SOURCE: California Department of Insurance and California Building Industry Association

DIGEST: This bill is an urgency measure that authorizes the California Infrastructure and Economic Development Bank (IBank), upon the request of the California Fair Access to Insurance Requirements Plan Association (FAIR Plan) to issue bonds to finance the costs of claims, to increase liquidity, and claims-paying capacity of the FAIR Plan, and to refund bonds previously issued for that purpose. This bill requires the FAIR Plan, with the approval of the Insurance Commissioner, to assess all members to pay all loan payments and the costs and expenses relating to a loan agreement with IBank, as well as to assess all members to repay a line of credit and its related costs and expenses.

ANALYSIS:

Existing Law:

- 1) Establishes the Bergeson-Peace Infrastructure and Economic Development Bank Act and creates the IBank and authorizes IBank to make loans, issue bonds, and provide other economic development assistance, among other things. (Government Code (GC) §§ 63000 and 63050 *et seq.*)
- 2) Establishes the FAIR Plan formed by insurers licensed to write and engaged in writing basic property insurance in California to assist persons in securing basic property insurance and to formulate and administer a program for the equitable apportionment among insurers of basic property insurance. (Insurance Code (IC) § 10091 (a))
- 3) States that the FAIR Plan was established to assure stability, to assure the availability, to encourage maximum use, and to provide for equitable distribution among admitted insurers of the responsibility for insuring qualified property for which basic property insurance cannot be obtained through the normal insurance market. (IC § 10090)
- 4) Specifies that rates for the FAIR Plan shall not be excessive, inadequate, or unfairly discriminatory, and shall be actuarially sound so that premiums are adequate to cover expected losses, expenses and taxes, and shall reflect investment income of the plan. (IC § 10100.2)

This bill:

- 1) Specifies that a financing of the costs of claims or to increase liquidity and claims-paying capacity upon the request of the FAIR Plan are in the public interest and eligible for financing by IBank. Authorizes IBank to issue taxable or tax-exempt bonds to finance the costs of claims or to increase liquidity and the FAIR Plan's claims-paying capacity and to refund bonds previously issued for that purpose. Authorizes IBank to loan the proceeds of bonds to the FAIR Plan and specifies that bond proceeds may also be used to fund necessary reserves, capitalized interest, credit or liquidity enhancement costs, and costs of issuance. Clarifies that IBank shall not have authority over any matter subject to the approval of the Insurance Commissioner but that IBank has the right to enforce all obligations of the FAIR Plan under the agreements relating to bonds issued.

- 2) Authorizes the FAIR Plan, if granted prior approval from the Insurance Commissioner, to:
 - a) Request that IBank issue bonds from time to time to finance all or any portion of the costs of claims or to increase liquidity and claims-paying capacity
 - b) Enter into loan agreements with IBank.
 - c) Enter into line of credit agreements with one or more institutional lenders or one or more broker-dealers for the purpose of financing the costs of claims or to increase liquidity and claims paying capacity and to refund lines of credit previously incurred for that purpose.
 - d) Secure those loan agreements or line of credit agreements by a pledge of, and the grant of a lien and security interest in, collateral, including premiums, revenues, and receivables.
 - e) Enter into any other agreement or take any other action necessary or convenient to the execution and delivery of loan agreements or line of credit agreements.
- 3) Requires the FAIR Plan, with the approval of the Insurance Commissioner, to assess all members to repay all loan agreement obligations and all lines of credit.

Background

IBank and Infrastructure Loans. According to its website, IBank exists within GO-Biz and “was created in 1994 to finance public infrastructure and private development that promote a healthy climate for jobs, contribute to a strong economy and improve the quality of life in California communities. IBank has broad authority to issue tax-exempt and taxable revenue bonds, provide financing to public agencies, provide credit enhancements, acquire or lease facilities, and leverage State and Federal funds. IBank’s current programs include the Infrastructure State Revolving Fund Loan Program, California Lending for Energy and Environmental Needs Center, the Climate Catalyst Revolving Loan fund, Small Business Finance Center and the Bond Financing Program.”

FAIR Plan. According to a background report prepared in advance of an Assembly Committee on Insurance oversight hearing of the FAIR Plan held in March 2024,

the FAIR Plan is an association of all insurance companies licensed by the California Department of Insurance that provides basic property and casualty insurance in California. It was created in 1968, following urban disturbances, notably the Watts Riots in Los Angeles. The purpose of the FAIR Plan is to be the insurer of last resort for basic property insurance in the event of a market failure. At inception, that was urban commercial property. Ultimately, it has expanded to include homeowners' insurance anywhere in the state, provided that the insurance cannot be obtained in the normal manner in the market. At origination, the FAIR Plan was not intended to compete with the admitted market but that point is now debatable. The FAIR Plan was established to ensure that urban property owners, mostly businesses, would have fair access to the property insurance necessary to continue to operate in a market that insurers viewed as too risky to cover.

On September 21, 2023, Governor Newsom issued an Executive Order that directed the Insurance Commissioner to “take prompt regulatory action to strengthen and stabilize California’s marketplace for homeowners insurance and commercial property insurance, and to consider whether the recent sudden deterioration of the private insurance market presents facts that support emergency regulatory action.” It included direction to maintain the solvency of the FAIR Plan to protect its policyholders and promote long-term resiliency in the face of climate change, including identifying mechanisms to reduce its share of the overall market in underserved areas and move its customers into the admitted insurance market.

As noted in the background report, “the FAIR Plan was created as a temporary safety net for policyholders. The goal should continue to be moving FAIR Plan policyholders back into the admitted market, hence the creation of the clearinghouse programs. Fortunately, the Insurance Commissioner’s Sustainable Insurance Strategy seeks to tackle the bigger insurance market picture in its entirety. Actions taken that continue to encourage FAIR Plan growth should be considered temporary solutions, if the goal is to return the FAIR Plan back into the ‘insurer of last resort.’ When the growth of the FAIR Plan begins to stabilize or decrease, that will be the signal that the admitted market is back in business.”

FISCAL EFFECT: Appropriation: Yes Fiscal Com.: Yes Local: No
This bill is keyed fiscal by Legislative Counsel. According to the Senate Committee on Appropriations, the bill will result in one-time costs of an unknown, but likely significant amount to the IBank to facilitate the bond transaction, which would likely be recovered from bond sale proceeds. The bill is not anticipated to have any fiscal impact on the California Department of Insurance.

SUPPORT: (Verified 8/29/25)

California Building Industry Association (co-source)
Insurance Commissioner Ricardo Lara / California Department of Insurance (co-source)
American Property Casualty Insurance Association
Association of California Cities - Orange County
Boma California
California Apartment Association
California Association of Community Managers
California Association of Realtors
California Association of Winegrape Growers
California Building Officials
California Business Properties Association
California Business Roundtable
California Chamber of Commerce
California Fair Plan Association
California Farm Bureau Federation
California Mortgage Bankers Association
California State Association of Counties
City of Lake Forest
City of Los Alamitos
City of Riverside
East Bay Wildfire Coalition of Governments
Eden Housing
Fieldstead and Company
Habitat for Humanity California
Independent Insurance Agents & Brokers of California, Inc.
Institute of Real Estate Management
Los Angeles County Business Federation
NAIOP California
New California Coalition
Orange County
Orange County Business Council
Orange County Taxpayers Association
Pacific Association of Domestic Insurance Companies
Personal Insurance Federation of California
San Bernardino County
San Diego County
San Gabriel Valley Council of Governments
Southern California Association of Governments
Southern California Leadership Council
Southwest California Legislative Council

SPUR
The Two Hundred
Tri County Chamber Alliance
United Policyholders

OPPOSITION: (Verified 8/29/25)

None received

ARGUMENTS IN SUPPORT: Supporters write that “Without AB 226, under current California law, there is no mechanism for insurers to immediately address these assessments, and their only option to reduce exposure is to non-renew existing policies (Some insurers have already started non-renewing policies due, in part, to the FAIR Plan exposure.). To ensure financial stability of the FAIR Plan, AB 226 would authorize the FAIR Plan to request IBank issue bonds and levy special bond payment assessments upon member insurers. This will allow for a more gradual repayment process of the IBank loan over a period of time (normally 10 years). Under current law, insurers must pay FAIR Plan assessments within 30 days.”

ARGUMENTS IN OPPOSITION:

ASSEMBLY FLOOR: 77-0, 4/1/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, DeMaio, Dixon, Elhawary, Ellis, Essayli, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Davies, Wicks

Prepared by: Sarah Mason / B., P. & E.D. /
8/29/25 20:27:47

**** END ****

THIRD READING

Bill No: AB 234
Author: Calderon (D), et al.
Introduced: 1/13/25
Vote: 27 - Urgency

SENATE INSURANCE COMMITTEE: 5-0, 6/25/25
AYES: Rubio, Becker, Caballero, Padilla, Wahab
NO VOTE RECORDED: Niello, Jones

ASSEMBLY FLOOR: 66-0, 4/7/25 - See last page for vote

SUBJECT: California FAIR Plan Association governing committee

SOURCE: Author

DIGEST: This bill requires the Speaker of the Assembly and the Chairperson of the Senate Committee on Rules, or their designee, to serve as non-voting, ex officio members of the California Fair Access to Insurance Requirements Plan (FAIR Plan) Governing Committee.

ANALYSIS:

Existing law:

- 1) Establishes the FAIR Plan to assure the stability of the property insurance market, to assure the availability of basic property insurance, as defined, to encourage maximum use of the normal insurance market in obtaining basic property insurance provided by admitted insurers and licensed surplus line brokers.
- 2) Provides, as part of the FAIR Plan, for the equitable distribution among admitted insurers of the responsibility for insuring qualified property for which basic property insurance cannot be obtained through the normal insurance market.

- 3) Stipulates that the FAIR Plan Governing Committee be composed of nine annually elected insurers, as well as the following non-voting members: one representative of insurance agents, one representative of insurance brokers, one representative of surplus lines brokers, and one representative of the public, each appointed by the Governor.

This bill:

- 1) Requires the Speaker of the Assembly and the Chairperson of the Senate Committee on Rules, or their designee, to serve as non-voting, ex officio members of the FAIR Plan Governing Committee.
- 2) Would take effect immediately as an urgency statute.

Background

FAIR Plan Governing Committee. According to its Plan of Operation, the FAIR Plan is administered by a Governing Committee (Committee), subject to the supervision of the Insurance Commissioner, and operated by a President appointed by the Committee. The nine voting members of the Committee are usually comprised of two members of the American Property Casualty Insurance Association, one member from an insurer owned by shareholders, known as “stock insurers”, one member from a non-stock insurer, and five members from at-large insurers. Furthermore, participating insurer members cannot be from the same group under the same management or ownership, as another. These voting members serve for one year or until their successors are elected by the admitted insurers who make up the FAIR Plan. Additionally, the four previously mentioned non-voting members serve on this Committee.

Status of the FAIR Plan’s Exposure and Policy Count. According to the FAIR Plan, as of March 2025, the FAIR Plan’s total exposure, or total potential for loss, is \$599 billion, reflecting a 31% increase since September 2024 (prior fiscal year-end) and a 259% increase since September 2021 (Fiscal Year End 2021). Furthermore, as of March 2025, the FAIR Plan’s total number of dwelling and commercial policies is 573,739 reflecting a 23% increase since September 2024 (prior fiscal year-end) and a 139% increase since September 2021 (Fiscal Year End 2021).

FAIR Plan Transparency Update. As of May 2025, the FAIR Plan has made additional operational information available on its website. This information includes its Plan of Operation, Governing Committee membership, certain

financial reports, dwelling and commercial coverage forms, and relevant statutory provisions.

Related/Prior Legislation

AB 69 (Calderon, 2025). Would require a broker of record to determine if a FAIR Plan policy can be moved to the voluntary market before the policy is renewed. This bill is pending in Senate Insurance Committee.

AB 1844 (Calderon, 2024). Would have required the Speaker of the Assembly and the Chairperson of the Senate Committee on Rules to serve as non-voting, ex officio members of the Governing Committee, and would have authorized each to name a designee to serve in their place. This bill was not heard in Senate Insurance Committee.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/25/25)

Insurance Commissioner Ricardo Lara/California Department of Insurance
California Democratic Party Rural Caucus

OPPOSITION: (Verified 6/25/25)

Consumer Federation of California

ARGUMENTS IN SUPPORT:

According to Insurance Commissioner Ricardo Lara:

“We must reverse the trend of a growing FAIR Plan if we are going to safeguard the state’s admitted insurance market as a whole. While I have made many reforms to the FAIR Plan since I first took office, further improvements are needed to serve its legislatively intended purpose of creating stability in the property insurance market, while providing consumers with the best possible customer service. This is why a crucial element of my Sustainable Insurance Strategy focuses on modernizing a growing FAIR Plan, allowing rates to reflect catastrophe modeling and California reinsurance only if insurers commit to writing more policies in wildfire risk areas. With my support, the Legislature created FAIR Plan Clearinghouse programs for both residential policies (AB 2012, Wood, Chapter 258, Statutes of 2020) and commercial policies (SB 505, Rubio, Chapter 180,

Statutes of 2023), which is a list of policies that companies pull from the FAIR Plan to reduce the numbers. Access to FAIR Plan coverage is more critical than ever as we face the devastating wildfires sweeping across California.

The FAIR Plan was established by the Legislature and Governor – and it must work harder to be more accountable to the public. By establishing additional nonvoting members on the FAIR Plan’s Governing Committee, AB 234 will help further needed transparency of this insurance safety net while supporting legislative policymakers’ oversight efforts.”

ARGUMENTS IN OPPOSITION:

According to the Consumer Federation of California:

“When compared to most of the other similarly situated ‘insurer of last resort’ programs in 30+ states, the California FAIR Plan is one of the most opaque, if not the most opaque, of all such programs. Indeed, as recently as March 2025 the current Insurance Commissioner stated that the FAIR Plan needed to be more transparent. But CDI has had this core information for almost three years and is supporting AB 234. Yet the only thing AB 234 does is to add two legislative leaders, or their designees, as non-voting ex officio members of the FAIR Plan Governing Committee. This is wholly insufficient and it is unclear if this would even make any difference at all to transparency.

For AB 234 to make any meaningful public contribution to FAIR Plan transparency it will need to go significantly beyond its current contents. For example, the FAIR Plan should be required to publicly disclose their financial statements, or at least key elements of such financial statements. It needs to significantly open up to be much more transparent, especially in the wake of the FAIR Plan's growing policy count, premium dollars collected and market share. And perhaps before going to all policyholders to cover half of the \$1 billion shortfall the FAIR Plan announced earlier this year, FAIR Plan member companies should refund previous year’s dividends. Those three items would be a useful beginning to a bill that actually accomplished something meaningful in terms of reforming the FAIR Plan and its operations. However, as currently drafted AB 234 falls far short of what is minimally necessary to truly protect consumers.”

ASSEMBLY FLOOR: 66-0, 4/7/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin,

Jackson, Kalra, Krell, Lackey, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bauer-Kahan, Bennett, Castillo, Gallagher, Jeff Gonzalez, Hadwick, Lee, Macedo, Ransom, Sanchez, Ta, Tangipa, Wallis

Prepared by: Brandon Seto / INS. / (916) 651-4110
6/26/25 16:11:37

****** END ******

THIRD READING

Bill No: AB 237
Author: Patel (D), et al.
Amended: 7/3/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 7/1/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 75-0, 6/3/25 - See last page for vote

SUBJECT: Crimes: threats

SOURCE: San Diego County District Attorney's Office

DIGEST: This bill creates a new crime of threatening to commit a crime that will result in death or great bodily injury at a daycare, school, university, workplace, house of worship, or medical facility, punishable as an alternate felony-misdemeanor.

ANALYSIS:

Existing Law:

- 1) States that any person who willfully threatens to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement made (either verbally, in writing, or by means of an electronic device) is to be taken as a threat, even if there is no intent of carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution, and which thereby causes the person reasonably to be in sustained fear for their own safety or that of their family, is guilty of a crime punishable either as a

misdemeanor or felony, as specified. (Penal (Pen.) Code, § 422.)

- 2) States that any person who with intent to cause, attempts to cause, or causes, any officer or employee of any public or private educational institution to do, or refrain from doing, any act in the performance of his or her duties, by means of a directly-communicated threat to the person, to inflict unlawful injury upon any person or property, and it reasonably appears to the recipient that such threat could be carried out, is guilty of a crime. (Pen. Code, § 71, subd. (a).)
- 3) States that any person who with intent to annoy, telephones another or contacts him or her by means of an electronic device, and threatens to inflict injury on the person or the person's family, or to the person's property is guilty of a misdemeanor. (Pen. Code, § 653m, subd. (a).)
- 4) Provides that any person who with intent to cause, attempts to cause or causes, another to refrain from exercising his or her religion or from engaging in a religious service by means of a threat directly communicated to such a person to inflict an injury upon the person or property, and it reasonably appears to the recipient that such a threat could be carried out, is guilty of a felony. (Pen. Code, § 11412.)
- 5) Provides that any person who knowingly threatens to use a weapon of mass destruction with the specific intent that the statement, as defined, or a statement made by means of an electronic device, is to be taken as a threat, even if there is no intent of carrying it out, which on its face and under the circumstances in which it is made, is so unequivocal, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution, and thereby causes the person reasonably to be in sustained fear of for personal safety or that of their family is guilty of a crime. (Pen. Code, § 11418.5, subd. (a).)
- 6) Defines a "hate crime" as a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:
 - a) Disability;
 - b) Gender;
 - c) Nationality;
 - d) Race or ethnicity;

- e) Religion;
 - f) Sexual orientation;
 - g) Association with a person or group with one or more of these actual or perceived characteristics. (Pen. Code, § 422.55, subd. (a).)
- 7) Provides that a “hate crime” includes but is not limited to violating or interfering with the exercise of civil rights, or knowingly defacing, destroying, or damaging property because of actual or perceived characteristics of the victim that fit the “hate crime definition.” (Pen. Code, §§ 422.55, subds. (a) & (b), 422.6, subds. (a) & (b).)
- 8) Provides that a conviction for violating or interfering with the civil rights of another on the basis of actual or perceived characteristics of the victim that fit the “hate crime” definition is punishable by imprisonment in a county jail not to exceed one year, or by a fine not to exceed \$5,000, or by both the above imprisonment and fine, and a minimum of community service, not to exceed 400 hours, as specified. (Pen. Code, § 422.6, subd. (c).)
- 9) Makes any other hate crime that is not punishable by imprisonment in the state prison a wobbler (punishable alternatively as a misdemeanor or county jail felony) if the crime is committed against the person or property of another for the purpose of intimidating or interfering with that other person’s free exercise or enjoyment of any constitutional right under any of the following circumstances:
- a) The crime against the person either includes the present ability to commit a violent injury or causes actual physical injury;
 - b) The crime against property causes damage in excess of \$950; or,
 - c) The person charged with a crime under this provision has been convicted previously of a hate crime or conspiracy to commit a hate crime, as specified. (Pen. Code, § 422.7.)
- 10) Provides that unless punishable under the provision above:
- a) A person who commits a felony that is a hate crime or attempts to do so, shall receive an additional term of one, two, or three years in the state prison,

at the court's discretion; and,

- b) A person who commits a felony that is a hate crime, or attempts to do so, and who voluntarily acted in concert with another person in the commission of the crime shall receive an additional term of two, three, or four years in the state prison. (Pen. Code, § 422.75, subds. (a) & (b).)
- 11) Provides that every person who intentionally disturbs or disquiets any assemblage of people met for religious worship at a tax-exempt place of worship, by profane discourse, rude or indecent behavior, or by any unnecessary noise, either within the place where the meeting is held, or so near it as to disturb the order and solemnity of the meeting, is guilty of a misdemeanor punishable by a fine not exceeding \$1,000, or by imprisonment in a county jail for a period not exceeding one year, or by both. (Pen. Code, § 302.)

This Bill:

- 1) Provides that any person who, willfully threatens, by any means, including, but not limited to, an image or threat posted or published on an internet web page, to commit a crime that will result in death or great bodily injury to another person or persons at a daycare, school, university, workplace, house of worship, or medical facility with specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, if the threat on its face and under the circumstances in which it is made is so unequivocal, unconditional, immediate, and specific as to convey to the person or persons threatened a gravity of purpose and an immediate prospect of execution of the threat, and if that threat causes a person or person to reasonably be in sustained fear for their own safety or the safety of others at these locations, is guilty of a crime.
- 2) States that the new crime is an alternate felony-misdemeanor, punishable by imprisonment in county jail for a term not exceeding one year, or in county jail for 16 months, 2, or 3 years pursuant to realignment.
- 3) Specifies that a person under 18 years of age who commits this crime is guilty of a misdemeanor.
- 4) States that this crime does not preclude punishment under any other law, but prohibits dual conviction for this crime and the general criminal threats statute based on the same threat.

Background:

In order to convict a person under the current criminal threat statute, Penal Code section 422, the prosecutor must prove the following:

- 1) that the defendant willfully threatened to commit a crime which will result in death or great bodily injury to another person;
- 2) that the defendant made the threat;
- 3) that the defendant intended that the statement is to be taken as a threat, even if there is no intent of actually carrying it out;
- 4) that the threat was so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat;
- 5) that the threat actually caused the person threatened to be in sustained fear for his or her own safety or for his or her immediate family's safety; and,
- 6) that the threatened person's fear was reasonable under the circumstances. (Pen. Code, §422; CALCRIM No. 1300; see also *People v. Toledo* (2001) 26 Cal.4th 221, 227-228.)

Penal Code section 422 applies to all criminal threats which will result in death or great bodily injury regardless of location or the exact type of violence that is threatened. This bill seeks to create the specific crime of criminal threats when the threat is to take place at a daycare, school campus, university, workplace, house of worship, or medical facility. This new crime is very similar to the existing criminal threats statute. Some prosecutors argue that the current criminal threats statute does not fit well into instances of threats to locations in general rather than to specific persons.

However, a recent example illustrating the existing law's application to threats of violence on school grounds notwithstanding no specified target can be found in an appellate court's recent ruling. In *In re A.G.* (2020) 58 Cal.App.5th 647, A.G., a high school student posted an image of a realistic-looking gun replica with the caption, "Everybody goes to school tomorrow. I'm taking gum [sic]," on his Snapchat account, which was visible to about 60 "friends." (*Id.* at p. 650.) Another student saw the post, "worried when she saw the story because she knew school shootings happened regularly", and alerted a teacher. (*Id.* at p. 651.) This same

student saw a subsequent post by A.G. saying, “Everyone, it wasn’t real. I was xanned out.” But this did not alleviate her fear. (*Ibid.*) The juvenile court found this conduct was sufficient to constitute a violation of the criminal threats statute, Penal Code section 422. (*Id.* at p. 650.) The minor appealed alleging insufficient evidence to support the adjudication. Specifically, the minor alleged that the evidence failed to show: “(1) he intended his Snapchat post to be understood as a threat; (2) he willfully threatened to unlawfully kill or cause great bodily injury to anyone; (3) he intended to threaten D.J. or Henriquez specifically; (4) any alleged threat was unequivocal or unambiguous to reasonably sustain fear in either D.J. or Henriquez; or (5) any threat to D.J. or Henriquez was sufficiently immediate to place either of them in fear.” (*Id.* at p. 653.) The appellate court disagreed with all of A.G.’s contentions and affirmed. (*Id.* at p. 659.)

In other words, courts have upheld convictions/juvenile adjudications in these circumstances. Additionally, as to places of worship, general threats which do not single out an individual can be prosecuted under hate crime laws or a violation of Penal Code section 11412.

The existing crime of criminal threats is punishable as either a misdemeanor or a felony. (Pen. Code, § 422.) When a criminal threats conviction is punished as a felony, it also becomes a serious felony for purposes of enhanced punishment under the Three Strikes Law (Pen. Code, 1192.7. subd. (c)(38)) and the five-year prison enhancement for prior serious felony convictions (Pen. Code, § 667). Additionally it triggers credit earning limitations. (Pen. Code, § 1170.12; see also *People v. Moore* (2004) 118 Cal.App.4th 74.)

This bill would also punish the new crime as an alternate felony or misdemeanor, with the felony punishment being served in county jail rather than state prison. However, this bill does not add the newly-created crime of criminal threats directed at a daycare, school, university, workplace, place of worship, or medical facility to the serious-felony list. Therefore, credits limitations and future enhanced penalty provisions for prior convictions would not apply. This bill would also specify that a minor committing this offense can be adjudicated only of a misdemeanor.

Because of the differences in punishment, the creation of this new crime gives prosecutors additional charging options and judges additional sentencing options.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

Unknown, potentially significant costs (local funds, General Fund) to the counties to incarcerate people for the crime created by this bill. The average annual cost to incarcerate one person in county jail varies by county, but likely ranges from \$70,000 to \$90,000 per year. Unknown, potentially significant costs (General Fund) to the Department of Corrections and Rehabilitation (CDCR) to incarcerate people for the crimes created by this bill. While most individuals incarcerated under this bill will serve their sentences in county jail, this bill specifies that violations are punishable “pursuant to subdivision (h) of Section 1170.” Under subdivision (h) of Section 1170 of the Penal Code, if the defendant has specified prior felony convictions, the sentence for a felony shall be served in the state prison. The Legislative Analyst’s Office (LAO) estimates the average annual cost to incarcerate one person in state prison is \$133,000. Potential cost pressures (General Fund) to the Department of State Hospitals (DSH), in order to adequately house, treat, and care for persons committed to DSH that otherwise would not. Cost pressures to DSH are connected with an increase in state prison sentences. Creating a new crime will increase the number of defendants declared incompetent to stand trial (IST), or committed to DSH due to their being not guilty by reason of insanity. Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the increased criminal penalties in this bill. Unknown, potentially significant cost pressures (local funds, General Fund) to county probation departments of an unknown, but potentially significant amount, if individuals convicted under this bill, particularly people under the age of 18 who must be referred to services, are supervised locally in the community in lieu of or in addition to incarceration. Actual supervision costs will vary by each county probation department and how many individuals sentenced to probation, mandatory supervision, or post release community supervision as a result of this bill.

SUPPORT: (Verified 8/29/2025)

San Diego County District Attorney's Office (source)
Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of Highway Patrolmen
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California Narcotic Officers' Association
California Reserve Peace Officers Association
California School Employees Association
City of Carlsbad

City of San Diego
City of Santa Rosa
City of Whittier
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Hindu American Foundation, INC.
League of California Cities
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Rancho Bernardo Community Council
Riverside Police Officers Association
Riverside Sheriffs' Association
United Administrators of Southern California

OPPOSITION: (Verified 8/29/2025)

ACLU California Action
Alliance for Boys and Men of Color
Black Organizing Project
California Alliance for Youth and Community Justice
California Public Defenders Association
Californians United for a Responsible Budget
Community Asset Development Re-defining Education
Disability Rights California
East Bay Community Law Center
Ella Baker Center for Human Rights
Fresh Lifelines for Youth
Initiate Justice
Justice2jobs Coalition
LA Defensa
Public Counsel
Sister Warriors Freedom Coalition
The Collective for Liberatory Lawyering
Youth Law Center

ARGUMENTS IN SUPPORT:

According to the San Diego District Attorney:

Current laws are outdated and do not meet the imperative safety needs of communities across our state.

The increased availability of anonymized software applications has led to a rise in threats against schools. Whether these threats are legitimate or not, they have a significant impact on the community. Lockdowns and ripple effects of fear and trauma grip what should be protected spaces, regardless of whether the threat turns out to be legitimate or not....

Between 2015 and 2023, the San Diego District Attorney's Juvenile Division reviewed 293 school threat cases, resulting in 127 cases being filed. Last year, the division collected data on school threat cases submitted by law enforcement for potential formal charges. They reviewed 49 reports and filed criminal charges in 9 cases. One of the main challenges in filing charges was identifying a named victim. Often, if law enforcement locates someone who could be a potential victim in a threat made to a school, that person is either reluctant to come forward or does not express fear. Another common hurdle was that some threatening language did not meet the criteria of Penal Code 422, which requires the threat to be clear, immediate, unconditional, and specific.

The increase in violent threats directed at schools has generated significant fear, anxiety, and frustration among educators, students, and parents. Threats to "shoot up" schools must be taken seriously and investigated thoroughly. Consequently, hundreds of schools are losing valuable classroom time, police resources are being misallocated, and children and parents feel frightened and alarmed....

Current law prohibits any individual from willfully threatening to commit a crime that could result in death or serious bodily injury to another person, especially if such threats cause the targeted individual or their family to experience ongoing fear for their safety. This offense can be charged as either a misdemeanor or a felony. However, under existing law, if someone posts images of a handgun on social media with a caption indicating they plan to "shoot up" a school and does not explicitly threaten an individual, then they do not violate the criminal threats statute.

Within our county, a preliminary hearing was held for a defendant who sent out hundreds of email threats to commit a mass shooting at Shoal Creek Elementary School. The judge dismissed the case because the threatening emails were not sent directly to the school. It was ruled that the existing criminal threat statute requires the threat to be specific to a threatened person.

The students, parents, staff, and faculty of Shoal Creek Elementary were left unprotected by California law when charges were dismissed because the threats were not specific to a person. The gap in existing law that resulted in the dismissal of charges instilled fear, trauma, and disruption in the lives of the families and children of the community.

AB 237 explicitly addresses threats of school shootings and does not require proof of a specifically targeted individual or evidence of sustained fear from any one person. This legislation fills a gap left by existing laws regarding bombs and criminal threats. It empowers law enforcement to respond decisively to terrorism-related incidents, ensuring thorough investigations and holding offenders accountable for their actions. It's a critical step toward enhancing public safety and delivering justice.

ARGUMENTS IN OPPOSITION:

According to the American Civil Liberties Union California Action:

While ensuring that our schools, workplaces, houses of worship, hospitals, and public venues are safe spaces is of the utmost importance, we do not believe this bill is necessary to accomplish that goal. Current law, Penal Code § 422, makes it a felony to willfully threaten to commit a crime which will result in death or great bodily injury to another person, with the specific intent that the statement is to be taken as a threat, even if there is no intent of carrying the threat out. Current law already punishes criminal threats in all settings.

Moreover, we caution against expanding §422 because the existing law's enforcement is often problematic. Penal Code Section §422 is often misused to penalize conduct that does not truly belong in the criminal justice system. Penal Code section §422, like AB 237, does not require that the person making the threat have either the intent or the ability to carry it out, or that the person take any action to carry

out the threat. Defendants – often young people, or individuals with mental health issues – face criminal punishment for mere words even when they have no intent to take any action. This is particularly true for those with mental health conditions, who often suffer from crippling paranoia and delusions. The fear they experience can lead them to say things that are easily misinterpreted threats as a y a product of their illness. Thus, expanding this statute is not the avenue that the Legislature should use to address this issue.

ASSEMBLY FLOOR: 75-0, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bryan, Kalra, McKinnor, Celeste Rodriguez

Prepared by: Sandy Uribe / PUB. S. /
8/29/25 20:27:47

**** END ****

THIRD READING

Bill No: AB 299
Author: Gabriel (D) and Rivas (D)
Amended: 9/5/25 in Senate
Vote: 27 - Urgency

SENATE JUDICIARY COMMITTEE: 12-0, 7/15/25

AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Weber Pierson, Wiener

NO VOTE RECORDED: Wahab

ASSEMBLY FLOOR: 77-0, 4/1/25 - See last page for vote

SUBJECT: Motels, hotels, and short-term lodging: disasters

SOURCE: Author

DIGEST: This bill specifies that a guest of a lodging may not have their continued occupancy constitute a new tenancy for the purposes of an unlawful detainer if the guest is living in the lodging because their prior housing was damaged, destroyed, or otherwise made uninhabitable by a disaster, even if the they reside in the lodging for more than 30 days, until they reside in the lodging for 270 consecutive days, requires a lodging to provide a guest it believes is subject to these provisions a specified notice and confirmation form, and requires that a lodging provide at least 72 hours' written notice before a covered guest is removed from the lodging, as specified.

Senate floor amendments of 9/5/25 rewrite the bill's provisions regarding the required notice to be provided to a resident when a lodging believes, at or before the time of check-in for a stay that would result in the resident staying in the lodging for more than 30 days; remove third-party online booking entities from the notice requirement; make minor changes to the language of the required notice; require the lodging to provide a guest with a confirmation form on which the guest can confirm that they are staying because their home was substantially damaged, destroyed, or made uninhabitable by a disaster and that they acknowledge that they will not be considered a tenant unless they have stayed in the lodging for 270

consecutive days; permit a lodging to limit the duration of the stay or refuse to provide a guest accommodations if the guest fails to sign the confirmation; and specify that a lodging shall not be required to provide a guest subject to its provisions with the required 72-hour notice when the guest has done or failed to do specified acts.

ANALYSIS:

Existing law:

- 1) Applies provisions of the Civil Code relating to the hiring of real property to all persons who hire dwelling units located within the state, including tenants, lessees, boarders, lodgers, and others, however denominated. (Civil Code (Civ. Code) § 1940(a).)
- 2) Defines the term “persons who hire” to exclude a person who maintains either of the following:
 - a) Transient occupancy in a hotel, motel, residence club, or other facility when the transient occupancy is or would be subject to tax under Section 7280 of the Revenue and Taxation Code, excluding a person who has not made valid payments for all room and other related charges owing as of the last day on which their occupancy is or would be subject to tax, as specified; or
 - b) Occupancy at a hotel or motel where the innkeeper retains a right of access to and control of the dwelling unit and the hotel or motel provides or offers all of the following services to all of the residents:
 - i) Facilities for the safeguarding of personal property, as specified;
 - ii) Central telephone service subject to tariffs covering the same filed with the California Public Utilities Commission;
 - iii) Maid, mail, and room services;
 - iv) Occupancy for periods of less than seven days; and
 - v) Food service provided by a food establishment, as specified, located on or adjacent to the premises of the hotel or motel and owned or operated by the innkeeper or a person or entity pursuant to a lease or similar relationship with the innkeeper or person or entity affiliated with the innkeeper. (Civ. Code § 1940(b).)

- 3) Establishes that a tenant of real property is guilty of unlawful detainer in a number of specified circumstances, including when the tenant continues in possession without the permission of the landlord after default in the payment of rent pursuant to the lease or agreement under which the property is held, or after a neglect or failure to perform other conditions or covenants of the lease or agreement under which the property is held. (Code of Civil Procedure (Code Civ. Proc.) § 1161.)
- 4) Defines “tenant” for purposes of (3), above, to include any person who hires real property, except those persons whose occupancy is described in (2), above. (Code Civ. Proc. § 1161(7).)
- 5) Defines “hotel” for purposes of existing law governing innkeeping to mean any hotel, motel, bed and breakfast inn, or other similar transient lodging establishment, not including any residential hotel, as specified. (Civ. Code § 1865(a).)
- 6) Defines “guest” for purposes of existing law governing innkeeping to mean an occupant of a hotel whose occupancy is exempt from (1), above. (Civ. Code § 1865(b).)
- 7) Allows an innkeeper to evict a guest if the guest refuses or otherwise fails to fully depart the guest room at or before the innkeeper’s posted checkout time on the date agreed to by the guest, if certain conditions are met. (Civ. Code § 1865(c).)
- 8) Defines “short-term lodging” to mean a short-term rental, or a residential property in the state that is rented to a visitor for 30 consecutive days or less through a centralized platform whereby the rental is advertised, displayed, or offered and payments for the rental are processed, but does not include a hotel, motel, bed and breakfast inn, or other similar transient lodging establishment located in this state, nor a residential hotel. (Business and Professions Code (Bus. & Prof. Code) § 17568.8.)
- 9) Provides that a shelter program participant shall not have their continued occupancy in a motel, hotel, or shelter program constitute a new tenancy and shall not be considered persons who hire for purposes of existing law governing unlawful detainer proceedings if the shelter program meets certain requirements. (Civ. Code § 1954.09.)
- 10) Specifies that the Governor is empowered to proclaim a state of emergency in an area affected or likely to be affected when:

- a) They find that certain circumstances exist specified by Section 8558 of the Government Code; and
- b) Either the Governor:
 - i) Is requested to proclaim a state of emergency by the mayor or chief executive of a city or the chairperson of the board of supervisors or the county administrator of a county; or
 - ii) Finds that local authority is inadequate to cope with the emergency. (Government Code (Gov. Code) §8625.)

This bill:

- 1) Specifies that a guest residing in a lodging shall not have their continued occupancy constitute a new tenancy, and shall not be considered a person who hires pursuant to Civil Code Section 1940 or for the purposes of specified provisions relating to unlawful detainer, if the guest is residing in the lodging as a result of a disaster that substantially damaged, destroyed, or otherwise made uninhabitable their prior housing, until the guest has resided in the lodging for 270 days.
- 2) Specifies that, if a guest subject to these provisions has resided in a lodging for more than 30 days, the lodging operator must provide written notice to the guest at least 72 hours before requiring the guest to vacate the lodging, except in the following circumstances:
 - a) The guest fails at any time to pay when due all room charges, fees, expenses, and other amounts owing;
 - b) The guest interferes with the quiet enjoyment of other guests at the lodging;
 - c) The lodging has reasonable grounds to believe that the guest has damaged, is damaging, or will damage any lodging or other property; or if
 - d) The lodging has reasonable grounds to believe that the guest poses a risk of harm to other guests, employees, or others lawfully on the property.
- 3) Requires, at or before the time when a guest subject to its provisions checks in for a stay that would result in the guest residing in the lodging for more than 30 consecutive days, that the lodging provide the following notice, as specified, if the lodging believes that the guest is subject to (1), above:

“NOTICE FROM THE STATE OF CALIFORNIA:

Under California law, if you are staying here because your home has been damaged, destroyed, or made uninhabitable because of a disaster, state law will not consider you a tenant unless you have lived here for 270 days or more consecutively. If you have been displaced by a disaster and you stay here for more than 30 days but have not yet stayed here for 270 days consecutively, the lodging is not required to extend your reservation but must give you 72 hours notice before requiring you to leave, subject to certain conditions.

You are being provided with this notice because the operator of this establishment believes you are residing because you were displaced by a disaster and thus that, if you stay beyond 30 days, the above-described rules will apply to your stay until your stay lasts for 270 days or more.”

- 4) Requires a lodging, after providing the notice in (3), to provide the guest with a confirmation form, on which the guest can physically or electronically check one of the following statements:
 - a) “I have read the provided notice and confirm that I am checking into this lodging or extending my stay because my home has been substantially damaged, destroyed, or made uninhabitable by a disaster and acknowledge that I will not be considered a tenant unless I have stayed here for 270 consecutive days;”
 - b) “I have read the provided notice and confirm that I am not checking into this lodging or extending my stay because my home has been substantially damaged, destroyed, or made uninhabitable by a disaster and acknowledge this does not apply to me.”
- 5) Permits, if a guest fails or refuses to select either of the statements in (4), the lodging to rely upon other reasonable information to determine that a guest is subject to (1).
- 6) Permits a lodging to limit the duration of a guest’s stay or to refuse to provide the guest accommodations if the guest fails or refuses to select either of the statements specified in (4), above.
- 7) Defines, for the purposes of its provisions, the following terms:

- a) “Disaster” to mean an event or circumstance that results in a federal major disaster declaration approved by the President of the United States or a state of emergency proclaimed by the Governor pursuant to Government Code section 8625.
- b) “Lodging” to mean any of the following:
 - i. A motel;
 - ii. A hotel;
 - iii. A property that either:
 - (1) If a local government required registration, licensure, or similar requirements for short-term lodgings on the date the disaster was declared or proclaimed, the property met those requirements; or
 - (2) If a local government did not have requirements for registration, licensure, or a similar requirement for short-term lodging of 30 days or less on the date the disaster was declared or proclaimed, the property met the definition of “short-term lodging” provided in Business and Professions Code section 17568.8.
- 8) Specifies that its provisions do not apply to a guest who is residing in a lodging for a reason other than that a disaster substantially damaged, destroyed, or otherwise made uninhabitable their prior housing.
- 9) Declares it an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of the California Constitution to avert economic and social harm as a result of the wildfires in the County of Los Angeles.
- 10) Repeals its provisions on January 1, 2031.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/8/25)

American Planning Association, California Chapter
California Association of Realtors
California Democratic Party
California State Association of Counties
California Yimby
City and County of San Francisco

County of Los Angeles Board of Supervisors
Housing Action Coalition
United Way of Greater Los Angeles

OPPOSITION: (Verified 9/8/25)

None received

ARGUMENTS IN SUPPORT: According to the County of Los Angeles Board of Supervisors, who support this bill:

[AB 299] would help provide temporary housing stability for wildfire victims during a critical recovery period while keeping as many rental units as possible open.

The devastation of the January 2025 Los Angeles County wildfires is unprecedented in scope and cost. Tens of thousands of families are now entering the already difficult rental housing market, while thousands more Angelenos have lost their livelihoods, and will be struggling to make rent as they wait for assistance through unemployment, the Federal Emergency Management Agency, or other relief programs.

Los Angeles already had one of the most unaffordable housing markets in the country and largest homeless population before the wildfires, and the impact of the wildfires will reverberate throughout our region for years to come. While price gouging laws are in effect, and the County and other jurisdictions have additional renter protections, the dual emergencies of a natural disaster and the housing affordability crisis call for action.

You have answered the call by introducing legislation to ensure the unaffordability crisis does not become worse, and to keep people in the housing they are in to prevent more people from falling into homelessness.

Under AB 299, guests who are displaced by wildfires can remain in their temporary accommodations without triggering standard tenancy rules that might otherwise limit their stay or expose them to potential eviction.

There is no doubt that the wildfires will have a long-lasting ripple effect on our housing market across the County. AB 299 is a vital tool in mitigating those ripple effects and not worsen our housing and homelessness crisis.

ASSEMBLY FLOOR: 77-0, 4/1/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, DeMaio, Dixon, Elhawary, Ellis, Essayli, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Davies, Wicks

Prepared by: Ian Dougherty / JUD. / (916) 651-4113

9/8/25 21:08:13

**** END ****

THIRD READING

Bill No: AB 334
Author: Petrie-Norris (D)
Amended: 7/17/25 in Senate
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 13-0, 6/24/25
AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Dahle, Gonzalez,
Grayson, Limón, Menjivar, Richardson, Seyarto, Umberg
NO VOTE RECORDED: Cervantes, Valladares

SENATE JUDICIARY COMMITTEE: 13-0, 7/15/25
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 74-0, 5/19/25 (Consent) - See last page for vote

SUBJECT: Operators of toll facilities: interoperability programs: vehicle
information

SOURCE: Transportation Corridor Agencies

DIGEST: This bill clarifies the data operators of toll facilities on federal-aid highways engaged in an interstate interoperability program can provide regarding a vehicle's use of the facility.

ANALYSIS:

Existing federal law requires all federal-aid highway toll facilities to implement technologies or business practices that provide for the interoperability of electronic toll collection.

Existing state law:

- 1) Requires the Department of Transportation (Caltrans), in cooperation with entities planning to implement a toll facility in the state, to adopt functional

specifications and standards for an automatic vehicle identification system, as specified.

- 2) Authorizes operators of toll facilities on federal-aid highways engaged in an interoperability program to provide the following information regarding a vehicle's use of the toll facility:
 - a) License plate number;
 - b) Transponder identification number;
 - c) Date and time of transaction; and,
 - d) Identity of the agency operating the toll facility.
- 3) Requires the toll operator to comply with all federal and state privacy protection laws.
- 4) Allows a transportation agency, with respect to an electronic toll collection system (ETCS), to share data with another transportation agency solely to comply with interoperability specifications and standards adopted regarding electronic toll collection devices and technologies.
- 5) Prohibits a transportation agency from selling or providing identifiable information of any person who subscribes to an electronic toll or electronic transit fare collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system.
- 6) Requires a transportation agency that employs an electronic toll collection or an electronic transit fare collection system to establish a privacy policy regarding the collection and use of personally identifiable information.

This bill:

- 1) Clarifies the data operators of toll facilities on federal-aid highways engaged in an interstate interoperability program can provide to an out-of-state toll agency or interstate interoperability tolling hub only the following information regarding a vehicle's use of the toll facility:
 - a) License plate data;
 - b) Transponder data; and,

- c) Transaction data, which may include acknowledgement data, correction data, and reconciliation data.
- 2) Authorizes the toll facility operator to provide information listed above only if it is listed as a “required” field within the National Interoperability Interface Control Document Version 2.0 as it was in effect on July 1, 2025.
- 3) Stipulates that if a toll facility operator needs to collect information in addition to the information allowed by the provisions of this bill, without transmitting the information, to implement interstate interoperability, the collection must follow existing law prohibiting the sale or sharing of data, as specified, and any transmission of the additional data would be deemed a violation.
- 4) Requires a transportation agency that participates in interstate interoperability to post on its internet website the data types required to implement interstate interoperability, as established in the National Interoperability Interface Control Document Version 2.0 that is published by the National Interoperability Committee.
- 5) Contains a sunset date of January 1, 2035.

Comments

- 1) *Purpose of this bill.* According to the author, “When tolling agencies are nationally interoperable, customers will be able to seamlessly use their account on all toll facilities, further enhancing efficiencies in our transportation system and providing an added benefit for drivers across the state and nation. This simple fix will not only expand the benefits of toll interoperability, but it will replace the current and burdensome system with a safer, more efficient, and cost-effective system that benefits both customers and toll agencies alike.”
- 2) *Toll roads in California.* California has approximately 400,000 lanes miles of state and local roadways. There are currently 25 toll facilities across the state, including toll bridges, toll roads, and high occupancy toll lanes covering over 870 lanes miles. Numerous agencies operate the toll facilities in California, with varying governance and financing structures and statutory authority.

Toll revenue can be used to fund the construction, expansion, and maintenance of roads, bridges, and tunnels. Typically, bonds are issued to fund the initial construction of a toll facility and then paid back by toll revenue. Specifically, toll facilities in California include: Bay Area toll bridges, I-101 Express lanes,

I-680 Express lanes, I-580 Express lanes, State Route (SR) 237 and I-880 Express lanes, I-10 and I-15 Express lanes, I-10 and I-110 Express lanes, I-405 Express lanes, SR 91 Express lanes, SR 125 toll road, SR 241, 261, 133, and 73 toll roads. These toll facilities are located in Orange, Riverside, San Diego, Alameda, Contra Costa, Marin, San Francisco, and San Mateo counties.

- 3) *ETCS*. Historically, a motorist would have to stop to pay a toll in cash at a toll both, but the advent of ETCSs, including FasTrak, as well as pay-by-plate systems, motorists do not have to stop a toll plaza to pay. In fact, after the COVID-19 pandemic, many toll agencies, such as the Bay Area Toll Authority, who manages the seven in the Bay Area toll bridges, removed the existing toll booths from the roadway and moved elusively to all-electronic tolling.

With FasTrak, the subscriber's automobile contains a transponder containing a number that is read by an electronic reader as the vehicle passes a certain point. This information is then linked to a database with the subscriber's name, address, and credit card number for billing purposes. FasTrak grew out of SB 1523 (Kopp, Chapter 1080, Statutes of 1990), which required Caltrans to develop and maintain specifications and standards that enable interoperability between all toll agencies in the state.

All California toll agencies use FasTrak for toll payment. Since 1995, toll agencies have been interoperable, meaning customers can use their FasTrak transponder on all tolled bridges, lanes, and roads throughout the state, and toll agencies can collect the revenue from other agencies. In fact, the California Toll Operators Committee (CTOC), which is a collaborative organization composed of California's toll facility operators/owners, operate a FasTrak website to make intrastate use as seamless as possible. According to CTOC, California's toll agencies serve over six million FasTrak account holders and process millions of transactions.

- 4) *ETCS privacy protections*. In 2010, SB 1268 (Simitian, Chapter 489, Statutes of 2010), established a framework guiding how a toll agency may use the personal information of either an electronic toll collection subscriber or user of a tolled facility that employs an ETSC. According to the policy committee analyses of that bill, it was borne out of a concern that ETCSs have the ability to track information such as location and speed of the vehicle, time of day, and other personal information. As a result, toll agencies may collect and store significant amounts of personal information about California's motorists. SB 1268 was intended to ensure that personally identifiable information collected

using electronic toll collection systems was not inappropriately used for marketing purposes.

- 5) *Federal support of national interoperability.* In 2012, the Moving Ahead for Progress in the 21st Century Act (MAP-21, P.L. 112-141), which authorized over \$105 billion for the nation's surface transportation program, included provisions mainstreaming the tolling of new interstates and added lanes on existing interstates. MAP-21 also required that all federal-aid highway toll facilities implement technologies or business practices that provide for the interoperability of electronic toll collection by October 1, 2016. This requirement aimed to expand the existing in-state interoperability of tolling systems to a national level, allowing drivers to use a single account to pay tolls anywhere in the United States.

To help facilitate national interoperability, tolling agencies across the country formed the National Interoperability (NIOP) Committee. According to the NIOP, it is "dedicated to activities and programs that advance the goal of national electronic tolling interoperability." NIOP is responsible for developing business rules with which the participants must comply and publishes the National Interoperability Interface Control Document, which defines the formats for all data that is transmitted between participants.

- 6) *California can't join in but AB 344 seeks to fix that.* As mentioned, current law facilitates intrastate interoperability allowing tolling agencies in California to exchange specific data necessary to have a seamless toll processing system for all toll facilities in California. However, current law prohibits California toll agencies from sharing necessary toll data with out-of-state toll agencies which has made interstate, or national, interoperability infeasible for California toll agencies. Specifically, current law limits the data points that can be shared among interstate toll agencies to license plate number, transponder identification number, date and time of transaction, and identity of agency operating the toll facility.

This bill would clarify the types of data categories, not only specific data points, of information regarding a vehicle's use of a toll facility that toll agencies can share with other states. Specifically, the categories include license plate data, transponder data, and transaction data. The transaction data may include acknowledgement data, correction data, and reconciliation data for the toll authorities to acknowledge receipt of information from an out of state toll operator; correct toll transactions, if needed; and reconcile toll transactions on a periodic basis. Each of these data categories is required by the NIOP.

Additionally, recent amendments to this bill add additional privacy protections by restricting the data toll agencies can share to data required by a specific NIOP publication in effect as of July 1, 2025 and requiring agencies to post the NIOP-required data types on its website. As noted, this data is currently allowed to be shared within California.

According the Transportation Corridor Agencies (TCA), the sponsors of AB 334, an estimated 10 million California tolling agency accountholders would potentially benefit from this bill. Additionally, all 13 California toll agencies would potentially gain efficiencies in processing toll transactions involving drivers from out of state. Out-of-state drivers with toll accounts who are visiting California would also stand to benefit from increased convenience. Based on estimates from 2024, there were approximately 1.1 million transactions for TCA and nearly 4 million statewide out-of-state transactions that could potentially qualify for national interoperability.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/11/25)

Transportation Corridor Agencies (Source)
AAA Northern California, Nevada & Utah
AAA Northern California, Nevada, and Utah
Aliso Viejo Chamber of Commerce
American Council of Engineering Companies, California
Association of California Cities - Orange County
Auto Club of Southern California
Automobile Club of Southern California
Black Chamber of Orange County
City of Laguna Niguel
City of Los Alamitos
Corona Chamber of Commerce
Costa Mesa Chamber of Commerce
Dana Point Chamber of Commerce
Eastvale Chamber of Commerce
Economic Development Coalition of Southwest Riverside County
Greater Irvine Chamber of Commerce
Inland Empire Regional Chamber of Commerce
International Bridge, Tunnel & Turnpike Association
Ladera Rancho Chamber of Commerce
Laguna Hills Chamber of Commerce

Laguna Niguel Chamber of Commerce
Lake Elsinore Valley Chamber of Commerce
Lake Forest Chamber of Commerce
League of California Cities Orange County Division
Metropolitan Transportation Commission
Mission Viejo Chamber of Commerce
Move LA
Newport Beach Chamber of Commerce
Norco Area Chamber of Commerce
North Orange County Chamber of Commerce
Orange Chamber of Commerce
Orange County Business Council
Orange County Council of Governments
Orange County Taxpayers Association
Orange County Transportation Authority
Rancho Santa Margarita Chamber of Commerce
Riverside County Transportation Commission
San Bernardino County Transportation Authority
San Diego Association of Governments
San Juan Capistrano Chamber of Commerce
Santa Ana Chamber of Commerce
South Orange County Economic Coalition
Southern California Association of Governments
Southwest California Legislative Council
Tustin Chamber of Commerce
Yorba Linda Chamber of Commerce

OPPOSITION: (Verified 8/11/25)

Consumer Federation of California
Electronic Frontier Foundation

ARGUMENTS IN SUPPORT: Writing in support of this bill, the Southern California Association of Governments (SCAG) notes, “While Californians enjoy in-state interoperability through FasTrak, current law has prevented the state from joining a nationally interoperable toll system, such as E-ZPass, which already spans over 15 states and services tens of millions of drivers. By authorizing California tolling agencies to share new types of customer information, limited to those required to implement interstate interoperability, Californians would be able to use their existing accounts on toll facilities nationwide seamlessly.

“As a regional transportation planning agency, SCAG is pleased to support this bill, which would promote efficient transportation system integration across state lines. The bill would ensure that travelers using toll facilities across state lines can have their home toll account billed, while also providing a reduction in toll operation costs.”

ARGUMENTS IN OPPOSITION: Writing in opposition, the Electronic Frontier Foundation (EFF), a San Francisco-based, non-profit organization that works to protect civil liberties in the digital age, details their concerns with this bill, noting, “AB 334 is less than transparent about the required data sharing that California would engage in, should the bill become law. True, existing law is not especially transparent about the details of interstate interoperability data sharing in the first place; existing Section 31490 is based generally on the need to comply with federal authority without any indication of what the federal requirements actually are. Existing Section 31490 is, however, unambiguous about what data may be shared out of state. As written, this bill provides no transparency in who decides what data is to be shared, how those decisions are made, and how that might impact the data practices and policies of California toll operators.”

ASSEMBLY FLOOR: 74-0, 5/19/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Caloza, Dixon, Flora, Jeff Gonzalez, Papan

Prepared by: Melissa White / TRANS. / (916) 651-4121
8/14/25 16:22:49

**** END ****

THIRD READING

Bill No: AB 366
Author: Petrie-Norris (D) and Ransom (D), et al.
Amended: 8/29/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 7/15/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 78-0, 6/2/25 - See last page for vote

SUBJECT: Ignition interlock devices

SOURCE: Author

DIGEST: This bill extends the operative date of the Ignition Interlock Device (IID) pilot program from January 1, 2026, to January 1, 2033.

ANALYSIS:

Existing law:

- 1) Makes it unlawful for any person who is under the influence of any alcoholic beverage or drug, or under the combined influence of any alcoholic beverage and drug, to drive a vehicle. (Vehicle Code (Veh. Code), § 23152 subds. (a), (f), & (g).)
- 2) Makes it unlawful for any person, while having 0.08 percent or more, by weight, of alcohol in their blood to drive a vehicle. (Veh. Code, § 23512, subd. (b).)
- 3) Establishes an IID pilot program through January 1, 2026, which does the following:

- a) Requires a court to order the installation of an IID for repeat DUI offenders and any DUI causing bodily injury to another person, as follows:
 - i) For a period of one year for a person convicted of a DUI involving alcohol (or both alcohol and drugs) with one prior, or a first-time DUI causing bodily injury to another person;
 - ii) For a period of two years for a person convicted of a DUI involving alcohol (or both alcohol and drugs) with two priors, or a DUI causing bodily injury to another person with one prior;
 - iii) For a period of three years for a person convicted of a DUI involving alcohol (or both alcohol and drugs) with three or more priors, a DUI causing bodily injury to another person with two priors, or a prior specified DUI conviction punishable as a felony. (Veh. Code, § 23575.3, subd. (h)(1)(B)-(D).)
 - b) Authorizes the court to order the installation of an IID for a first-time DUI offender period not to exceed six months from the date of conviction, or allows the offender to apply for a restricted driver's license upon specified conditions. Only one of these sanctions may be imposed. (Veh. Code, § 23575.3, subd. (h)(1)(A).).
- 4) Requires a person subject to an IID to arrange for each vehicle they operate to be equipped by a functioning, certified IID by a certified provider, provide proof of installation to the DMV, and pay a fee, determined by the DMV, sufficient to cover the costs of administration. (Veh. Code, § 23575.3, subds. (d) & (f).)
 - 5) Requires the DMV to place a restriction on the driver's license record of the person that states the driver is restricted to driving only vehicles equipped with a functioning, certified IID for the applicable term. (Veh. Code, § 23575.3, subd. (e).)
 - 6) Requires IID manufacturers to adopt a fee schedule under which the manufacturer will absorb part of the costs for the IID based on the defendant's income, relative to the federal poverty level. (Veh. Code, § 23575.3, subd. (k).)
 - 7) Sunsets the IID pilot project on January 1, 2026. (Veh. Code, § 23575.3, subd. (r).)

This bill extends the operative date of the IID pilot program from January 1, 2026, to January 1, 2033.

Background

An IID is “a device designed to allow a vehicle ignition switch to start the engine when the breath alcohol concentration test result is below the alcohol set point, while locking the ignition when the breath test results is at or above the alcohol set point.” (Cal. Code Regs., tit. 13, § 125.00, subd. (a).) After installation, the IID requires the driver to provide a breath sample before the engine will start. If the IID detects alcohol on the driver’s breath, the engine will not start. (DMV, Ignition Interlock Devices, available at: <https://www.dmv.ca.gov/portal/driver-education-and-safety/educational-materials/fast-facts/ignition-interlock-devices-ffdl-31/> (last viewed July 4, 2025).)

The DMV is currently operating a statewide IID pilot program for all repeat DUI offenders and all injury-involved driving under the influence (DUI) offenders. Under the pilot program, a court may order a defendant convicted of their first DUI offense to install an IID on their vehicle for up to six months and prohibit them from operating a vehicle without an IID. If a defendant is convicted of a second or subsequent DUI offense, the court is required to order the defendant to install an IID in their vehicle. The length of required IID installation depends on how many prior DUI convictions a defendant has and how serious the offenses are. The pilot program is set to expire on January 1, 2026.

The evidence of the effectiveness of requiring IID installation for first time DUI offenders has been mixed. The California State Transportation Agency (CalSTA) submitted a report to the Legislature evaluating the current pilot program in December of 2024. In the report, researchers determined the pilot’s “overall effects” on recidivism were “small,” in part due to the low rate of installation of IIDs statewide. (CalSTA, An Evaluation of an Expansion of the Use of Ignition Interlock Devices through California Senate Bill 1046, (Dec. 31, 2024), p. 28 https://calsta.ca.gov/-/media/calsta-media/documents/ignition_interlock_evaluation-11-a11y.pdf [last visited July 6, 2025].) However, as summarized by CalSTA, the researchers found:

- Installing an IID within two years of arrest reduces recidivism rates, whether measured by future DUI arrests, crashes, or crashes involving injury.

- The effect of installing an IID on future DUI arrests is greatest for people arrested for the first time. The effects on crashes and crashes with injury are largest for people with prior DUI convictions.
- The impacts of [the pilot] on overall statewide recidivism rates, although in the desired direction, are modest. Increasing IID installation rates among those arrested for a DUI would increase the effectiveness of policy requiring IID installations. (Id. at p. 27.)

The researchers anticipate that “higher rates of installation would correspond with higher recidivism reductions statewide.” (Id. at p. 29.) This bill extends the operative date of the current IID pilot program until January 1, 2033.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

Unknown, costs to the DMV (Motor Vehicle Account (MVA)), likely in the low hundreds of thousands of dollars. DMV costs will include a modification of its IT systems to allow the existing pilot program to continue operating, plus costs for data extraction, technical review, and other additional workload for the required report to the Legislature. In addition, the DMV will incur ongoing costs, likely in the low millions of dollars annually, to continue to operate the pilot program until January 1, 2033.

According to the Legislative Analyst’s Office (LAO), the MVA—the main funding source for the DMV—is expected to fully exhaust its reserves and become insolvent in fiscal year 2025 26. The LAO further warns that the MVA, absent corrective action, such as revenue increases or spending reductions, will experience a negative fund balance of \$1.4 billion in fiscal year 2028 29.

SUPPORT: (Verified 8/29/25)

AAA Northern California, Nevada & Utah
Active San Gabriel Valley
Advocates for Highway and Auto Safety
Alcohol Justice
American College of Surgeons, California Chapters
Arcadia Police Officers' Association
Automobile Club of Southern California
Bike LA
Bike Long Beach
Brea Police Association

Burbank Police Officers' Association
California Alcohol Policy Alliance
California Association of Highway Patrolmen
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California Contract Cities Association
California Medical Association
California Narcotic Officers' Association
California New Car Dealers Association
California Police Chiefs Association
California Professional Firefighters
California Reserve Peace Officers Association
City of Norwalk
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Families for Safe Streets USA
Fullerton Police Officers' Association
Livable Communities Initiative
Los Angeles County Professional Peace Officers Association
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Mothers Against Drunk Driving
Move LA
Move Santa Barbara County
Murrieta Police Officers' Association
National Coalition for Safer Roads
National Safety Council
National Transportation Safety Board
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Responsibility.org
Riverside Police Officers Association
Riverside Sheriffs' Association
Safe California Roads
Safety and Advocacy for Empowerment
Santa Monica Safe Streets Alliance
Street Racing Kills
Streets are for Everyone

Streets for All
Vision Zero Network
Walk San Francisco
West Hollywood Bicycle Coalition
Yolo County District Attorney

OPPOSITION: (Verified 8/29/25)

ACLU California Action
California Attorneys for Criminal Justice
California Public Defenders Association
Debt Free Justice California
Ella Baker Center for Human Rights
Initiate Justice
LA Defensa
Local 148 LA County Public Defenders Union
Western Center on Law & Poverty, INC.

ASSEMBLY FLOOR: 78-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bryan

Prepared by: Sandy Uribe / PUB. S. /
9/2/25 17:56:23

****** END ******

THIRD READING

Bill No: AB 378
Author: Valencia (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 6/18/25
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 64-11, 6/2/25 - See last page for vote

SUBJECT: Education finance: Classified School Employee Summer Assistance Program

SOURCE: California School Employees Association

DIGEST: This bill would authorize a joint powers authority (JPA), as specified, and its classified employees to participate in the Classified School Employee Summer Assistance Program (CSESAP).

Senate Floor Amendments of 9/9/25 address chaptering out conflicts with the Education Trailer Bill SB/AB 147.

ANALYSIS:

Existing law:

- 1) Establishes the CSESAP to provide a participating classified school employee one dollar for each one dollar that the classified employee elects to have withheld from their monthly paycheck. (Education Code §45500 et seq.)

- a) Authorizes a local education agency (LEA) to elect to participate in the CSESAP, and requires the LEA to notify classified employees in writing that it has elected to participate for the next school year. Once a LEA elects to do so and notifies classified employees, the LEA is prohibited from reversing its decision to participate for the next school year beginning after the end of the fiscal year in which moneys are appropriated for these purposes.
- b) Requires a classified employee who elects to participate in the Program to notify the LEA in writing, on a form developed by the California Department of Education (CDE), by March 1 during the fiscal year in which moneys are appropriated for these purposes. In addition, the classified employee must specify the amount to be withheld from their monthly paycheck during the applicable school year (up to 10 percent) and whether they choose to have the amounts withheld paid out during the summer recess period in either one or two payments.
- c) Provides that for participation, a classified employee is eligible if the employee has been employed with the LEA for at least one year at the time the employee elects to participate in the Program, or if the employee is employed by the LEA in the employee's regular assignment for 11 months or fewer out of a 12-month period, excluding any hours worked outside of the regular assignment.
- d) Provides that for the 2020 through 2023 school years, for purposes of determining a classified employee's total months employed by the LEA, the employing LEA must exclude any hours worked by the employee as a result of an extension of the academic year directly related to the COVID-19 pandemic, if the hours are in addition to the employee's regular assignments and prevent the employee from being eligible for this Program.
- e) Prohibits a classified employee from participating in the Program if the employee's regular annual pay received directly from the LEA is more than \$62,400 for an entire school year at the time of enrollment. Here, the LEA must exclude any pay received by the employee during the previous summer recess period for purposes of determining the employee's regular annual pay received directly from the LEA.
- f) Requires a LEA that elects to participate in the Program to notify the CDE in writing, as prescribed, that it has elected to participate by April 1 during a fiscal year in which moneys are appropriated for these purposes. The LEA also must specify the number of employees that have elected to participate

in the Program and the total estimated amount to be withheld from participating employee's paychecks for the applicable school year.

- g) Provides that the CDE must notify participating LEAs in writing by May 1 during the fiscal year in which moneys are appropriated for these purposes, of the estimated amount of state match funding that a participating employee can expect to receive as a result of the employee's participation. If the funding is insufficient to provide a one-to-one dollar match that has been withheld from the employee's month paycheck, the CDE must notify the LEA of the expected prorated amount of state match funds that the participating employee can expect to receive as a result of the employee's participation.
- h) Requires participating LEAs to notify participating employees, by June 1 during a fiscal year in which moneys are appropriated for the purposes, the estimated amount of state match funds that a participating employee can expect to receive as a result of participating in the Program. After receipt of that notification, an employee may withdraw their election to participate in the Program or reduce the amount to be withheld from their paychecks by notifying the employed LEA no later than 30 days after the state of the school instruction for the applicable school year.
- i) Authorizes a school employee who separates from employment with a LEA during the applicable school year to request any pay withheld from their paycheck from the LEA.
- j) Authorizes a school employee, due to economic or personal hardship, to request any pay withheld from their paycheck from the LEA. However, under certain circumstances, a classified employee who requests any pay withheld by the LEA must not be entitled to receive any state match funds.
- k) Prescribes the process for CDE and LEAs participating in the Program related to funds for these purposes.
- l) Requires participating LEAs to pay participating classified employees the amounts withheld according to the employee's choice, plus the amount apportioned by the CDE attributable to the amounts withheld from those paychecks during the applicable school year, and the amount to be paid to the employee during the summer recess period in either one or two payments according to the employee's option.

- m) Specifies that state match funds received by classified employees participating in the Program must not be considered to be compensation for purposes of retirement benefits in the California Public Employees' Retirement System or the California State Teachers' Retirement System.
 - n) Specifies that funding of the Program is contingent upon an Annual Budget Act appropriation, as specified.
 - o) Defines "local education agency" to mean a school district or county office of education.
 - p) Defines "month" to mean 20 days or four weeks of 5 days each, including legal holiday.
 - q) Defines "program" to mean the Classified School Employee Assistance Program.
 - r) Defines "regular assignment" to mean a classified employee's employment during the academic school year, excluding the summer recess period.
 - s) Defines "summer recess period" to mean the period that regular class sessions are not being held by a local educational agency during the months of June, July, and August. Pay earned by a classified employee with limited employment during the months of June, July, or August that is not for the summer session shall not be excluded, as specified.
- 2) Creates the Joint Exercise of Powers Act, which authorizes two or more public agencies, if authorized by their legislative or other governing bodies, to enter into an agreement to jointly exercise any power common to the contracting parties, as specified. (Government Code §6502)
- 3) Specifies that unemployment compensation benefits, as specified, with respect to service in an instructional, research, or principal administrative capacity for an educational institution are not payable to any individual with respect to any week which begins during the period between two successive academic years or terms, as specified, if the individual performs services in the first of the academic years or terms and if there is a contract or a reasonable assurance that the individual will perform services for any educational institution in the second of the academic years or terms. (Unemployment Insurance §1253.3(b))

This bill adds a JPA, consisting solely of school districts and county offices of education, to the definition of a local education agency for purposes of the CSESAP, thereby authorizing a JPA and its classified employees to participate in the program.

Background

Classified School Employees Summer Assistance Program. The CSESAP allows a classified employee working for a TK-12 district or a county office education to set aside a portion of their monthly paycheck (up to 10 percent) during the school year to receive up to a dollar-for-dollar match from the State during the summer when work is not available. The classified employee must be making less than \$62,400 annually at the time of enrollment.

Classified employees often work about 9 or 10 months per year due to the length of a typical school year. According to the authors and sponsors, these classified employees often have trouble finding short-term employment during the summer months and are not eligible for unemployment benefits during the summer, unless they are laid off.

CSESAP was established in 2019 and the State has appropriated more than \$350 million to the CSESAP through the school year 2025-26. These funds are allocated to LEAs by the California Department of Education during the summer of the subsequent fiscal year during which withholdings were made.

JPA. Existing law provides the ability for two or more public agencies to join together, under a joint powers authority (JPA), to enter into an agreement to jointly exercise common power to provide services.

School districts and county offices of education may form JPAs for various purposes to serve the needs of their communities and share resources across LEAs. According to the author, there are approximately 54 JPAs in California that include school districts. The author points to the Southwest Transportation Agency as an example, which offers services for 13 school districts in Fresno County to provide transportation for 7,000 students.

Existing law does not include employees of JPAs to be eligible for the CSESAP. This bill, AB 378 proposes to include JPAs in the definition of “local education agency” for purposes of the CSESAP, therefore authorizing its classified employees to participate in the program.

Prior/Relevant Legislation

SB 114 (Committee on Budget and Fiscal Review, Chapter 48, Statutes of 2023) provided for statutory changes necessary to enact the K-12 and childcare related statutory provisions of the Budget Act of 2023, including clarifying the intent of the Legislature on how classified employees are defined for purposes of the CSESAP.

AB 185 (Committee on Budget and Fiscal Review, Chapter 571, Statutes of 2022) was a budget trailer bill that defined "month" for purposes of the CSESAP.

AB 181 (Committee on Budget and Fiscal Review, Chapter 52, Statutes of 2022) was a budget trailer bill that included \$35 million in one-time Proposition 98 funding for the CSESAP.

AB 1691 (Medina, 2022) would have added clarifying language to the existing CSESAP and to the new Classified Community College Employee Summer Assistance Program (CCCESAP) as established recently by AB 183 (Committee on the Budget), Chapter 54, Statutes of 2022. *This bill was ordered to the Senate Inactive file.*

AB 167 (Committee on Budget and Fiscal Review, Chapter 252, Statutes of 2021) was a budget trailer bill for statutory changes necessary in Education Code to enact the Budget Act of 2021, including specifying that for the CSESAP, funds appropriated for purposes of the program in any year may be used to provide \$1 of state matching funds for every \$1 dollar withheld from participating classified employee monthly paychecks.

AB 130 (Committee on Budget and Fiscal Review, Chapter 44, Statutes of 2021) was a budget trailer bill that included \$60 million in one-time Proposition 98 funds, available over a three-year period, for the CSESAP.

SB 75 (Committee on Budget and Fiscal Review, Chapter 51, Statutes of 2019) was a budget trailer bill for statutory changes necessary in Education Code to enact the Budget Act of 2019-20, including an appropriation for \$36 million in one-time Proposition 98 funding for the CSESAP, created in the 2018-19 budget. This bill also made changes to the program to allow the funds to be available over three years, increased the minimum salary requirements, and made other minor and technical changes.

AB 114 (Committee on Budget, Chapter 413, Statutes of 2019) was a budget trailer bill for statutory changes in Education Code to implement the 2019-20 Budget Act, including provisions that amended the CSESAP to ensure eligible employees were

able to participate, including those who worked during precious summer breaks but not within the period for which they applied for the program, among other technical amendments.

AB 1808 (Committee on Budget, Chapter 32, Statutes of 2018) was a budget trailer bill that included \$50 million in one-time Proposition 98 funding for the CSESAP.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, this bill would result in unknown future cost pressures, likely in the millions of dollars annually, to provide additional funding to CSESAP to accommodate the demand from the increased number of eligible classified school employees. To the extent that additional funds are not appropriated for CSESAP and participation increases, the State would not be able to provide the dollar-for-dollar match allocations to LEAs, and likely would instead provide a reduced match amount.

SUPPORT: (Verified 9/9/25)

California School Employees Association (Source)
State Superintendent of Public Instruction Tony Thurmond
American Federation of State, County and Municipal Employees
California Federation of Labor Unions
California Federation of Teachers
California State Council of Service Employees International Union

OPPOSITION: (Verified 9/9/25)

None received

ARGUMENTS IN SUPPORT: According to the sponsors, the California School Employees Association,

“Since its creation in 2018, CSESAP has provided critical support to low-wage classified school employees during the summer. CSESAP allows classified school employees making less than \$62,400 annually to set aside up to ten percent from their monthly paychecks during the school year to receive up to a dollar-for-dollar match from the state during the summer when work is unavailable. This program is especially important because classified school employees are ineligible to receive unemployment insurance during the summer and finding short-term work is very difficult.

Education Code currently allows employees of school districts or county offices of education (COEs) to participate in CSESAP, but it does not allow employees of JPAs to participate in the program. Like their counterparts at school districts and COEs, classified employees at JPAs often work less than 12 months and provide critical services to students, including school transportation and school meals. There are 54 active education JPAs in California according to the Department of Education. AB 378 will ensure that all classified school employees can benefit from CSESAP and the financial stability it offers during the summer months.”

ASSEMBLY FLOOR: 64-11, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NOES: Castillo, DeMaio, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Macedo, Patterson, Sanchez, Tangipa
NO VOTE RECORDED: Chen, Dixon, Flora, Lackey

Prepared by: Jazmin Marroquin / L., P.E. & R. / (916) 651-1556
9/11/25 10:06:59

**** END ****

THIRD READING

Bill No: AB 572
Author: Kalra (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/8/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 44-22, 6/4/25 - See last page for vote

SUBJECT: Criminal procedure: interrogations

SOURCE: Californians for Safety and Justice and Silicon Valley De-Bug

DIGEST: This bill requires law enforcement officers to identify themselves and provide specified information prior to interviewing, questioning, or interrogating the family member of person who has been killed or seriously injured by an officer.

Senate floor amendments of 9/5/2025 (1) require a law enforcement agency to maintain a policy by January 1, 2027; (2) modify the requirements currently included in the bill; (3) create exemptions for when an officer believes evidence would be destroyed or lost or there is an imminent threat to public safety; (4) define specified terms; and (5) move the provisions from the Penal Code to the Government Code.

ANALYSIS:

Existing Law:

- 1) Requires a state prosecutor to investigate incidents involving officer-involved use of force resulting in the death of an unarmed civilian, and incidents

involving a shooting by a peace officer that results in the death of a civilian if the civilian was unarmed or if there is a reasonable dispute as to whether the person was armed. (Government Code (Gov. Code), § 12525.3, subd. (b)(1) & (2).)

- 2) Provides that, if criminal charges against the involved officer are found to be warranted, the state prosecutor shall initiate and prosecute a criminal action against the officer. (Gov. Code, § 12525.3, subd. (b)(2)(C).)
- 3) Requires the Commission on Peace Officers Standard and Training to establish the Robert Presley Institute of Criminal Investigation (ICI) which makes available to criminal investigators of California's law enforcement agencies an advanced training program to meet the needs of working investigators in specialty assignments, such as arson, auto theft, homicide, and narcotics. (Penal Code (Pen. Code), § 13519.9, subd. (a).)
- 4) Requires the ICI to provide an array of investigation training, including core instruction in matters common to all investigative activities, advanced instruction through foundation specialty courses in the various investigative specialties, and completion of a variety of elective courses pertaining to investigation. (Pen. Code, § 13519.9, subd. (b).)
- 5) Provides that during the custodial interrogation of a minor 17 years of age or younger relating to the commission of a misdemeanor or felony, a law enforcement officer shall not employ threats, physical harm, deception, or psychologically manipulative interrogation tactics, as specified. (Welfare and Institutions Code (Welfare and Institutions Code (Welf. & Inst. Code), § 625.7.)
- 6) Requires law enforcement to furnish written notice to victims of domestic violence at the scene with information on victims' rights and resources. (Pen. Code, § 13701.)
- 7) Requires, upon the initial interaction with a sexual assault victim, a law enforcement officer to provide the victim with a card explaining the rights of sexual assault victims, including that they do not need to participate in the criminal justice system. (Pen. Code, § 680.2, subd. (a).)
- 8) States that whenever there has been a crime committed against a victim, the law enforcement officer assigned to the case may provide the victim of the crime with a "Victim's Rights Card," as specified. (Pen. Code, § 679.08, subd. (a).)
- 9) Requires every law enforcement agency investigating a criminal act and every agency prosecuting a criminal act, at the time of initial contact with a crime

victim, during follow-up investigation, or as soon as deemed appropriate by investigating officers or prosecuting attorneys, to provide to each victim a “Marsy Rights” card, which states the rights of crime victims described in the California Constitution. (Pen. Code, § 679.026, subd. (c)(1).)

This bill:

- 1) Requires, beginning January 1, 2027, every law enforcement and prosecutorial agency to have a policy for when law enforcement initiates a formal interview to gather evidence related to a law enforcement incident resulting in a person’s death or serious bodily injury.
- 2) States that the policy must adhere to the following requirements before any initial formal interview with an immediate family member of the person killed or seriously injured, or upon confirming the relationship as an immediate family member:
 - a) Clearly identify themselves and provide the full name of the agency by whom they are employed. If the interview takes place in person, the officer or prosecutor shall also show the person a business card, official badge, or other form of official identification;
 - b) Inform the person of the status of their family member, if known, including whether the family member has been killed or seriously injured;
 - c) Inform the person that they are conducting a formal interview for purposes of an investigation and that the investigation may or may not involve an assessment of the conduct of the person that was killed or injured;
 - d) Inform the person that they can have a trusted support person present who can also accompany them if they are asked to go to the police station for a formal interview.
 - e) Prohibiting the use of threats or deception, as specified.
- 3) Exempts the following circumstances from these requirements:
 - a) When a reasonable officer believes that delay would result in the loss or destruction of evidence or pose an imminent threat to public safety; and,
 - b) When an immediate family member has received advisements substantially equivalent to Miranda warnings.
- 4) Defines various terms for the purposes of these provisions.

Background

According to a 2023 *Los Angeles Times* report:

For years, law enforcement agencies across California have been trained to quickly question family members after a police killing in order to collect information that, among other things, is used to protect the involved officers and their department, an investigation by the *Los Angeles Times* and the Investigative Reporting Program at UC Berkeley's Graduate School of Journalism has found.

Police and prosecutors routinely incorporate the information into disparaging accounts about the people who have been killed that help justify the killings, bolster the department's defense against civil suits and reduce the amount of money families receive in settlements and jury verdicts, according to police reports, court records and interviews with families and their attorneys.

The *Times* and the Investigative Reporting Program documented 20 instances of the practice by 15 law enforcement agencies across the state since 2008. Attorneys specializing in police misconduct lawsuits say those cases are just a fraction of what they describe as a routine practice.

(B. Howey, *After police killings, families are kept in the dark and grilled for information*, L.A. Times, Mar. 28, 2023) <After police killings, California families often kept in the dark - Los Angeles Times (latimes.com) [last visited July 1, 2025].>

In an effort to prevent this interview technique, this bill would require a peace officer or prosecutor to provide immediate family members of a person killed or seriously injured by law enforcement of certain information, including the identification of the interviewer; the status of the family member, and advisements that they can consult with an attorney or support person, that they are not required to speak with the interviewer or go to the police station, and that the investigation that they are conducting may or may not involve the culpability of their family member.

In this respect, some of the admonitions are similar to the information provided to victims of certain crimes. However, it is unclear what remedy, if any, there is if the investigating officer or prosecutor does not give the advisement.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 9/5/25)

Californians for Safety and Justice and Silicon Valley De-Bug (Source)

ACLU California Action

Asian Law Alliance

California Alliance for Youth and Community Justice

California Attorneys for Criminal Justice

California Immigrant Policy Center

California Public Defenders Association

Californians for Safety and Justice

Californians United for a Responsible Budget

Congregations Organized for Prophetic Engagement

Ella Baker Center for Human Right

Felony Murder Elimination Project

Friends Committee on Legislation of California

Initiate Justice

Initiate Justice Action

Justice2jobs Coalition

LA Defensa

Law Enforcement Action Partnership

Oakland Privacy

Pangea Legal Services

Rubicon Programs

Showing Up for Racial Justice Santa Clara County

Silicon Valley De-bug

Sister Warriors Freedom Coalition

Smart Justice California

Starting Over INC.

Starting Over Strong

The W. Haywood Burns Institute

Ujima Adult and Family Services

United Families for Justice

Vera Institute of Justice

Youth United for Community Action

OPPOSITION: (Verified 9/5/25)

Arcadia Police Officers' Association

Association for Los Angeles Deputy Sheriffs

Brea Police Association

Burbank Police Officers' Association
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California District Attorneys Association
California Narcotic Officers' Association
California Peace Officers Association
California Police Chiefs Association
California Reserve Peace Officers Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles County District Attorney's Office
Los Angeles County Sheriff's Department
Los Angeles Professional Peace Officers Association
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association
San Diego County District Attorney's Office

ARGUMENTS IN SUPPORT: According to Californians for Safety and Justice, a co-sponsor of this bill:

In the aftermath of incidents involving police violence, families of the victim are often approached by law enforcement authorities under the guise of an “interview,” but not officially taken into custody. Sometimes they are told to go to the police precinct for questioning where law enforcement can withhold information about the state of their loved one and the incident. While the family member is distressed and worried for their loved one, law enforcement officers have used this opportunity to coerce information about the victim’s past in order to paint a narrative about the victim or build a case against them. Such tactics not only inflict harm upon the victim and their family but also erode trust in law enforcement. The relatives of individuals affected by police violence

have a reasonable expectation to transparency about the circumstances surrounding their loved ones', without being manipulated in the process.

Californians for Safety and Justice is proud to co-sponsor AB 3021 because it will empower families of victims to exercise their rights in interactions with law enforcement when they are at their most vulnerable.

ARGUMENTS IN OPPOSITION: According to the California Police Chiefs Association:

While we empathize for individuals in such situations, the rigid and absolute requirements set by AB 572 fail to consider practical applications in a myriad of different scenarios that make this bill unworkable.

CPCA and our members place an extremely high value on transparency and communication, especially in light of incidents involving the death or serious injury to a member of the public. In such instances, we expect our officers to approach family members with sensitivity, honesty, and respect. We maintain these expectations regardless of our opposition to AB 572.

Unfortunately, AB 572 presents several very real issues, including a lack account for situations where family members may be implicated or involved in a crime, potential liability may be found, or when officers have incomplete information about the incident or the relationships of those involved. We also feel this type of requirements is better situated within department policies, not set as an absolute requirement in the Penal Code where criminal penalties result from a violation.

ASSEMBLY FLOOR: 44-22, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Ortega, Papan, Patel, Pellerin, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Ávila Farías, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Irwin, Lackey, Macedo, Patterson, Petrie-Norris, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Bains, Calderon, Gabriel, Gipson, Krell, Muratsuchi,
Nguyen, Pacheco, Ramos, Michelle Rodriguez, Blanca Rubio, Soria, Stefani

Prepared by: Sandy Uribe / PUB. S. /
9/8/25 21:16:22

****** END ******

THIRD READING

Bill No: AB 644
Author: Gabriel (D) and Bauer-Kahan (D), et al.
Amended: 7/1/25 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 6/24/25
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 7/8/25
AYES: Padilla, Valladares, Archuleta, Ashby, Blakespear, Cervantes, Dahle,
Hurtado, Jones, Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab,
Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

SUBJECT: Exposition Park: Holocaust memorial

SOURCE: Author

DIGEST: This bill, upon appropriation by the Legislature, authorizes a nonprofit organization that represents victims and survivors of the Holocaust, in consultation with the California Natural Resources Agency (CNRA), the Legislature, and the Department of General Services (DGS), to plan, construct, and maintain a memorial to the victims and survivors of the Holocaust at Exposition Park.

ANALYSIS:

Existing law:

- 1) Prescribes various duties for DGS in connection with development and maintenance for the park around the State Capitol Building and state properties through the State of California.

- 2) Establishes CNRA, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources.
- 3) Establishes, within CNRA, the Sixth District Agricultural Association, known as Exposition Park.

This bill, upon appropriation:

- 1) Authorizes a nonprofit organization that represents victims and survivors of the Holocaust, in consultation with CNRA, the Legislature, and DGS to plan, construct, and maintain a memorial to the victims and survivors of the Holocaust at Exposition Park, defined as the Sixth District Agricultural Association and also known as the Office of Exposition Park Management.
- 2) Requires the memorial to be consistent with the operating policies and procedures of the Office of Exposition Park Management and requires the office to consult with the Legislature for any issues that may arise between the planning and design of the memorial and the operating policies and procedures of Exposition Park.
- 3) Requires DGS, in consultation with the nonprofit organization and CNRA, to do all of the following:
 - a) Review the preliminary design plans to identify potential maintenance concerns.
 - b) Review and approve any documents prepared pursuant to the California Environmental Quality Act.
 - c) Review final construction documents to ensure that the documents comply with all applicable laws.
 - d) Inspect all construction performed by the contractor selected by the nonprofit organization pursuant to these provisions.
- 4) Requires the nonprofit organization, in consultation with the Office of Exposition Park Management and the Legislature, and with approval of CNRA and DGS, to:
 - a) Prepare the right-of-entry permit outlining the final area of work, final construction documents, construction plans, the contractor hired to perform

the work, insurance, bonding, provisions for damage to state property, and inspection requirements.

- b) Prepare an agreement for the long-term maintenance and security of the memorial.

Background

Holocaust Memorials in California. California is home to numerous Holocaust memorials that honor the memory of victims and educate the public about the atrocities of the Holocaust. In San Francisco, one of the most striking memorials is the Holocaust Memorial at the California Palace of the Legion of Honor, an outdoor sculpture by George Segal depicting a scene reminiscent of Buchenwald's liberation. Nearby, the Holocaust Center of Northern California provides education and survivor testimony, while the Pink Triangle Park in the Castro District is the first permanent U.S. memorial dedicated to LGBTQ+ victims of the Nazis. Other sites in the Bay Area include smaller memorials at Eternal Home Cemetery and Salem Memorial Park in Colma, and the Never Again Holocaust Memorial in Los Gatos. In Oakland, synagogues such as Beth Jacob Congregation and Temple Sinai also feature memorials and commemorative sculptures.

In Los Angeles, major institutions such as the Museum of Tolerance and the Los Angeles Museum of the Holocaust serve as central hubs for education, remembrance, and community dialogue. Additional memorials in the city include sculptures at Cedars-Sinai Hospital and the Sondra Smalley Family Sculpture Garden, as well as the USC Shoah Foundation, which holds one of the world's largest collections of survivor video testimonies.

Southern California is also home to several poignant memorials. In Palm Desert, the Desert Holocaust Memorial features life-sized bronze figures in a public park setting. San Diego hosts a memorial sculpture garden at the Lawrence Family Jewish Community Center (JCC) in La Jolla, and similar installations can be found at other local Jewish community centers. In Irvine, the Nancy and Irving Chase Family Holocaust Memorial Garden provides a quiet space for reflection at the Merage JCC.

Elsewhere in the state, memorials can be found at the Home of Peace Cemetery in Sacramento, Temple Sholom in Ontario, and the Holocaust and Genocide Memorial Grove at Sonoma State University.

Exposition Park. Exposition Park, legally known as the Sixth District Agricultural Association (SDAA), is a California state entity under CNRA. Located in South Los Angeles, the park spans approximately 160 acres and serves as a major cultural, educational, and recreational hub. It is home to prominent institutions such as the California Science Center, which includes the Space Shuttle Endeavour, the Natural History Museum of Los Angeles County, the California African American Museum, the Los Angeles Memorial Coliseum, BMO Stadium, and a historic rose garden.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, there will be “One-time General Fund cost pressures of \$5.5 million for the Legislature to appropriate funding to facilitate CNRA’s design and construction of a Holocaust memorial and \$3.2 million annual ongoing cost pressures to support maintenance, security, and mitigation.”

SUPPORT: (Verified 8/29/25)

Hadassah

Holocaust Museum LA

JCC/Federation of San Luis Obispo

JCRC Bay Area

Jewish Big Brothers Big Sisters of Los Angeles

Jewish Community Federation and Endowment Fund

Jewish Community Relations Council, Sacramento

Jewish Community Relations Council, Santa Barbara

Jewish Council for Public Affairs

Jewish Family & Community Services East Bay

Jewish Family and Children's Service of Long Beach and Orange County

Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma Counties

Jewish Family Service LA

Jewish Family Service of the Desert

Jewish Family Services of Silicon Valley

Jewish Federation of Greater Santa Barbara

Jewish Federation of Orange County

Jewish Federation of San Diego

Jewish Federation of the Greater San Gabriel and Pomona Valleys

Jewish Federation of the Sacramento Region

Jewish Long Beach

Jewish Public Affairs Committee
National Council of Jewish Women-SF
Simon Wiesenthal Center and Museums of Tolerance

OPPOSITION: (Verified 8/29/25)

None received

ARGUMENTS IN SUPPORT: According to the author, “[w]e are now living in a world where the last generation of Holocaust survivors are quickly passing away, and a generation of young Americans are deeply unfamiliar with the lessons of the genocide against our people. In this moment, California must stand up for our community and our values as a state. The Holocaust is both millions of individual traumas, and also a lasting collective trauma for the Jewish people; we must unequivocally express our collective responsibility as a state to never forget, and commit to the promise: ‘never again.’”

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Genevieve Wong / N.R. & W. / (916) 651-4116
8/29/25 20:47:07

**** END ****

THIRD READING

Bill No: AB 695
Author: Fong (D), et al.
Amended: 8/29/25 in Senate
Vote: 27 - Urgency

SENATE EDUCATION COMMITTEE: 6-1, 7/16/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Cortese, Gonzalez, Laird
NOES: Choi

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 60-16, 6/3/25 - See last page for vote

SUBJECT: California Community Colleges Access and Continuity for Deported Students Act

SOURCE: Los Angeles Community College District

DIGEST: This bill, an urgency measure, provides an exemption until January 1 2030, from nonresident tuition for community college students who were deported on or after the specified date and later reenroll in either an online or in-person community college program if the student was previously enrolled and was not paying nonresident tuition at the time of their departure. Additionally, the bill requires the student to provide an attestation with information on the conditions of their departure.

ANALYSIS:

Existing law:

- 1) Establishes the California Community College (CCC), a postsecondary education system in this state, under the administration of the Board of

Governors (BOG); and, specifies that the CCC consists of community college districts (CCDs). (Education Code (EC) § 70900)

- 2) Requires the CCC BOG to provide leadership and direction in the continuing
 - a) development of the CCC as an integral and effective element in the structure of public higher education in the state. The work of the BOG must at all times be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the administration of the CCC. (EC § 70901)
- 3) Establishes that CCDs are under the control of a board of trustees, known as the local governing board, who has the authority to establish, maintain, operate, and govern one or more community colleges, within its district as specified. Permits districts to establish policies for and the approval of courses of instruction and educational programs. (EC § 70902)
- 4) Exempts specified California nonresidents from paying nonresident tuition at the University of California (UC), the California State University (CSU), and the CCC, also known as the AB 540 nonresident tuition waiver, if they meet all of the following:
 - a) Attended or attained credits at a California high school, an adult school, a CCC campus, or a combination of these entities, for the equivalent of three or more years; or completed three or more years of full-time high school coursework, and a total of three or more years of attendance in California elementary schools, California secondary schools, or a combination of such elementary and secondary schools;
 - b) Graduated from a California high school or attained an equivalent degree; attained a CCC associate degree; or fulfilled the minimum transfer requirements from a CCC campus to a UC or CSU campus;
 - c) Registered or attended an accredited California higher education institution beginning after fall of the 2001-02 academic year; and,
 - d) If a person without lawful immigration status has filed an affidavit stating that the student has filed an application to legalize his or her immigration status or will file such an application as soon as he or she is eligible to do so. (EC § 68130.5)

- 5) Requires the CSU Trustees and the CCC BOG, and requests the UC Regents, to establish procedures and forms that enable AB 540 students to apply for, and participate in, all student aid programs administered by these segments to the full extent permitted by federal law. (EC § 66021.6)
- 6) Establishes the California DREAM Act to provide state financial aid, including the Cal Grant Program and the CCC California College Promise Grant (formerly known as the BOG Fee Waiver), and institutional financial aid to students who qualify for the aforementioned exemption, as enumerated in (4)(a-d) inclusive, from non-resident tuition. (EC § 69508.5)
- 7) Authorizes California community college districts to admit nonresident students and generally requires them to pay a nonresident tuition fee with certain exceptions. Current law allows districts to grant full or partial exemptions from this fee for certain categories of students. Specifically, districts may exempt nonresidents who enroll in six or fewer units, provided the exemption is applied broadly and not individually. They may also exempt individual nonresidents who are both citizens and residents of foreign countries and demonstrate financial need, though no more than 10 percent of foreign nonresident students in a district may receive this exemption. Certain other categories of students must be fully exempted from the fee, as specified. (EC § 76140 (a)(1)(2))

This bill:

- 1) Exempts, until January 1, 2030, a deported student from paying nonresident tuition if the student meets all of the following requirements:
 - a) The student was enrolled in a CC and not paying nonresident tuition at (a) the time of departure.
 - b) The student provides an attestation to all of the following:
 - i) The student no longer resides in the United States.
 - ii) The date the student departed the United States.
 - iii) The reason the student departed the United States.
 - c) The student reenrolls in an online education program offered by a

- (a) California community college no later than three years from the date the student departed the United States.
- 2) Exempts a deported student who meets the requirements in the bill from nonresident tuition for the duration of the student's enrollment in an online education program.
- 3) Exempts a student from paying nonresident tuition until completion of any of the following:
 - a) An associate degree for transfer.
 - b) An associate arts degree.
 - c) A certificate of completion.
 - d) A certificate of achievement.
 - e) A certificate of competency in a recognized career field by
 - (a) articulating with college-level coursework.
 - f) Courses required for transfer to a four-year degree program.
- 4) A deported student who legally reenters the United States and resumes in-person education at a CCC shall be eligible for both of the following:
 - a) Retaining residency status for nonresident tuition and fee purposes,
 - (a) provided the student was previously classified as a resident and met the definition of deported student at the time of departure.
 - b) Being exempt from nonresident tuition and eligible for financial aid
 - (a) upon reenrollment.
- 5) Defines, for the purposes of this bill, all of the following terms:
 - a) "Deported student" means a student who departed the United States
 - (a) on or after January 1, 2025, was enrolled in a California community college at the time of departure or detention, and the departure occurred for any of the following reasons:

- ii) Due to immigration enforcement actions by the United States
 - 1. Department of Homeland Security.
 - iii) Voluntarily due to the threat of immigration enforcement by the
 - 1. United States Department of Homeland Security.
 - iv) Due to being denied reentry to the United States after
 - 1. voluntarily departing with the intention of making a brief trip abroad.
- 6) “Online education program” means a distance learning program offered by a CCC, including, but not limited to, career development and college preparation courses offered pursuant to Section 84760.5, that allows students to complete coursework remotely.
- 7) Makes numerous legislative findings and declarations about the impact deportation has on CCC students and the need to support the continuity of their education.
- 8) Includes an urgency clause, based on the need to ensure that CCC students who are deported, leave the state due to fear of deportation, or were denied reentry to the state are able to continue their education.
- 9) Sunsets this bill’s provisions on January 1, 2030.

Comments

- 1) *Need for the bill.* According to the author, “Across the country, students are facing immigration enforcement actions that may force them to leave the United States involuntarily and abruptly. Deportation not only impacts these individuals, it impacts the economic and social progress of the state. By enabling students to continue their education through a CA Community College online program, students will be able to maintain academic progress and be able to contribute to the state’s economy if they are able to return to the United States.”
- 2) *Who is eligible?* This bill extends the exemption from paying nonresident tuition upon reenrolling to a CCC student who departed the country on or after January 1, 2025, due to immigration enforcement activity. To qualify for the exemption, the student must have been paying resident tuition at the

time of their departure from the country. The bill applies to students who reenroll within three years of their departure in online distance learning programs and to students who reenroll in-person (the three-year window does not apply to in-person reenrollment). The exemption is valid until completion of their program. A student must self-attest to confirm their deportation status with the college. This bill seems to align with existing efforts that support students in continuing their education with minimal disruption after being impacted by immigration enforcement activity.

- 3) *Nonresident vs. resident tuition.* Persons deemed nonresidents of California for purposes of paying tuition at a CCC are charged significantly higher tuition rates than the amount charged for resident tuition. In 2024, at CCCs, California residents pay \$46 per unit, while nonresidents pay on average \$346 per unit. In-state tuition classification represents a significant postsecondary education benefit. The nonresident tuition exemption provided to CCC students in this bill is one they were already receiving before leaving the country. It allows the student to retain that benefit to enable them to finish their program—remotely or in-person.
- 4) *International education offerings.* Community colleges do offer online program to students outside of the country including through international education opportunities programs. Presumably, these students pay the nonresident rate.
- 5) *Parallel reenrollment policies for deported students.* Current law already mandates CCC, CSU, and UC to assist students facing detention, deportation, or inability to fulfill academic requirements as a result of immigration actions. Institutions must make reasonable efforts to help these students retain their benefits, including an exemption from paying nonresident tuition, and allow them to reenroll when they return. Additionally, existing law deems a K-12 student that meets residency requirements for school attendance in a school district if they are a student whose parents were deported against their will. This bill narrowly focuses on preserving residency status for tuition purposes. One key difference between this bill and the parallel reenrollment policies is the inclusion of online education programs thereby allowing students to complete their program without having to be physically present in this state.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee analysis, this bill would have the following fiscal impact:

- The Chancellor's office estimates one-time Proposition 98 General Fund costs of between \$13,000 and \$22,000 per district, or \$936,000 to \$1.6 million statewide for all 72 community college districts, to update policies and practices regarding eligibility for nonresident tuition exemptions. The districts would also need to adopt procedures for verifying student attestations, however they are already required to implement practices to ensure students retain eligibility for nonresident tuition exemptions in the event of detainment, deportation, or inability to attend. Therefore, these policy updates are likely to be minor and absorbable within existing workload.

SUPPORT: (Verified 8/29/25)

Los Angeles Community College District (Source)
California Association for Bilingual Education
California Community College Independents
California Community Colleges Chancellor's Office
California Community Foundation
California Faculty Association
California Lulac State Organization
California School Employees Association
California Teachers Association
California Undocumented Higher Education Coalition
Central American Resource Center of California
Citrus College
City of Los Angeles
Coalition for Humane Immigrant Rights
Coast Community College District
Contra Costa Community College District
County of Los Angeles Board of Supervisors
EdTrust-West
Faculty Association of California Community Colleges
Foothill-De Anza Community College District
Hispanas Organized for Political Equality
Immigrants Rising
Kern Community College District
Long Beach Community College District
Los Angeles Community College District Academic Senate

Los Angeles Unified School District
Loyola Marymount University - the Center for Equity for English Learners
Mexican-American Legal Defense and Ed Fund
Mt. San Antonio College
North Orange County Community College District
Orange County Board of Supervisors - Supervisor Vicente Sarmiento
San Bernardino Community College District
San Diego Community College District
San Jose-Evergreen Community College District
Southwestern Community College District
State Center Community College District
The Education Trust - West
United Domestic Workers/AFSCME Local 3930
University of California
Victor Valley Community College District

OPPOSITION: (Verified 8/29/25)

None received

ASSEMBLY FLOOR: 60-16, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

NO VOTE RECORDED: Alanis, Hoover, Wallis

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105

9/2/25 18:04:44

**** END ****

THIRD READING

Bill No: AB 732
Author: Macedo (R)
Amended: 9/3/25 in Senate
Vote: 21

SENATE AGRICULTURE COMMITTEE: 5-0, 7/1/25
AYES: Hurtado, Alvarado-Gil, Cortese, McNerney, Padilla

SENATE JUDICIARY COMMITTEE: 13-0, 7/15/25
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Valladares, Wahab, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 69-0, 5/8/25 (Consent) - See last page for vote

SUBJECT: Agriculture: neglected or abandoned crops: public nuisances: pests

SOURCE: Author

DIGEST: This bill authorizes county agricultural commissioners (CAC), in lieu of imposing a lien on a property that has been determined to be neglected or abandoned, to levy a civil penalty against a person who maintains a pest-related public nuisance in violation of current law. This bill excludes from the definition of a pest a beneficial organism that is used as a biological control agent or a conservation practice standard or on-farm management practice, as specified. This bill authorizes county agricultural commissioners to impose civil penalties—up to \$500 per acre, or \$1,000 if no good faith effort to remedy the issue is made within 30 days of the original notice by the owner of the property. These provisions sunset on January 1, 2035.

Senate floor amendments of 9/3/25 require that any notice of violation issued to the property owner of record, or the individual responsible for a neglected or abandoned property, must include language informing the recipient of their right to appeal the violation determination.

ANALYSIS:

Existing law:

- 1) Establishes a neglected or abandoned plant or crop is a public nuisance if it is a menace to the agriculture of the county, district, or vicinity because of the existence of any pest, in or on it, or other condition, or if it is a host plant of, or provides a favorable or likely harbor for, any pest.
- 2) Prohibits a person from maintaining a neglected or abandoned plant or crop that is a public nuisance.
- 3) Defines “pest” to mean:
 - a) Any infectious, transmissible, or contagious disease of any plant, or any disorder of any plant which manifests symptoms or behavior which the director, after investigation and hearing, finds and determines is characteristic of an infectious, transmissible, or contagious disease.
 - b) Any form of animal life.
 - c) Any form of vegetable life.
- 4) Requires a CAC, in writing, to notify the owner of record or person in charge of the property having a neglected or abandoned plant or crop that the commissioner has found to be a public nuisance, of the need to remove or destroy the neglected or abandoned plant or crop, as specified. If the removal or destruction of the neglected or abandoned plant or crop is undertaken by the CAC, existing law requires a CAC to cause a notice of lien that describes the land on which it exists to be recorded.

This bill:

- 1) Defines “Good faith action” to mean a diligent and honest effort to abate the nuisance identified in a notice provided by the agricultural commissioner, as determined by a reasonable person.
- 2) Defines “Pest” to have the same meaning as defined in Food and Agricultural Code (FAC) Section 5006.
 - a) FAC 5006: “Pest” means any of the following things that is, or is liable to be, dangerous or detrimental to the agricultural industry of the state:

- i) Any infectious, transmissible, or contagious disease of any plant, or any disorder of any plant which manifests symptoms or behavior which the director, after investigation and hearing, finds and determines is characteristic of an infectious, transmissible, or contagious disease.
 - ii) Any form of animal life.
 - iii) Any form of vegetable life.
- 2) Requires a CAC, in writing, to notify the owner of record or person in charge of the property having a neglected or abandoned plant or crop that the commissioner has found to be a public nuisance, of the need to remove or destroy the neglected or abandoned plant or crop, as specified. The notification shall clearly state the owner of record or person in charge of the property has the right to appeal this decision.
- 3) Extends the minimum days before a civil penalty is levied from 15 days to 30 days.
- 4) Extends the minimum days a person charged with the violation has to take a good faith action to rectify the violation from 30 days to 45 days.
- 5) Clarifies for purposes of this article, none of the following constitute sole evidence of a violation of Section 5553:
- a) The use or presences of a biological control or beneficial organism.
 - b) The use of a conservation practice standard, identified by the Natural Resources Conservation Service of the United States Department of Agriculture's Field Office Technical Guide, or an on-farm management practice, identified through the Healthy Soils Program, established pursuant to Section 569.
- 6) States any moneys recovered by the commissioner pursuant to this article shall be deposited into the county general fund in which the action is brought and shall be allocated to the commissioner to cover costs associated with enforcement of this division.
- a) Subparagraph (6) does not limit the commissioner's authority to abate a pest that is harbored by a neglected or abandoned plant or crop.
- 7) Sunsets this article on January 1, 2035.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 9/3/25)

Agricultural Council of California
Almond Alliance
American Pistachio Growers
California Agricultural Commissioners & Sealers Association
California Association of Pest Control Advisers
California Association of Resource Conservation Districts
California Association of Wheat Growers
California Chamber of Commerce
California Cotton Ginners and Growers Association
California Farm Bureau Federation
California Fresh Fruit Association
California Grain and Feed Association
California Pear Growers Association
California Seed Association
County of Fresno
Grower-shipper Association of Central California
Nisei Farmers League
Pacific Egg and Poultry Association
Tulare; County of
Western Plant Health Association
Western Tree Nut Association

OPPOSITION: (Verified 9/3/25)

Community Alliance with Family Farmers

ARGUMENTS IN SUPPORT: According to the author:

“As severe weather, changing land use, and low commodity prices push farmers to abandon their lands, neglected properties are becoming breeding grounds for pests and diseases that threaten neighboring farms. Current law provides only a slow and costly lien process, leaving counties without effective enforcement tools to help keep pests and diseases under control on abandoned land. AB 732 empowers County Agricultural Commissioners to issue civil penalties against negligent property owners who fail to manage their land, hence, reducing reliance on the slow and costly lien process. With invasive species costing growers millions and disrupting ecosystems, this bill ensures timely intervention when property owners ignore notices to address infestations. AB 732 will strengthen local efforts to protect agriculture, prevent

disease outbreaks, and reduce the burden on taxpayers while maintaining fairness for landowners.”

ARGUMENTS IN OPPOSITION: The Community Alliance with Family Farmers writes stating they “oppose unless amended.” The letter states:

“While CAFF supports the goal of protecting California’s agricultural integrity, this bill raises serious concerns about fairness, implementation, and due process:

1. Expanded Enforcement Authority without Adequate Safeguards: Granting county agricultural commissioner’s unilateral authority to levy fines of up to \$1,000 per acre based on a subjective determination of a nuisance opens the door to inconsistent enforcement and potential abuse.
2. Punitive Financial Penalties on Small Landowners: The scale of the penalties is disproportionately burdensome, especially for small, resource-constrained farmers and property owners who may already face environmental or financial challenges. An acre-based penalty system may unfairly penalize individuals regardless of intent or ability to act.
3. Ambiguous and Overly Broad Definition of “Pest”: The proposed redefinition of "pest" introduces uncertainty by relying on symptoms or behaviors “characteristic” of disease, allowing enforcement to hinge on interpretation rather than clear, scientifically validated criteria.
4. Premature Enforcement Deadlines: Although the bill allows for a 15-day window for corrective action, in many cases, this may be insufficient to investigate, access technical support, or take remedial steps – especially if the 15-day window occurs during crucial harvest times. Small family farms would be placed in the no-win situation of having to choose between violation remediation or harvesting their crops that sustain their existence.
5. Insufficient Consideration for Regenerative Practices: While the bill attempts to exempt USDA conservation standards and Healthy Soils Program practices, it still enables commissioners to override these protections, creating confusion for landowners participating in state-sanctioned sustainability efforts.

“We can foresee scenarios of negative unintended consequences to individual farms due to the broad parameters allowed by AB 732. More collaborative, education-first approaches—such as expanding cooperative extension support and incentivizing integrated pest management—are far more appropriate than escalating punitive measures.”

ASSEMBLY FLOOR: 69-0, 5/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Boerner, Carrillo, Flora, Gallagher, Jeff Gonzalez, Irwin, Celeste Rodriguez, Sanchez, Wallis

Prepared by: Reichel Everhart / AGRI. / (916) 651-1508
9/6/25 10:30:10

**** END ****

THIRD READING

Bill No: AB 735
Author: Carrillo (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

PRIOR SENATE VOTES NOT RELEVANT

SENATE LOCAL GOVERNMENT COMMITTEE: 5-0, 9/10/25
AYES: Durazo, Choi, Cabaldon, Laird, Wiener
NO VOTE RECORDED: Arreguín, Seyarto

ASSEMBLY FLOOR: 61-4, 6/4/25 - See last page for vote

SUBJECT: Planning and zoning: logistics use developments: truck routes

SOURCE: Author

DIGEST: This bill makes various changes to AB 98 (J. Carrillo and Reyes, Chapter 931, Statutes of 2024), which regulates warehouse development.

Senate Floor Amendments of 9/5/25 make numerous additional changes to AB 98, including to: (1) allow cities and counties outside of the warehouse concentration region (WCR) to adopt truck routes via an ordinance instead of updating their circulation element; (2) revise enforcement provisions of local agency truck routes and truck routing plans adopted by logistics use development operators, including to require the California Highway Patrol (CHP) to offer training to local law enforcement on commercial vehicle laws; (3) address issues related to conflicting local agency standards; (4) and make other changes.

ANALYSIS:

Existing law:

- 1) Allows, pursuant to the California Constitution, cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.”
- 2) Provides additional powers and duties for cities and counties regarding land use under the Planning and Zoning Law, including to require every county and city to adopt a general plan that sets out planned uses for all of the area covered by the plan. A general plan must include specified mandatory “elements,” including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities.
- 3) Establishes minimum requirements that must be met for local agencies to approve development of new or expanded logistics uses (warehouses) on or after January 1, 2026 that have loading bays within 900 feet of schools, homes, daycares, nursing homes, hospitals, and parks or playgrounds (“sensitive receptors”), pursuant to AB 98.
- 4) Establishes stricter standards, as specified, in the warehouse concentration region (WCR), which includes Counties of Riverside and San Bernardino and the Cities of Chino, Colton, Fontana, Jurupa Valley, Moreno Valley, Ontario, Perris, Rancho Cucamonga, Redlands, Rialto, Riverside, and San Bernardino.
- 5) Mandates that all cities and counties update their general plan’s circulation element by January 1, 2028 (or January 1, 2026 for jurisdictions in the WCR) to designate truck routes that avoid residential areas and sensitive receptors, maximizing the use of highways and major arterials.
- 6) Requires a logistics use that demolishes any housing unit that was occupied in the last 10 years, it must replace those units with two units of moderate- or low-income housing per one housing unit demolished, as specified. If residential dwellings are affected through purchase, the developer must provide any displaced tenant with an amount equivalent to 12 months’ rent at the current rate.

This bill:

- 1) Revises the definition of "logistics use" and instead defines "logistic use development" to mean a building that is "primarily used as a warehouse for the movement or storage of cargo, goods or products," as specified.

- 2) Specifies "logistics use development" does not include a building that serves a primary agricultural use that is actively operated for a single period of 90 days or less each year.
- 3) Specifies that the following types of land shall not be considered a sensitive receptor:
 - a) Land that will be used to ensure the public's right of access to the sea or other public access pursuant to the California Coastal Act or the McAteer-Petris Act.
 - b) Land that is developed at or adjacent to an airport or a seaport for the express purpose of creating a buffer area between a sensitive area and an airport or seaport facility.
- 4) Specifies that a truck loading bay must be located on the side of logistics use development that is away from the nearest sensitive receptor, instead of the side opposite from a sensitive receptor.
- 5) Clarifies a separate entrance to a logistics use development or logistics park for heavy-duty trucks may include a driveway with a lane dedicated to heavy-duty trucks and lane dedicated for other vehicles.
- 6) Provides that, for purposes of the bill, a "rezone" does not include land that meets both of the following requirements:
 - a) The land is annexed by a jurisdiction through a boundary change.
 - b) The zoning in the new jurisdiction is consistent with the zoning assigned by the original jurisdiction.
- 7) Clarifies that a buffer area may include other hardscape, access, and passenger parking improvements and may include any landscaped areas within a public right-of-way or public or private pedestrian walkways.
- 8) Prohibits a city, county, or city and county (jurisdiction) from adopting or enforcing any ordinance, standard, rule, or regulation that would have the effect of physically precluding a logistics use development from complying with AB 98, but provides that a city or county may adopt or enforce requirements that prohibit or physically preclude a logistics use on a parcel.
- 9) Specifies a local road is considered to predominantly serve commercial, agricultural, or industrial uses if more than 50% of the properties fronting the

road within 1,000 feet of the sites' truck entrances and exits are designated for commercial, agricultural, or industrial use.

- 10) Allows jurisdictions to waive the requirement that a logistics use development be sited on specified roadways for sites with an existing industrial or agricultural zone for an agricultural-related logistics use project, as specified.
- 11) Requires jurisdictions outside of the warehouse concentration region to adopt an ordinance, instead of updating their circulation element, to establish truck routes by January 1 2028 or January 1, 2030 for cities with a population equal to, or less than, 50,000 persons or a county with a population equal to, or less than, 100,000 persons, as specified.
- 12) Requires, on and after January 1, 2028, or January 1, 2030, for cities with a population equal to, or less than, 50,000 persons or a county with a population equal to, or less than, 100,000 persons, all proposed development of a logistics use development to be accessible via arterial roads, major thoroughfares, or local roads that predominantly serve commercial, agricultural, or industrial uses, as specified.
- 13) Allows a jurisdiction to regulate traffic from a primary agricultural use facility, defined a primary agricultural use facility as logistics use facility that is less than 20,000 square feet, located in an unincorporated area, in which one or more agricultural commodities or forest products is produced, processed, or packaged, and that may include storage of those commodities or products incidental to production, processing, or packaging.
- 14) Requires cities and counties that adopt a truck routing ordinance to:
 - a) Post specified signage to identify truck routes, truck parking and truck idling locations.
 - b) Make truck routes publicly available in geographic information system (GIS) format and share GIS maps of the truck routes with warehouse operators, fleet operators, and truck drivers.
 - c) Engage in specified community and public outreach activities.
- 15) Provides that the requirement to adopt a truck routing ordinance shall not apply to a jurisdiction that did not have a logistics use development as of January 1, 2025. However, if any new proposed logistics use developments are approved, the jurisdiction shall adopt a truck routing ordinance within two years after the date of final approval of the logistics use development.

- 16) Deletes the Attorney General's (AG's) authorization to fine a jurisdiction that does not update its circulation element within the required timelines, and instead allows the AG to bring an action against a jurisdiction that does not comply as specified. Provides, if a jurisdiction has been found by a court to be in violation of 11) through 15) above, the jurisdiction shall be subject to any of the following:
 - a) A civil penalty of up to \$50,000 every six months, as specified.
 - b) All costs of investigating and prosecuting this action, including expert fees, reasonable attorney's fees, and costs.
 - c) Other relief deemed appropriate by the court.
- 17) Requires the court to consider whether there were any mitigating circumstances delaying the jurisdiction from coming into compliance with the provisions of 11) through 15). The bill also allows the court to consider whether a jurisdiction is making a good faith effort to come into substantial compliance or is facing substantial undue hardship.
- 18) Requires that any civil penalties collected shall be paid to the AG and, upon appropriation by the Legislature, shall be distributed by the AG and returned to the local air quality management district in which the civil penalty was imposed for the district's efforts to improve air quality.
- 19) Strikes the requirement that a truck routing plan include enforcement measures and requires that the logistics use development operator be responsible for communication of the truck routing plan internally and to external parties who may dispatch trucks to the facility.
- 20) Provides that the bill shall not be construed to expand or restrict any authority that the planning director may have pursuant to any local ordinance or regulation to regulate hours of operation.
- 21) Requires, on or before January 1, 2027, the Department of California Highway Patrol (CHP) to make all of the following available to city and county law enforcement agencies:
 - a) At no charge, training on enforcement of laws related to commercial vehicles, including truck route enforcement.
 - b) Course completion certificates for any city and county law enforcement personnel who have completed the training in a) above.

- 22) Requires all cities and counties that are required to update a circulation element or to adopt a truck routing ordinance to have at least one enforcement officer that has received a completion certificate by the date on which that ordinance is adopted.
- 23) Provides that the bill shall not be construed to require CHP to provide training for which it has not received funding or to require a jurisdiction to have an enforcement officer that has received a course completion certificate if CHP has not made the training described in 21) above available to law enforcement personnel at no charge.
- 24) Makes additional technical, clarifying, and conforming changes.

Background

As approved last year by the Legislature, AB 98 establishes standards for logistics uses to be located on larger roads, unless it is impractical to do so, and establishes, among other requirements:

- Minimum distances (setbacks) between loading bays and the property line of a sensitive receptor of 300 feet if the project is proposed on land that is zoned for industrial use, or 500 feet if not;
- Buffer zones around the properties that screen sensitive receptors using trees and walls;
- Site design requirements, such as orienting loading bays on the opposite side of the facility from sensitive receptors where feasible; and
- Building electrification requirements; and operational requirements (including phased-in mandates for zero-emission forklifts and other equipment, where feasible).

The law also requires developers replace any demolished housing on a two-for-one basis with affordable units, along with providing relocation payments to displaced tenants. AB 98 applies stricter criteria to logistics uses in the WCR. Among other things, all new or expanded logistics uses in the WCR must have a 500-foot setback from nearby sensitive receptors.

Logistics uses under 250,000 square feet do not have to meet as stringent standards, including no required setbacks if they are on industrial land. The law also includes specific exemptions for certain projects already existing or in the planning process before September 30, 2024.

Furthermore, AB 98 mandates that all cities and counties update their general plan's circulation element by January 1, 2028 (or January 1, 2026 for jurisdictions in the WCR) to designate truck routes that avoid residential areas and sensitive receptors, maximizing the use of highways and major arterials. The law includes requirements for public input and making route maps publicly available.

Finally, AB 98 directs the South Coast Air Quality Management District to conduct air quality monitoring near warehouses in Riverside and San Bernardino Counties and report on pollution impacts to evaluate the effectiveness of the mandated setbacks. As approved by the Legislature, AB 98 included some provisions that were unclear. The author wants to make clarifying changes to AB 98 to improve its implementation.

Comments

Purpose of this bill. According to the author, "Last year, AB 98 established statewide standards for the siting, design, development, and operation of warehouses. AB 735 follows in AB 98's momentum and makes technical and clarifying changes to the state law established by AB 98. This bill responds to the questions my office has received from a wide range of stakeholders on how AB 98 should be implemented."

Keep on truckin'. Current law requires local governments to update their circulation elements with truck routing plans. Cities and counties say that updating the circulation element will be challenging because this update will trigger a host of other laws requiring changes to their general plans, and that there are at least three counties that have a sole planning staffer to do the work. AB 735 instead allows communities outside the WCR to adopt truck routes via ordinance, which is a simpler process, instead of updating their circulation element. The bill also includes other measures to ease implementation of the truck routing provisions for cities and counties, including to give an additional two years to adopt the ordinance for smaller jurisdictions outside of the WCR, to only require jurisdictions that have logistics uses within their communities to develop truck routes, and to limit penalties for cities and counties that have made good faith efforts to comply.

Getting physical. AB 98 established a wide range of standards for building and site design for logistics uses. Logistics use developers are concerned that a local government might have standards that conflict with requirements in AB 98 and therefore make it physically impossible to build a warehouse that complies both with local requirements and state law. For example, if a local government prohibits walls of higher than six feet, a developer could not comply with both AB

the local requirement and AB 98's requirement that walls be at least 10 feet tall. AB 735 proposes changes to specify that local agencies cannot adopt or enforce standards that would prohibit or have the effect of physically precluding specified standards contained in AB 98. This provision may override some specific local government standards. However, the bill's limitation does not apply to setbacks from sensitive receptors, meaning that local governments clearly can require additional setbacks. Additionally, the bill contains a provision that states generally that local governments can still adopt or enforce standards that physically preclude or prohibit a logistics use as a whole on a particular parcel. This provision is intended to ensure that local governments can still impose standards that exceed AB 98's standards.

Related/Prior legislation

SB 415 (Reyes, 2025) is substantively similar to this bill. As of 9/10/25, that measure is pending in the Assembly Local Government Committee. The authors of both this bill and SB 415 have committed to a joint process that moves similar bills through the Legislature in coordination.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 9/10/25)

American Planning Association, California Chapter
California State Association of Counties
League of California Cities
Rural County Representatives of California
Valley Industry and Commerce Association

OPPOSITION: (Verified 9/10/25)

None received

ASSEMBLY FLOOR: 61-4, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Elhawary, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, DeMaio, Patterson, Sanchez

NO VOTE RECORDED: Castillo, Dixon, Ellis, Flora, Jeff Gonzalez, Hadwick,
Hoover, Lackey, Lee, Macedo, Petrie-Norris, Soria, Ta, Tangipa

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
9/10/25 11:51:08

****** END ******

THIRD READING

Bill No: AB 782
Author: Quirk-Silva (D)
Amended: 7/16/25 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 7/2/25
AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Seyarto, Wiener

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 10-1, 7/14/25
AYES: Ashby, Archuleta, Arreguín, Grayson, Menjivar, Niello, Smallwood-
Cuevas, Strickland, Umberg, Weber Pierson
NOES: Choi

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/18/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

SUBJECT: Subdivisions: security

SOURCE: California Building Industry Association

DIGEST: This bill prohibits the Real Estate Commissioner (Commissioner) of the Department of Real Estate (DRE) from requiring a security in connection with a subdivision improvement if the Commissioner finds that a sufficient security has been furnished to a local agency for the same improvement.

ANALYSIS:

Existing law:

- 1) Establishes the DRE to administer the Real Estate Law.
- 2) Establishes the Commissioner as the chief officer of the DRE, whose principal responsibility is enforce the Real Estate Law in a manner that achieves the

maximum protection for the buyers of real property and those persons dealing with real estate licensees.

- 3) Requires protection of the public to be the highest priority for the DRE in exercising its licensing, regulatory, and disciplinary functions. Requires protection of the public shall be paramount whenever the protection of the public is inconsistent with other interests sought to be promoted.
- 4) Establishes the Subdivided Lands Act (Act) to be administered by DRE and requires subdividers of planned developments, community apartment projects, condominiums, and stock cooperatives to file extensive financial and other disclosures with the Commissioner before the sale or lease of subdivided lands.
- 5) Requires an owner, subdivider, or agent from selling or leasing lots or parcels within a subdivision to file an application with DRE for a public report consisting of a notice of intention and a completed questionnaire. This statement must include various pieces of information regarding the developer's plans, including information on how they intend to provide utilities to the subdivision, what uses the subdivision will offer, who will occupy the subdivided parcels, and the indebtedness incurred to pay for improvements.
- 6) Requires DRE to review the notice and application and notify the applicant if the information is complete within specified timeframes. Once DRE determines the application is complete, they must issue a public report within 15 days of receipt of all necessary information, including the developer's submittal of recorded or filed instruments and evidence of financial arrangements DRE requires.
- 7) Prohibits the sale or lease of the parcels until DRE issues a public report that the owner, subdivider, or agent has sufficient financial security to protect the purchaser or lessee from fraud, misrepresentation, or deceit. This includes a determination that the developer has made reasonable arrangements to assure completion of the subdivision and all necessary improvements.
- 8) Governs how local officials regulate the division of real property into smaller parcels for sale, lease, or financing, pursuant to the Subdivision Map Act (or Map Act). Cities and counties adopt local subdivision ordinances to carry out the Map Act and local requirements. City councils and county boards of supervisors use the Map Act to control a subdivision's design and improvements.

- 9) Allows cities and counties to require, as a condition of approving a proposed subdivision, the dedication of property within a subdivision for streets, alleys, drainage, utility easements, and other public easements and improvements.
- 10) Allows a city or county to require the developer to furnish a security and constraints the amounts of that security. The security ensures the developer constructs the improvements as agreed upon and pays for labor, materials, and improvements.

This bill prohibits the Commissioner from requiring a security in connection with a subdivision improvement if the Commissioner finds that a sufficient security to protect the interests of purchasers, owners, and lessees, as necessary, has been furnished to a local agency for the same improvement under the Map Act.

Comments

Purpose of this bill. According to the author, “AB 782 eliminates unnecessary double-bonding requirements that drive up housing costs and delay projects. Local governments should not be imposing redundant financial burdens on developers for private improvements they don’t control. This bill ensures that housing construction moves forward efficiently, reducing costs for homeowners and cutting through bureaucratic red tape.”

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/20/25)

California Building Industry Association (Sponsor)

Abundant Housing LA

Building Industry Association of San Diego

California Apartment Association

California Chamber of Commerce

California Yimby

Circulate San Diego

Home Builders Association of the Central Coast

Inner City Law Center

Institute for Responsive Government Action

Lieutenant Governor Eleni Kounalakis

Orange County Taxpayers Association

Southern California Leadership Council

The Two Hundred

OPPOSITION: (Verified 8/20/25)

None received

ARGUMENTS IN SUPPORT: The California Building Industry Association (sponsor), the Building Industry Association of San Diego, California Apartment Association, California Chamber of Commerce, Home Builders Association of the Central Coast, Orange County Taxpayers Association, and Southern California Leadership Council state, “Under current law, both local governments and the California Department of Real Estate (DRE) can require developers to provide financial security—such as bonds, letters of credit, or escrow deposits— for improvements in connection with an approval of a subdivision map. While this requirement makes sense for public improvements that a local agency will own and maintain, some local governments are extending these requirements to private improvements. As a result, developers are required to provide security twice—once to the DRE and again to the local agency—for the exact same private improvements such as sidewalks, lighting, landscaping, clubhouses, swimming pools, and other amenities maintained by a Homeowners Association. AB 782 offers a practical solution by clarifying that developers are not required to provide duplicative performance security to both local governments and the Department of Real Estate (DRE) for the same improvement. Importantly, the bill maintains the DRE’s existing authority to require financial assurances for private improvements.”

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Jonathan Peterson / L. GOV. / (916) 651-4119
8/20/25 23:22:45

**** END ****

THIRD READING

Bill No: AB 789
Author: Bonta (D), et al.
Amended: 9/3/25 in Senate
Vote: 27

SENATE ELECTIONS & C.A. COMMITTEE: 4-0, 7/15/25
AYES: Cervantes, Allen, Limón, Umberg
NO VOTE RECORDED: Choi

ASSEMBLY FLOOR: 59-4, 4/21/25 - See last page for vote

SUBJECT: Political Reform Act of 1974: security expenses

SOURCE: Author

DIGEST: This bill allows candidates for office and elected officials to use unlimited amounts of campaign funds for security purposes until January 1, 2029, and \$10,000 per year thereafter.

Senate Floor Amendments of 9/3/25 address chaptering conflicts with AB 808 (Addis).

ANALYSIS:

Existing law:

- 1) Includes the Political Reform Act (PRA), which establishes California's campaign finance and disclosure laws for state and local campaigns, candidates, officeholders, and ballot measures, and which created the Fair Political Practices Commission (FPPC) to implement, administer, and enforce the PRA.
- 2) Prescribes that contributions deposited into a campaign account are held in trust to be used to elect candidates and for expenses associated with holding office.

- 3) Prohibits using campaign funds for the purchase, lease, or refurbishment of any appliance or equipment on real property leased or owned by a candidate, the candidate's campaign, or an immediate family member of the candidate.
- 4) Makes an exception to the prohibition in 3) for up to \$10,000 over the course of a candidate's or elected officer's lifetime to be spent for security expenses to protect the candidate, the elected officer, or the immediate family or staff thereof, provided that the threat arises from being a candidate, elected officer, or the family or staff of that person.
- 5) Defines security expenses for purposes of this exception in 4) above as:
 - a) The reasonable costs associated with installing and monitoring home or office electronic security.
 - b) The reasonable costs of providing personal security.
 - c) Any other tangible item related to security.
 - d) Excluding payments for a gun or made to a relative.
- 6) Mandates that the candidate or elected officer one year after leaving office or after the conclusion of the threat, whichever comes later, must return any tangible security items to the campaign or reimburse the campaign for them at their fair market value.
- 7) Requires the candidate or elected officer to report any expenditure or reimbursement for security to the FPPC on their annual campaign statement and to also submit a form signed under penalty of perjury that describes and verifies the threat to the candidate or elected officer or their immediate family or staff that arose as a result of being a candidate or elected officer.
- 8) Mandates that the candidate or elected officer maintain various records related to payments for security, including reports that provide evidence of the threat that gave rise to the expenditure.

This bill:

- 1) Deletes, until January 1, 2029, the lifetime cap on security expenses and allows a candidate or elected officer to expend an unlimited amount for these purposes.
- 2) Sets, beginning on January 1, 2029, a cap of \$10,000 per calendar for security expenses from campaign funds.

Comments

- 1) *Author's Statement.* Serving in elected office is an immense privilege and responsibility but in recent years, the climate surrounding public service has shifted dramatically. Candidates, elected officials, and the staff who support them are increasingly facing serious threats, harassment, and violence simply for carrying out their duties. These threats are not abstract. They are real, targeted, and growing in frequency and intensity.

Disturbing incidents have occurred across the nation from the murder of a state legislator and her husband in Minnesota to the evacuation of Governor Josh Shapiro and his family in Pennsylvania due to threats and arson. These events are not isolated. They are part of a broader pattern of political intimidation.

Public service should never require sacrificing one's personal safety or the safety of our families and staff. This bill provides a necessary tool to help protect those who step forward to serve. In doing so, it helps uphold the integrity of our democratic institutions and the safety of those who lead them.

- 2) *Less Than One Year.* This bill amends existing law that allows candidates and office holders to use campaign funds on personal security expenses for themselves, their families, and their staff members. AB 2041 (Bonta, Chapter 372, Statutes of 2024), an urgency measure, created this existing law and took effect on September 22, 2024. Prior to that, the PRA generally prohibited using campaign funds for these purposes with very limited exceptions for home or office security systems. Given the law has been in place for less than a year, it is unclear why it is now timely to delete the \$10,000 lifetime cap and allow for unlimited campaign spending on personal security services for candidates, elected officers, their staffs, and family members. After all, violence against candidates and public officials is a long-standing blight in this country and its political life. It has included armed individuals coming into the Assembly Chambers during an Assembly floor session, the storming of our nation's Capital, and the assassination of U.S. presidents, candidates, and legislators. It is, therefore, unclear why it is now timely to delete the cap limiting the use of campaign funds for personal security expenses.
- 3) *The \$10,000 Cap.* Amendments to AB 2041 made on the Senate Floor on August 22, 2024 imposed the \$10,000 life time cap in existing law. The bill imposes no cap for the next three years, and then places a \$10,000 per year cap after that. While the threats of violence against political figures appear to be increasing over the past several years, it is unclear what or how large of a constraint the existing cap has put on candidates and office holders over the past

10 months. Committee staff is unaware of any analysis indicating what problems the \$10,000 lifetime cap is creating or what an appropriate alternative cap would be.

- 4) *FPPC Data*. The FPPC reports that since the enactment of AB 2041 in September 2024, it has received five filings from candidates or elected officials indicating use of campaign funds for security expenses pursuant to existing law.

Related/Prior Legislation

AB 2041 (Bonta, Chapter 372, Statutes of 2024) permits a candidate or elected official over their lifetime to use up to \$10,000 of campaign funds for specified security related expenses to protect the candidate, elected officer, or the immediate family or staff of that person.

AB 37 (Bonta) of 2023 would have authorized campaign funds to be used for costs related to security expenses, as defined, to protect a candidate, elected officer, or the immediate family or staff of a candidate or elected officer. Governor Newsom vetoed that bill. His veto message read:

While I support the author's intention, the bill as drafted does not clearly define “security expenses.” Without more guidance on what would or would not be allowed as a legitimate use of campaign funds, this bill could have unintended consequences and could lead to use of political donations for expenditures far beyond what any reasonable donor would expect. We must ensure political donations are utilized in a manner consistent with their

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/3/25)

Todd Spitzer, District Attorney of Orange County
21st Century Alliance
California District Attorneys Association

OPPOSITION: (Verified 9/3/25)

None received

ASSEMBLY FLOOR: 59-4, 4/21/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson,

Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Solache, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Ellis, Macedo, Tangipa

NO VOTE RECORDED: Castillo, Chen, Dixon, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Papan, Patterson, Ramos, Sanchez, Sharp-Collins, Soria, Ta

Prepared by: Carrie Cornwell / E. & C.A. / (916) 651-4106

9/6/25 10:30:11

****** END ******

THIRD READING

Bill No: AB 808
Author: Addis (D)
Amended: 9/2/25 in Senate
Vote: 27

SENATE ELECTIONS & C.A. COMMITTEE: 5-0, 7/15/25
AYES: Cervantes, Choi, Allen, Limón, Umberg

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 69-0, 5/8/25 (Consent) - See last page for vote

SUBJECT: Campaign statements and registrations: filing online or electronically

SOURCE: California Secretary of State Shirley N. Weber, Ph.D.
California Fair Political Practices Commission

DIGEST: This bill eliminates the option to file various campaign reports via facsimile and updates terms used in state law to reflect the electronic filing of required campaign-related reports.

Senate Floor Amendments of 9/2/25 resolve chaptering conflicts between this bill and two others, SB 760 (Allen) and AB 789 (Bonta).

ANALYSIS:

Existing law:

- 1) Creates the Political Reform Act (PRA), which sets campaign finance and disclosure laws for state and local campaigns, candidates, officeholders, and ballot measures, and establishes the Fair Political Practices Commission (FPPC) to implement, administer, and enforce the PRA.
- 2) Requires, pursuant to the PRA, candidates for elective office, committees formed to support or oppose candidates for public office or ballot measures, slate mailer organizations, and other specified entities, to file periodic and

activity-based campaign statements and reports disclosing contributions, expenditures, and other related matters.

- 3) Requires public officials and candidates periodically to file statements of economic interests to disclose to the public their financial interests, which in some instances can be filed via facsimile.
- 4) Permits various campaign reports and statements of economic interests to be filed by facsimile.
- 5) Defines a “campaign statement” as an itemized report prepared on a form or in a manner prescribed by the FPPC that provides the information required by the PRA.
- 6) Requires each campaign committee to file a “statement of organization,” which must include specified information about the committee as well as the candidate or ballot measure it supports or opposes. Committees must file the statement with the Secretary of State (SOS) and also file a copy with a local filing officer, as required.
- 7) Requires that when filing a campaign statement or report disclosing an independent expenditure, the controlling principal of the committee making the disclosure shall sign a verification statement attesting to the independence of the expenditure.
- 8) Requires the SOS, in consultation with FPPC, to develop and certify for public use a new online filing and disclosure system for statements and reports that provide public disclosure of campaign finance and lobbying information in a user-friendly, easily understandable format, as specified. This is known as the Cal-Access Replacement System (CARS).

This bill:

- 1) Takes effect when the SOS certifies CARS.
- 2) Eliminates the option to file campaign reports and statements of economic interests by facsimile and instead allows for filing by email.
- 3) Renames “campaign statement” as a “campaign report” and modifies the definition to mean an itemized report prepared in a manner prescribed by the FPPC providing the information required by the PRA, thus deleting the phrase “on a form.”

- 4) Replaces the term “campaign statement” with “campaign report” throughout the PRA.
- 5) Deletes the requirement that the FPPC provide a short form for filing reports for candidates who receive contributions of less than \$2,000 or make expenditures of less than \$2,000.
- 6) Replaces the term “statement of organization” with “registration” throughout the PRA and eliminates the requirement to file a copy with a local filing officer. Instead, a campaign committee registers with the SOS, and the SOS must make the registration available to the local filing officer within 24 hours of the registration.
- 7) Provides that the independent expenditure verification statement described in 7) in existing law applies only to semi-annual and pre-election campaign statements. Because of this, other reports of independent expenditures, such as those made during the 90 days before an election which must be filed within 24 hours of the expenditure, will no longer need to be signed.
- 8) Deletes a requirement in the PRA that each year the FPPC publish a “booklet” containing the PRA, and instead simply requires the FPPC to publish the PRA, thus allowing it to be in electronic format. The FPPC must publish by March 1 each year.
- 9) Deletes language limiting loans from candidates to their own campaigns, which was made obsolete by a U.S. Supreme Court decision in 2022.
- 10) Updates language throughout the PRA to conform it with filings being made via CARS when it begins to operate.

Comments

- 1) *Author’s Statement.* This bill modernizes California’s campaign finance laws to support a digital system, thus enhancing efficiency, accuracy, and transparency for better public access to financial disclosures.
- 2) *Cal-Access and CARS.* In 2000, the SOS deployed, pursuant to SB 49 (Karnette, Chapter 866, Statutes of 1997) a system called the California Automated Lobby Activity and Campaign Contribution and Expenditure Search System, or Cal-Access. Cal-Access replaced the paper-based system and provides on-line filing of reports and statements required by the PRA. It also provides on-line access to these statements and reports for the public.

Cal-Access is now 26 years old, and the SOS reports that components of the system are no longer supported by its vendor. As a result, the system has periodically crashed and denied public access. Additionally, the SOS has indicated that the ability to make modifications to Cal-Access is very limited.

SB 1349 (Hertzberg, Chapter 845, Statutes of 2016) directed the SOS, in consultation with the FPPC, to replace Cal-Access with a new disclosure system, the Cal-Access Replacement System or CARS. The SOS does not expect to fully deploy CARS until late 2026 at the earliest, which means that the effective date of this bill is delayed until then.

- 3) *Candidate Loans*. Existing provisions of the PRA prohibit a candidate from lending more than \$100,000 to their own campaign committee. Federal law also puts restrictions on candidate loans. In 2018, U.S. Senator Ted Cruz made a loan of \$260,000 to his re-election campaign, which is in excess of the federal limit of \$250,000. In 2019, Senator Cruz then challenged the federal law in order to be fully repaid and won the lawsuit. The Federal Elections Commission, which enforces federal campaign laws, appealed, and then in 2022, the U.S. Supreme Court ruled for Senator Cruz, declaring limits on candidate loans to their own campaigns as unconstitutional under the First Amendment.

The FPPC then determined that under the decision the candidate loan limit in the PRA is also unconstitutional and unenforceable. Deleting the limit from the PRA is cleanup, but it was included in this bill specifically so that CARS will not need to be built to monitor whether candidates are violating the unenforceable limit on campaign loans.

Related/Prior Legislation

SB 1349 (Hertzberg, Chapter 845, Statutes of 2016) requires the SOS, in consultation with the FPPC, to develop CARS.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 9/2/25)

California Secretary of State Shirley N. Weber, Ph.D. (Source)
California Fair Political Practices Commission (Source)

OPPOSITION: (Verified 9/2/25)

None received

ARGUMENTS IN SUPPORT:

The FFPC states in its sponsor letter that this bill will make important technical updates to the PRA consistent with the transition to CARS. These include eliminating the option of submitting filings via fax, deleting form from the definition of a campaign statement, and ending the need to sign 24-hour reports required during the period before an election day. The FFPC notes that these changes are consistent with advances in modern technology and will apply to political campaigns, lobbying firms, and individual lobbyists who file with the SOS. These changes will support the State of California in its transition to CARS.

ASSEMBLY FLOOR: 69-0, 5/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Boerner, Carrillo, Flora, Gallagher, Jeff Gonzalez, Irwin, Celeste Rodriguez, Sanchez, Wallis

Prepared by: Carrie Cornwell / E. & C.A. / (916) 651-4106
9/3/25 18:31:26

**** END ****

THIRD READING

Bill No: AB 847
Author: Sharp-Collins (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/8/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

ASSEMBLY FLOOR: 53-15, 6/2/25 - See last page for vote

SUBJECT: Peace officers: confidentiality of records

SOURCE: Author

DIGEST: This bill grants civilian law enforcement oversight boards access to the confidential personnel records of peace officers and custodial officers, as specified, during investigations or proceedings concerning the conduct of those officers.

Senate Floor Amendments of 9/9/25 resolve chaptering conflicts with AB 1178 (Pacheco) and AB 1388 (Bryan)

ANALYSIS:

Existing law:

- 1) Establishes the people's right to transparency in government. ("The people have the right of access to information concerning the conduct of the people's business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny...") (California Constitution (Cal. Const.), art. I, Sec. 3.)
- 2) Establishes the California Public Records Act (CPRA), which generally provides that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state, and requires government agencies to disclose government records to the general

public upon request, unless such records are exempted from disclosure.
(Government (Gov.) Code, § 7920.000 et seq.)

- 3) Provides that public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as provided. (Gov. Code § 7922.525.)
- 4) Provides that the CPRA does not require the disclosure of records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the Office of the Attorney General and the Department of Justice, the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. (Gov. Code, § 7923.600.)
- 5) Provides that the CPRA does not require the disclosure of peace officer personnel files and background investigation files gathered by law enforcement agencies that are in the custody of the Commission on Peace Officer Standards and Training (POST) in connection with the commission's authority to verify eligibility for the issuance of certification and investigate grounds for decertification of a peace officer including any and all investigative files and records relating to complaints of, and investigations of, police misconduct, and all other investigative files and materials. (Gov. Code, § 7923.601.)
- 6) States any department or agency that employs custodial officers, as specified, may establish a procedure to investigate complaints by members of the public against those custodial officers employed by these departments or agencies, provided, however, that any procedure so established shall comply with rules pertaining to confidentiality of personnel records for peace officers. (Penal (Pen.) Code, § 832.5, subd. (a)(2).)
- 7) Requires any complaints and reports or findings relating to citizen complaints against law enforcement or custodial personnel, including all complaints and any reports currently in the possession of the department or agency, be retained for a period of no less than five years for records where there was not a sustained finding of misconduct and for not less than 15 years where there was a sustained finding of misconduct. (Pen. Code, § 832.5, subd. (b).)
- 8) Prohibits any personnel record from being destroyed while a request related to that record is being processed or any process or litigation to determine whether the record is subject to release is ongoing. All complaints retained may be

maintained either in the peace or custodial officer's general personnel file or in a separate file designated by the department or agency as provided by department or agency policy, in accordance with all applicable requirements of law. (Pen. Code, § 832.5, subd. (b).)

- 9) States that prior to any official determination regarding promotion, transfer, or disciplinary action by an officer's employing department or agency, the complaints deemed frivolous shall be removed from the officer's general personnel file and placed in a separate file designated by the department or agency, in accordance with all applicable requirements of law. (Pen. Code, § 832.5, subd. (b).)
- 10) Requires each department or agency in this state that employs peace officers to make a record of any investigations of misconduct involving a peace officer in the officer's general personnel file or a separate file designated by the department or agency. A peace officer seeking employment with a department or agency in this state that employs peace officers shall give written permission for the hiring department or agency to view the officer's general personnel file and any separate file designated by a department or agency. (Pen. Code, § 832.12.)
- 11) Generally provides that the personnel records of peace officers and custodial officers and records maintained by a state or local agency or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery. This provision does not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, the Attorney General's office, or POST. (Pen. Code, § 832.7, subd. (a).)
- 12) Specifies that notwithstanding the above provision or any other law, specified peace officer or custodial officer personnel records and records maintained by a state or local agency are not confidential and shall be made available for public inspection pursuant to the CPRA. (Pen. Code, § 832.7, subd. (b)(1).)
- 13) Provides that the board of supervisors shall supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county, but that in doing so, the board of supervisors shall not obstruct the investigative function of the sheriff of the county nor shall it obstruct the investigative and prosecutorial function of the district attorney of a county. (Gov. Code, § 25303.)

- 14) Provides that the board of supervisors may appoint commissions of citizens to study problems of general or special interest to the board, as specified. (Gov. Code, § 31000.1.)
- 15) Provides that a county may create a sheriff oversight board, either by action of the board of supervisors or through a vote of county residents, comprised of civilians to assist the board of supervisors with specified duties related to the county sheriff, and that the members of the oversight board shall be appointed by the board of supervisors. (Gov. Code, § 25303.7, subd. (a).)
- 16) Provides that the chair of the oversight board shall issue a subpoena, as specified, whenever the board deems it necessary or important to examine any of several specified individuals or documents. (Gov. Code, § 25303.7, subd. (b).)

This bill:

- 1) Provides that the members of a sheriff oversight board shall have access to the personnel records of peace officers and custodial officers required for the performance of the commission's oversight duties, and that the oversight board shall maintain the confidentiality of these records consistent with specified provisions of existing law.
- 2) Provides that a sheriff oversight board may conduct closed sessions to review confidential records, as specified, if those sessions comply with applicable confidentiality laws.
- 3) Provides that the inspector general shall have access to the personnel records of peace officers and custodial officers required for the performance of the inspector general's oversight duties, and that the inspector general shall maintain the confidentiality of these records consistent with specified provisions of existing law.
- 4) Specifies that provisions of existing law mandating the confidentiality and nondisclosure of certain peace officer records do not apply to a civilian oversight board or commission for a law enforcement agency, as provided.

Comments

Existing law requires the board of supervisors in every county to “supervise the official conduct of all county officers, and officers of all districts and other subdivisions of the county [and to] see that they faithfully perform their duties, direct prosecutions for delinquencies, and when necessary, require them to renew

their official bond, make reports and present their books and accounts for inspection.” This same provision, however, also makes clear that it shall not be construed “to affect the independent and constitutionally and statutorily designated investigative and prosecutorial functions of the sheriff” and that the board shall not “obstruct the investigative function of the sheriff of the county.” Another provision of existing law, established in 1965, authorizes a county’s board of supervisors to appoint commissions or committees of citizens to study problems of general or special interest to the board, and to make reports and recommendations to the board.

In 2020, the Legislature passed AB 1185 (McCarty, Chapter 342, Statutes of 2020), and expressly granted counties the authority to create a sheriff oversight board, either by action of the board or through a vote of county residents. AB 1185 also authorized the chair of an oversight board to issue a subpoena when the board deems it necessary or important to examine a witness, an officer of the county, or a document in the possession of or under the control of a person or officer relating to the affairs of the sheriff’s department. Additionally, the measure authorized counties to establish an office of the inspector general to assist the board with its statutory duties related to the sheriff’s department, an office that also carries the subpoena power.

The Los Angeles County Board of Supervisors voted in 2016 to establish the Los Angeles County Sheriff Civilian Oversight Commission (COC), which was tasked with providing ongoing review, analysis and oversight of the Los Angeles Sheriff’s Department’s (LASD) policies, practices and procedures, as well as building bridges between the Department and the public, and recommending policy solutions to the Board. Los Angeles County also has an Office of the Inspector General, which serves as the investigative branch of the COC and special counsel to the Board of Supervisors. According to the Author, notwithstanding the COC’s oversight function and statutory subpoena power, LASD “is not providing the necessary information to provide this oversight, claiming that Penal Code Section 832.7 precludes it.”

This bill amends provisions of existing law originally enacted by AB 1185 to specify that the members of a sheriff oversight board shall have access to the personnel records of peace officers and custodial officers required for the performance of the commission’s oversight duties, but that the oversight board shall maintain the confidentiality of these records consistent with Section 832.7 of the Penal Code. Similarly, this bill provides that the inspector general of a county shall have access to the personnel records of peace officers and custodial officers required for the performance of their duties, subject to the same confidentiality

requirement. This bill also amends Section 832.7 of the Penal Code to specify that that provision's confidentiality requirement does not apply to a civilian oversight board established pursuant to AB 1185 or to another "duly enacted municipal or county ordinance." Finally, this bill provides that a sheriff oversight board may conduct closed sessions to review confidential records, if those sessions comply with applicable confidentiality laws and other existing limitations on closed session meetings under the Brown Act.

The issues implicated by this bill are currently the subject of pending litigation between LASD and the COC regarding what can properly be released under COC subpoenas concerning investigations that involve confidential peace officer personnel records. The lawsuit, filed in Los Angeles Superior Court by Sheriff Robert Luna on March 19, 2025, challenges subpoenas issued by the COC for personnel records related to three cases in which deputies allegedly beat, shot and used excessive force on young men. It should also be noted that although the primary purpose of this bill appears to be ensuring that county sheriff oversight boards are granted access to relevant police records in a manner consistent with that enjoyed by grand juries, a district attorney's office, the Attorney General's Office, or POST, the language of this provision also effectively authorizes such access to by any other duly established police oversight board, such as a municipal police oversight commission.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/9/25)

ACLU California Action

All of Us or None

Bend the Arc: Jewish Action California

California Alliance for Youth and Community Justice

California Coalition for Sheriff Oversight

California Coalition for Women Prisoners

California Public Defenders Association

Californians for Safety and Justice

Californians United for a Responsible Budget

Cancel the Contract

Care First California

Center for Juvenile Law and Policy, Loyola Law School

Center for Policing Equity

Check the Sheriff

Courage California

Debt Free Justice California
Dignity and Power Now
Ella Baker Center for Human Right
Freedom 4 Youth
Friends Committee on Legislation of California
Hadsell Stormer Renick & Dai LLP
Initiate Justice
Initiate Justice Action
Justice2jobs Coalition
LA Defensa
League of Women Voters of California
Legal Services for Prisoners with Children
Local 148 LA County Public Defenders Union
Mid-City Community Advocacy Network
National Association for Civilian Oversight of Law Enforcement
National Lawyers Guild - Los Angeles
Oakland Privacy
Peace and Justice Law Center
Rubicon Programs
San Diego Organizing Project
San Francisco Public Defender
Sheriff Civilian Oversight Commission
Smart Justice California
Solano County Democratic Central Committee
The Translatin@Coalition
The W. Haywood Burns Institute
Trauma Informed Los Angeles
United Families for Justice
Viet Voices

OPPOSITION: (Verified 9/9/25)

Association for Los Angeles Deputy Sheriffs
California Association of Highway Patrolmen
California State Sheriffs' Association
Los Angeles County Professional Peace Officers Association
Riverside Sheriffs Association
San Diego Sheriff's Office

ASSEMBLY FLOOR: 53-15, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Connolly, DeMaio, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Ávila Farías, Davies, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Macedo, Patterson, Sanchez, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Bains, Carrillo, Castillo, Chen, Lackey, Muratsuchi, Ramos, Michelle Rodriguez, Blanca Rubio, Ta

Prepared by: Alex Barnett / PUB. S. /
9/11/25 10:07:00

**** END ****

THIRD READING

Bill No: AB 881
Author: Petrie-Norris (D), et al.
Amended: 8/28/25 in Senate
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 14-0, 6/10/25
AYES: Padilla, Valladares, Ashby, Blakespear, Cervantes, Dahle, Hurtado, Jones,
Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber Pierson
NO VOTE RECORDED: Archuleta

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 8-0, 7/16/25
AYES: Blakespear, Valladares, Dahle, Gonzalez, Hurtado, Menjivar, Padilla,
Pérez

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 72-0, 5/19/25 - See last page for vote

SUBJECT: Public resources: transportation of carbon dioxide

SOURCE: California State Pipe Trades Council
Sacramento Municipal Utility District

DIGEST: This bill requires the State Fire Marshall (SFM) to adopt regulations to regulate the transportation of carbon dioxide (CO₂) in a pipeline, including certain specified safety standards that, at a minimum, are as protective as the draft regulations proposed by the federal Pipeline and Hazardous Materials Safety Administration (PHMSA).

Senate Floor Amendments of 8/28/25 postpone the date by which the SFM is required to adopt regulations from April 1, 2026 to July 1, 2026, exempt these regulations from provisions in the Administrative Procedures Act related to “major regulations,” and provide that the SFM shall not be considered a lead agency for a

project that includes the construction of a pipeline to transport CO₂ for purposes of the California Environmental Quality Act (CEQA).

ANALYSIS:

Existing law:

- 1) Provides, under the Elder Act, that the SFM exercises safety regulatory jurisdiction over intrastate pipelines used for the transportation of hazardous or highly volatile liquid substances. The Elder Act imposes various requirements in relation to the regulation of these intrastate pipelines. A person who willfully and knowingly violates the Act or a regulation adopted pursuant to the Elder Act is, upon conviction, subject to a fine, imprisonment, or both a fine and imprisonment, as provided.
- 2) Defines “pipeline” for the purposes of the Elder Act, as every intrastate pipeline used for the transportation of hazardous liquid substances or highly volatile liquid substance; and does not include an interstate pipeline subject to federal regulations, a pipeline that transports hazardous substances in a gaseous state, and other specified exclusions. (Government Code § 51010.5)
- 3) Requires the SFM to adopt hazardous liquid pipeline safety regulations in compliance with the federal law relating to hazardous liquid pipeline safety, including, but not limited to, compliance orders, penalties, and inspections and maintenance provisions. (Government Code § 51011)
- 4) Prohibits the use of pipelines to transport CO₂ to or from CO₂ capture, removal, or sequestration projects until the federal PHMSA has concluded a specified rulemaking regarding minimum federal safety standards for transportation of CO₂ by pipeline and the project operator demonstrates that the pipelines meet those standards.
- 5) Governs, under the Administrative Procedures Act (APA), the procedure for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law (OAL). The APA defines a major regulation as any proposed regulation that the agency estimates will have an economic impact on California businesses and individuals of \$50 million or more in any 12-month period. If an agency estimates that the proposed regulation is a “major regulation,” the agency is

required to prepare a Standardized Regulatory Impact Analysis reviewed by the Department of Finance before the regulation can be adopted.

- 6) Grants, pursuant to federal law, the United States Secretary of Transportation the regulatory and enforcement authority over gas and hazardous liquid pipelines, including CO₂ pipelines. (49 United States Code § 60102)
- 7) Prohibits, pursuant to federal law, the United States Secretary of Transportation from prescribing or enforcing safety standards and practices for an intrastate pipeline or intrastate pipeline facility to the extent that the safety standards and practices are regulated by a state authority, except as provided. (49 United States Code § 60105)
- 8) Requires, through the California Environmental Quality Act (CEQA), the lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect.

This bill:

- 1) Requires, on or before July 1, 2026, the SFM to develop regulations to regulate the transportation of CO₂ in a pipeline that are, at a minimum, as protective as standards proposed by the draft federal regulations set forth in the Notice of Proposed Rulemaking publicly issued by the federal Pipeline and Hazardous Materials Administration on January 10, 2025, pursuant to rulemaking (RIN 2137-AF60) regarding the minimum federal safety standards for transportation of carbon dioxide by pipeline (Parts 190 to 1999, inclusive, of Title 49 of the Code of Federal Regulations).
- 2) Provides that regulations developed pursuant to this bill, or any amendment to those regulations, shall be adopted in accordance with the emergency rulemaking process in the APA.
- 3) Provides that regulation adopted pursuant to this bill shall not be considered major regulations under the APA.
- 4) Prohibits an operator from constructing a pipeline transporting CO₂ in a location where one or more sensitive receptors, as defined, are located within the

emergency planning zone of the pipeline, which is defined as an area within two miles of either side of the pipeline, except as provided.

- 5) Provides that the SFM shall not be considered a lead agency for a project that includes the construction of a pipeline to transport CO₂ for purposes of CEQA.
- 6) Requires an operator to submit to the SFM and the public agency that is the lead agency an emergency planning zone inventory and map, as provided, and would require the SFM to review, at least one every three years, the inventory and map for completeness and accuracy.
- 7) Requires the operator to provide, at least every three years, a copy of the inventory and a map determined by the SFM to be complete and accurate and any updates to the inventory and map to local governments providing emergency response services to sensitive receptors within the emergency planning zone that encompasses the pipeline. The SFM is required, at least once every three years, the inventory and map for completeness and accuracy and shall notify the operator of any discrepancy.
- 8) Prohibits a pipeline from being approved to transport CO₂ if the pipeline is originally constructed to transport any other liquid or gas and prohibits the construction of those pipelines using previously used pipe or components.
- 9) Authorizes the SFM, for a pipeline transporting CO₂, to order a pipeline shutdown for violations of the provisions of this bill or if continued pipeline operations present an immediate danger to health, welfare, or the environment.
- 10) Requires, in the event of a pipeline rupture, the pipeline to remain nonoperational until an investigation into the pipeline rupture is completed and the origin and cause of the pipeline rupture is determined.
- 11) Lifts the moratorium on intrastate pipelines used for CO₂ transport for CO₂ capture, removals, or sequestration projects only after the SFM has adopted regulations pursuant to this bill and the pipeline operator demonstrates that the pipeline meets the standards and regulations adopted by the SFM.
- 12) Requires, for a project that includes the construction of a pipeline transporting CO₂ subject to requirements in CEQA, the lead agency to prepare an EIR, or equivalent documentation, as defined, and to certify or adopt those documents for the project.

- 13) Requires the lead agency, at least 30 days before the certification of the EIR to notify the SFM of the project.

Background

Author Statement. According to the author's office, "recognizing its importance – billions of dollars are being invested in carbon capture by industry, the private sector, and governments. In 2022, the Department of Energy (DoE) committed \$3.7 billion to finance projects to remove planet-warming carbon from the atmosphere to meet the nation's goal of net-zero greenhouse gas emissions by 2050. On January 10, 2025, the Biden Administration released draft federal regulations that would have lifted the SB 905 moratorium. Unfortunately, there was not enough time to formalize these regulations by adding them to the federal registry. Under the current administration, federal pipeline safety regulations will – at best – be delayed, or – at worst – non-existent and dangerous. California must act to establish robust pipeline safety regulations. By picking up where the Biden Administration left off, we can accelerate the safe deployment of carbon pipelines in California, leverage billions of dollars in federal support to meet our climate goals, and create thousands of high-road green jobs."

Carbon Capture and Storage. Carbon Capture and Storage (CCS) and carbon removal is a process of separating CO₂ from a point source and putting it into long-term storage, usually by injecting CO₂ into a geological reservoir. This process is generally considered by experts to be a CO₂ reduction strategy, not a CO₂ removal strategy, since it is only reducing CO₂ from anthropogenic sources that would have otherwise entered the atmosphere, rather than removing what was already there. As of January 2025, there are approximately 13 of these projects in various stages of development in California, especially in the central valley.

Transportation is a key component of CCS and carbon removal projects because the location at which CO₂ is captured may be some distance from the point at which it will be geologically sequestered. Transportation can occur by marine tankers, trucks, rail, or pipelines. Experts generally agree that the most efficient way to transport CO₂, as well as the safest way for the volume of CO₂ they move is through pipelines. In many ways, pipelines are also the most cost-effective way to move CO₂.

CO₂ can be transported as a gas, liquid, or supercritical form. At standard temperature and pressure, CO₂ behaves as a gas, when it is cooled and highly

compressed, CO₂ becomes a liquid. When both the temperature and pressure are increased above the standard temperature and pressure, CO₂ exists in a supercritical state, in this state CO₂ has some properties of a gas and some properties of liquid.

Transportation of CO₂ by Pipelines. The federal PHMSA develops and enforces the transportation of hazardous materials via pipelines to ensure the same, reliable and environmentally sound operation of the nation's pipeline transportation system. The PHMSA maintains regulatory jurisdiction over interstate pipelines, which encompasses pipelines that travel between state and in federal waters. In the Areas of CCS and carbon removal projects, PHMSA has no regulatory jurisdiction over interstate or intrastate pipelines transporting CO₂ as a liquid. Federal statute provides PHMSA with regulatory authority over interstate and intrastate pipelines transporting CO₂ as a gas or supercritical state. While PHMSA has released proposed regulations at the end of the Biden Administration, those regulations have been "withdrawn" by the Trump Administration.

In California, the SFM maintains regulatory jurisdiction over hazardous liquid intrastate pipelines. The SFM regulates the safety of nearly 6,000 miles of intrastate hazardous liquid transportation pipelines through a PHMSA certified compliance and enforcement program. With this certification, the SFM may adopt additional safety standards for intrastate pipeline facilities provided such standards are compatible with federal regulation. Those safety standards may be more restrictive or stringent than federal regulation. The California Public Utilities Commission (CPUC), as part of their jurisdiction, ensures that intrastate natural gas and liquid petroleum gas pipeline systems are designed, constructed, operated, and maintained according to safety standards set by the CPUC and the PHMSA. CPUC's existing authority does not extend to intrastate CO₂ gas pipelines.

There is currently, no intrastate CO₂ pipeline in California. When such pipelines are developed, the SFM will exercise jurisdiction over intrastate CO₂ pipelines through the existing federal pipeline safety state program agreement. This agreement delegate's authority for the SMF to regulate intrastate pipelines that carry CO₂ compressed to a supercritical state and composed of at least 90% CO₂. Pipelines transporting less than 90% CO₂, including CO₂ in a liquid or gas form, would likely fall outside the scope of existing regulations, leaving regulation of pipelines transporting CO₂ composed of less than 90% CO₂ or in a liquid gas form to local jurisdictions and those states who choose to adopt regulation.

At this time, significant regulatory uncertainty exists regarding the design, operation, siting, and maintenance of intrastate CO₂ pipelines, regardless of the

state that CO₂ is transported. The SFM is currently limited to applying only federal safety standards to CO₂ pipelines; transport of supercritical CO₂ that is composed of at least 90% CO₂. Establishing separate standards in California that are in addition to federal regulation is only possible if changes are made in state law.

Draft of Federal Regulations. On January 10, 2025, the Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a Notice of Proposed Rulemaking under RIN 2138-AF60, aiming to enhance the minimum federal safety standards for the transportation of CO₂ by pipeline, as outlined in parts 190 to 199 of Title 49 of the Code of Federal Regulations. Ten days later, according to various reports, a federal pipeline safety official not authorized to speak publicly said the proposed rules were “withdrawn” in accordance with a January 20, 2025, executive order by President Trump that freezes all pending regulations and initiatives pending a review process by newly appointed agency leaders. Federal CO₂ transport through pipelines rules were put further in doubt with a February 19 executive order aimed at rooting out all regulations that are costly to “private parties” and impede economic development.

The previously proposed federal regulations sought to address the anticipated expansion of CO₂ pipeline infrastructure driven by increased CCS initiatives. According to the U.S. Department of Energy, the current network of approximately 5,000 miles of CO₂ pipelines is projected to expand significantly to support these initiatives. The Notice of Proposed Rulemaking introduced several key provisions including:

- 1) *Comprehensive Safety Requirements.* For the first time, PHMSA proposed specific regulations for pipelines transporting CO₂ in gaseous and liquid states, complementing existing standards for supercritical CO₂ pipelines. These proposed regulations would have encompass design, installation, operation, maintenance, and reporting protocols.
- 2) *Conversion Standards.* Operators seeking to repurpose existing pipelines for CO₂ transport would have been required to adhere to stringent guidelines, including conducting spike hydrostatic pressure tests and performing in-line inspections within specified timeframes to ensure structural integrity.
- 3) *Emergency Preparedness.* The proposal would have mandated enhanced training for emergency responders, provision of CO₂ detection equipment, and improved public communication strategies during emergencies to bolster safety measures.

- 4) *Vapor Dispersion Analysis*. Operators would have been required to perform detailed analyses to predict the spread of CO₂ in the event of a pipeline failure, thereby aiding in risk assessment and mitigation planning.

SB 905 (Caballero, Chapter 359, Statutes of 2022). In 2022, SB 905 was signed by Governor Newsom. Among other things, the bill prohibits the use of intrastate pipelines to transport CO₂ until the PHMSA completes its rulemaking process. SB 905 required the California Natural Resources Agency (CNRA) to “provide a proposal to the Legislature to establish a state framework and standards for the design, operation, siting, and maintenance of intrastate pipelines carrying CO₂ fluids of varying composition and phase to minimize the risk posed to public and environmental health and safety.”

The proposal was released in March 2023, and included various recommendations “aimed at informing additional legislation that would be necessary to create a robust regulatory framework governing CO₂ pipelines so as to protect public, health, safety, and the environment. These recommendations are made with the recognition that CCS and carbon removal projects, and CO₂ transport, represent a new set of technologies and infrastructure and accordingly, poses, new risks and potential adverse impact to human health, safety, and the environment should a pipeline failure occur.”

One of the recommendations included providing the SFM with clear regulatory authority over pipeline transportation of CO₂ in liquid, gas, and supercritical state to protect public safety. As part of this recommendation the CNRA stated that “clear authority to draft safety-related regulations governing intrastate CO₂ pipelines will avoid ambiguity about which state agency is charged with regulating liquid, gas, and supercritical CO₂ pipelines. It will also ensure a well-defined and understood regulatory process that includes robust public process and allows time to incorporate emerging information from new research and development studies. Additionally the CNRA recommended the SFM with clear administrative and enforcement authority to order intrastate CO₂ pipeline shutdown immediately when safety regulations are violated.”

Related/Prior Legislation

SB 614 (Stern, 2025) adds CO₂ to the substances included in the Elder Act and requires the SFM to adopt regulations governing the safe transportation of CO₂ by April 1, 2026, as specified, and lifts the statewide moratorium on pipelines

transporting CO₂ to or from a carbon capture, removal, or sequestration project.
(Pending in the Assembly Appropriations Committee)

AB 2623 (Arambula, 2024) would have expanded the regulation of intrastate pipelines under the Act to intrastate pipelines used for the transportation of CO₂. Additionally, the bill would have required the SFM to adopt safety-related regulations governing intrastate pipelines transporting CO₂, as provided. (Never heard in the Assembly Utilities and Energy Committee)

SB 905 (Caballero, Chapter 359, Statutes of 2022) requires the California Air Resources Board to establish a Carbon Capture, Removal, Utilization, and Storage Program and adopt regulations for a model unified permit program for the construction and operation of CCRUS projects. In addition, the bill prohibits the use of intrastate pipelines to transport of CO₂ until the PHMSA completes its rulemaking. Furthermore, the bill requires the California Natural Resources Agency to “provide a proposal to the Legislature to establish a state framework and standards for the design, operation, siting, and maintenance of intrastate pipelines carrying CO₂ fluids of varying composition and phase to minimize the risk posed to public and environmental health and safety.

AB 1676 (Luz Rivas, 2022) would have added CO₂, compressed to a supercritical state, to the substances included in the Elder California Pipeline Safety Act, giving the SFM exclusive jurisdiction to regulate intrastate pipeline transportation of CO₂ under the existing provisions of the Elder Act, which currently applies to petroleum and other hazardous liquids. (Never Heard in the Assembly Natural Resources Committee)

SB 295 (Jackson, Chapter 607, statutes of 2015) requires the SFM, to annually inspect all intrastate pipelines and operators of intrastate pipelines under the jurisdiction of the SFM and requires the SFM to adopt regulations implementing these provisions.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 8/29/25)

California State Pipe Trades Council (Co-source)

Sacramento Municipal Utility District (Co-source)

Bloom Energy

California Carbon Solutions Coalition

California Council for Environmental and Economic Balance

California & Nevada State Association of Electrical Workers
California Municipal Utilities Association
Calpine Corporation
Clean Air Task Force
Clean Energy Systems
Coalition of California Utility Employees
District Council 16, Painters and Allied Trades
District Council 36, Painters and Allied Trades
IBEW Local 1245
Independent Energy Producers Association
National Cement of California
Net-Zero California
Pacific Gas and Electric Company
United Association Local 342
United Association Local 250

OPPOSITION: (Verified 8/29/25)

Asian Pacific Environmental Network
Biofuelwatch
California Environmental Justice Alliance
CA Youth vs. Big Oil
Central California Environmental Justice Network
Center for Biological Diversity
Center on Race, Poverty, & the Environment
Climate Equity Policy Center
Climate Hawks Vote
Climate Health Now Action Fund
Climate Reality San Francisco Bay Area Chapter
Consumer Watchdog
El Pueblo Para el Aire y Agua Limpia de Kettleman City
Elders Climate Action
Elders Climate Action – NorCal Chapter
Extinction Rebellion San Francisco Bay Area
Food & Water Watch
Food Empowerment Project
Fossil Free California
Good Neighbor Steering Committee
Greenpeace USA
Interfaith Climate Action Network of Contra Costa County
Labor Rise Climate Jobs Action Group

Leadership Counsel Action
Oil and Gas Action Network
Oil Change International
Physicians for Social Responsibility – Los Angeles
Planning and Conservation League
Progressive Democrats of Benicia
Protect Monterey County
San Francisco Bay Physicians for Social Responsibility
San Francisco Baykeeper
SanDiego350
Santa Cruz Climate Action Network
Science and Environmental Health Network
Social Eco Education
Solano County Democratic Central Committee
Sierra Club California
State Building and Construction Trades Council
Sunflower Alliance
Unidos Network Inc.
West Berkeley Alliance for Clean Air and Safe Jobs
350 Bay Area Action
350 Contra Costa Action
350 Humboldt
350 Santa Barbara
1000 Grandmothers for Future Generations – Bay area

ARGUMENTS IN SUPPORT: According to the California State Pipe Trades Council, “by ensuring the safe transport of CO₂, AB 881 will provide necessary regulatory certainty for industries investing in carbon capture and sequestration projects while creating high-quality jobs for skilled laborers, including members of the California State Pipe Trades Council. Additionally, this bill addresses safety concerns. The 2020 carbon pipeline rupture in Satartia, Mississippi, which led to the hospitalization of 45 individuals due to a CO₂ leak, underscores the necessity of rigorous safety standards.”

According to the Sacramento Municipal Utility District (SMUD), “SMUD has a goal to reach zero carbon emissions in our power supply by 2030, within the guardrails of affordability and reliability. This is the most ambitious goal of any large utility in the United States. We believe proven clean technologies like hydro, solar, wind, biomass, short-duration storage and others already in our power supply will get us up to 90% of the way there. To reach the remaining 10%, while still

maintaining reliable, affordable service for our customers, we need emerging technologies such as carbon capture and storage to close this gap. To this end, SMUD is partnering with Calpine Corporation to retrofit its 550-megawatt Sutter natural gas plant in Yuba City, California, to a carbon capture and storage facility. SMUD will be the off-taker of the energy produced at this facility. AB 881 will ensure that carbon capture and storage projects can proceed in a manner that is protective of public health and safety while also preserving existing jobs and creating new jobs.”

ARGUMENTS IN OPPOSITION: According to opponents of the bill, “both the federal government and California need to fill the dangerous regulatory gaps for CO₂ pipelines before CSS projects are allowed to proceed. Our groups fully support California regulating above and beyond what PHSMA sets as the federal floor. But ending California’s existing partial moratorium before PHSMA’s regulations are complete risks preemption and prevents the state and its residents from benefitting from the nationwide attention and expert input that the federal rulemaking will generate. Ending the moratorium prematurely will also accelerate the poor investment and false climate solutions that is CCS.”

ASSEMBLY FLOOR: 72-0, 5/19/25

AYES: Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Davies, DeMaio, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Addis, Connolly, Dixon, Flora, Jeff Gonzalez, Hart, Papan

Prepared by: Felipe Lopez / G.O. / (916) 651-1530
9/2/25 11:41:47

**** END ****

THIRD READING

Bill No: AB 888
Author: Calderon (D), et al.
Amended: 5/29/25 in Assembly
Vote: 21

SENATE INSURANCE COMMITTEE: 7-0, 7/9/25
AYES: Rubio, Niello, Becker, Caballero, Jones, Padilla, Wahab

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/3/25 - See last page for vote

SUBJECT: California Safe Homes grant program

SOURCE: Insurance Commissioner Ricardo Lara/California Department of Insurance

DIGEST: This bill creates the California Safe Homes grant program within the California Department of Insurance (CDI) with the goals of reducing local and statewide wildfire losses, improving the insurability and resilience of vulnerable communities, and home hardening to mitigate wildfire risk and reduce the cost of insurance.

ANALYSIS:

Existing law:

- 1) Establishes the “Safer from Wildfires” Framework within the California Code of Regulations, with the goal of reducing wildfire risk and making homes and businesses more resilient to wildfires.
- 2) Authorizes formation of a joint powers agreement between the Department of Forestry and Fire Protection (CAL FIRE) and the Office of Emergency Services (CAL OES) to administer the California Wildfire Mitigation Financial

Assistance Program, known as the California Wildfire Mitigation Program (CWMP) that focuses on offering financial assistance to vulnerable populations in wildfire-prone areas, as well as cost-effective structure hardening and retrofitting to create fire-resistant homes, defensible space, and vegetation management activities.

- 3) Requires the joint powers authority to develop eligibility criteria for property owners, community organizations, and local governments that may receive financial assistance under the wildfire mitigation program.

This bill:

- 1) Establishes the California Safe Homes Grant Program (Program), to be developed and administered by CDI for the purposes of:
 - a) Reducing local and statewide wildfire losses
 - b) Improving insurability and resilience of vulnerable communities
 - c) Home hardening of insurable properties to mitigate wildfire risk and enable consumers to get access to insurance premium incentives offered by insurance companies in alignment with CDI's rules
- 2) Creates the Sustainable Insurance Account within the Insurance Fund. Specifies that funds in the account shall be available upon appropriation by the Legislature or upon receipt of federal, or other grants or funds, and that these funds cannot be redistributed.
- 3) States that CDI may adopt rules and establish eligibility requirements and additional procedures for the administration of the Program, and in accordance with any conditions associated with grants or funds received by the Program. Additionally, CDI may contract with a third party to assist with Program administration.
- 4) Requires CDI, when awarding grant funds, to prioritize the following:
 - a) Replacement roofs to align with the standards specified in the Safer from Wildfires regulations
 - b) Creation of a five-foot non-combustible zone around the structure to align with the standards specified in the Safer from Wildfires regulations

- c) Projects that improve community mitigation to reduce the risk of losses caused by wildfires, with consideration to collective actions that mitigate risks by addressing risk factors on structures in the surrounding area that exacerbate insurable wildfire losses, alignment with existing risk mitigation, and anticipated benefit to insurance policyholders
- 5) Provides that eligible individuals must meet the following criteria:
- a) The property is covered by an admitted insurer or the California FAIR Plan Association (FAIR Plan)
 - b) The property is in a ZIP Code that overlaps with a high or very high fire hazard severity zone
 - c) The income of the applicant is no higher than the low-income limit for the county in which they reside
- 6) Provides that eligible cities, counties, and special districts must demonstrate the alignment of the use of grant funds to enhance and expand the grant funding priorities mentioned above and the criteria for tracking performance.
- 7) Requires CDI to collect information on the use of the grant funds, including receipt for contractor services, written attestation of work done by recipient, and documentation that demonstrates if the grantee qualified for wildfire incentives from their insurance company, as well as regional information on the geographic distribution of grant funding.
- 8) Requires the FAIR Plan to submit an annual report to CDI stating the number of policyholders that have qualified for each of the wildfire mitigation rating factors specified under the Safer from Wildfires regulations.
- 9) Requires CDI, on or before January 1, 2027, and every two years thereafter to publish a performance report using aggregate information collected from grantees and metrics for the beneficial impacts of the grants awarded, including the funding for each of the mitigation actions, geographic distributions, and recommendations on how to improve the implementation of the program. This report will be submitted to the Legislature and posted on CDI's website.

Background

Safer From Wildfires Framework. Announced in 2022 by CDI and instituted in regulations, the Safer from Wildfires Framework directs insurers to provide discounts to consumers and businesses if they take specified mitigation measures. To produce this regulation, CDI worked with emergency preparedness agencies in the Governor’s Administration, including CAL FIRE, Cal OES, the Governor’s Office of Planning and Research, and the California Public Utilities Commission. The Framework is founded on a “ground-up” approach for wildfire resilience with three layers of protection for the structure, the immediate surroundings, and the community. Insurance companies operating in California must recognize and offer discounts to homeowners and businesses that undertake wildfire mitigation efforts as part of the state's Safer from Wildfires Framework. Insurance companies must also provide consumers with their property’s “wildfire risk score” and a right to appeal that score.

Related/Prior Legislation

SB 616 (Rubio, Cortese, Stern, 2025). Would create an independent Community Hardening Commission within CDI, with the goals of developing a unified and centralized fire mitigation standard for all levels of government across the state, as well as generating guidelines to enable the creation of a wildfire data sharing platform.

AB 1 (Connolly, 2025). Would require, by January 1, 2030, and every five years thereafter, CDI to consider whether to update the Safer from Wildfires regulations to include certain building hardening measures.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

“Unknown General Fund cost pressures, likely in the millions of dollars to fund the grant program. The bill specifies program operation will be upon appropriation by the Legislature, upon receipt of federal grants or funds, or upon receipt of other sources of grants or funds. While it is unknown at what level the program would be funded at, or what non-state funds the program may receive, CDI estimates the initial funding required to operate the program at \$3 million General Fund.”

SUPPORT: (Verified 8/29/25)

Insurance Commissioner Ricardo Lara/California Department of Insurance
(Source)

American Property Casualty Insurance Association

Association of California Cities - Orange County (ACC-OC)

Berkeley; City of

Brea; City of

Burbank/Burbank Redevelopment Agency; City of

California Association of Realtors

California State Association of Counties

California Democratic Party Rural Caucus

Ceres, INC.

City of Agoura Hills

City of Arcadia

City of La Verne

City of Los Alamitos

City of Paramount

City of San Luis Obispo

City of Thousand Oaks

East Bay Wildfire Coalition of Governments

Independent Insurance Agents & Brokers of California, INC.

James Hardie

League of California Cities

Little Hoover Commission

Los Angeles County Division, League of California Cities

Marin Wildfire Prevention Authority

Mayor Todd Gloria, City of San Diego

Megafire Action

National Association of Mutual Insurance Companies

Orange County Council of Governments

Orinda; City of

Pacific Association of Domestic Insurance Companies

Personal Insurance Federation of California

San Francisco Bay Area Planning and Urban Research Association

San Gabriel Valley Council of Governments

San Gabriel Valley Economic Partnership

San Rafael/Marin County Council of Mayors & Council Members; City of

South Bay Cities Council of Governments

Southern California Association of Governments

Tri-Valley Cities of Dublin, Livermore, Pleasanton, San Ramon, and Town of

Danville
United Policyholders

OPPOSITION: (Verified 8/29/25)

None received

ARGUMENTS IN SUPPORT:

According to the bill's sponsor, Insurance Commissioner Ricardo Lara:

“There are very few existing funding sources for Californians to replace a roof with one that would decrease their fire risk. Replacement roofs are among the costliest yet most effective wildfire mitigation measures a homeowner can take. Current programs have strict eligibility criteria, limited funding, and allocate funds across a variety of mitigation efforts. AB 888 would fill this gap by specifically targeting two critical measures: replacing roofs with fire-safe options, and creating a non-combustible zone in the first five feet – two of the most expensive mitigation actions that can bring down the fire risk for the entire community. Because risk mitigation benefits not only the homeowner replacing their roof but contributes to the safety of the community as a whole, the grant program will also benefit consumers that do not directly receive the grant funds.

Drawing from Alabama and Louisiana's success with similar initiatives, a goal of the bill is to influence consumer and contractor behavior, encouraging broader adoption of fire-safety beyond the scope of the program. AB 888 has the potential for significant and broad impact, encouraging widespread adoption of fire-resistant measures across California.”

ASSEMBLY FLOOR: 79-0, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca

Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta,
Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Brandon Seto / INS. / (916) 651-4110

8/29/25 20:41:29

****** END ******

THIRD READING

Bill No: AB 904
Author: Aguiar-Curry (D)
Amended: 9/3/25 in Senate
Vote: 21

SENATE HUMAN SERVICES COMMITTEE: 4-0, 6/16/25
AYES: Arreguín, Becker, Limón, Wahab
NO VOTE RECORDED: Ochoa Bogh

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 62-4, 5/19/25 - See last page for vote

SUBJECT: Childcare services: workday

SOURCE: Author

DIGEST: This bill amends the definition of “workday” to include time a parent requires child care in order to search for a job, care for oneself during pregnancy-related leave from work, or care for a family member during a period of paid family leave. This bill codifies the definition of “parental incapacity” and requires a parent to provide a self-attestation at the time of eligibility certification or recertification if they are on family and medical leave from employment.

Senate Floor Amendments of 9/3/25 revise the meaning of and references to parental incapacity for subsidized child care eligibility.

ANALYSIS:

Existing law:

- 1) Defines “childcare and development services” to mean services designed to meet a wide variety of children and families’ needs while parents and guardians are working, in training, seeking employment, incapacitated, or in need of respite. (Welfare and Institutions Code (WIC) 10213.5(j))

- 2) Defines “workday” as meaning the time that the parent requires temporary care for a child for any of the following reasons: to undertake training in preparation for a job; to undertake or retain a job; or to undertake other activities that are essential to maintaining or improving the social and economic function of the family, are beneficial to the community, or are required because of health problems in the family. (WIC 10213.5(ah))
- 3) Provides that, in order to be eligible for federal and state subsidized child development services, families shall meet at least one requirement in each of the following areas:
 - a) A family is either:
 - i) A current aid recipient,
 - ii) Income eligible,
 - iii) Homeless,
 - iv) One whose children are recipients of protective services, or whose children have been identified as being or at risk of being abused, neglected, or exploited, or
 - v) One who has a member of its household who is certified to receive benefits from specified means-tested government programs, as determined by the California Department of Social Services (CDSS).
 - b) A family needs the child care services:
 - i) Because the child is identified as:
 - (1) A recipient of protective services,
 - (2) Being neglected, abused, or exploited, or at risk of neglect, abuse, or exploitation, or
 - (3) Being homeless; or
 - ii) Because the parents are:

- (1) Engaged in vocational training leading directly to a recognized trade, paraprofession, or profession,
 - (2) Engaged in an educational program for English language learners to attain a high school diploma or general educational development certificate,
 - (3) Employed or seeking employment,
 - (4) Seeking permanent housing for family stability, or
 - (5) Incapacitated. (WIC 10271(a))
- 4) Establishes priority for federal and state subsidized child development services as follows:
 - a) First priority shall be given to neglected or abused children who are recipients of child protective services, or children who are at risk of being neglected or abused, as specified.
 - b) Second priority shall be given equally to eligible families, regardless of the number of parents in the home, who are income eligible. Families with the lowest gross monthly income in relation to family size, as determined by a schedule adopted by CDSS, shall be admitted first. If two or more families are in the same priority in relation to income, prioritization shall be as follows: a family with a child with exceptional needs shall be admitted first, then a family in which the primary home language is a language other than English, then the family that has been on the waiting list for the longest time. (WIC 10271(b))
- 5) Requires a family, except as provided, upon establishing initial eligibility or ongoing eligibility for child care services, to be considered to meet all eligibility and need requirements for those services for not less than 24 months, to receive those services for not less than 24 months before having their eligibility or need recertified, and to not be required to report changes to income or other changes for at least 24 months. (WIC 10271(h)(1))
- 6) Requires a family that establishes initial eligibility or ongoing eligibility on the basis of income to report increases in income that exceed the threshold for ongoing income eligibility, which is at or below 85% of the state median

income, adjusted for family size, and requires the family's ongoing eligibility for services to be recertified at that time. (WIC 10271(h)(3))

- 7) Defines "parental incapacity" as the temporary or permanent inability of the child's parent(s) to provide care and supervision of the child(ren) for any part of the day due to a physical and/or mental health condition. (5 California Code of Regulations (CCR) 18078(r))
- 8) Specifies that, if the basis of need as stated on the application for services is parental incapacity, the following shall apply:
 - a) The certified schedule for early learning and care services shall not exceed 50 hours per week; and,
 - b) The parent's period of eligibility for early learning and care services shall be for no less than 12 months and the parent shall receive services for not less than 12 months before having eligibility and need recertified. (5 CCR 18088(a))
- 9) Requires documentation of parental incapacity to include a release signed by the incapacitated parent authorizing a legally qualified health professional to disclose information necessary to establish that the parent meets the definition of parental incapacity and needs services. (5 CCR 18088(b))
- 10) Requires the documentation of incapacitation provided by the legally qualified health professional to include: a statement that the parent is incapacitated and incapable of providing care or supervision of the child for part of the day; the days and hours per week that services are recommended to accommodate the incapacitation; the name, business address, telephone number, professional license number, and signature of the legally qualified health professional who is rendering the opinion of incapacitation; and, if applicable, the name of the health organization with which the professional is associated. (5 CCR 18088(c))
- 11) Authorizes the contractor to contact the legally qualified health professional for verification or clarification. (5 CCR 18088(d))
- 12) Requires the contractor to determine the days and hours of the certified schedule based on the parent's requested days and hours and the recommendation of the health professional. (5 CCR 18088(e))

This bill:

- 1) States the intent of the Legislature to improve access to child care to support families with young children in finding and maintaining employment during a period of transition by ensuring uninterrupted access to child care.
- 2) Amends the definition of “workday” to additionally include time that a parent requires temporary care for a child for any of the following reasons:
 - a) To search for a job.
 - b) To provide care for oneself during a pregnancy-related leave from work.
 - c) To provide care for a family member during a period of family leave.
- 3) Defines “parental incapacity” as the temporary or permanent inability of a child’s parent or parents to provide care and supervision of the child for any part of the day. Specifies this may be due to a physical or mental health condition, including a physical or health condition related to pregnancy.
- 4) Specifies, for purposes of eligibility for federal and state subsidized child development services, a family that needs child care services because the parents are employed or seeking employment includes time while on family and medical leave from employment.
- 5) Requires a parent, if they are on family and medical leave from employment at the time of eligibility certification or recertification, consistent with state or federal family or medical leave laws, to provide a self attestation, under penalty of perjury, that they are on leave. Requires the contractor to determine their certified schedule based on the employment verification.
- 6) Specifies no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution.

Background

Child Care Eligibility. Certain eligibility and prioritization rules apply to subsidized child care in California. Families are eligible for non-CalWORKs subsidized child care if they meet at least one requirement in each of two areas: eligibility and need. First, they must meet one of the eligibility criteria, which include currently receiving aid, being income eligible, experiencing homelessness,

or having children who are recipients of protective services or who have been identified as being, or at risk of being, abused, neglected, or exploited. Second, the family must meet one of the “need” requirements, which are either that the child has been identified as a recipient of protective services or being, or at risk of being, abused, neglected or exploited; or the parents need to be employed or seeking employment, engaged in vocational training, seeking permanent housing for family stability, or are incapacitated.

Definition of Workday. With regard to subsidized child care administration, state law defines “workday” as the time that a parent requires temporary care for a child for any of the following reasons: to undertake training in preparation for a job, to undertake or retain a job, or to undertake other activities that are essential to maintaining or improving the family’s social and economic function, beneficial to the community, or required because of health problems in the family. When determining a parent or family’s allowable hours for child care, an Alternative Payment Program agency must verify the parent’s work or school schedule, then add any time needed to commute to work or school. Under current law, taking leave from work, including pregnancy and family leave, does not qualify a parent to receive subsidized child care. This means that if a parent’s eligibility recertification month lands during the time they are on leave from work they would not have an eligible need for child care. Parents on pregnancy leave can prove their need for child care if they follow steps outlined in regulations to prove parental incapacity, described below. Parents on family leave from work would lose their eligibility, as they would no longer be deemed as having a need for child care.

Parental Incapacity. Title 5 licensing regulations define “parental incapacity” as the temporary or permanent inability of the child’s parent to provide care and supervision of the child for any part of the day due to a physical and/or mental health condition. Regulations additionally describe the required documentation to prove parental incapacitation and determine the certified schedule for care. This process includes obtaining documentation of incapacitation provided by a qualified health professional and signed authorization release allowing the health professional to disclose relevant information. According to Child Action, Inc., an Alternative Payment Program agency, this often results in parents needing to make time to visit their doctor in person to get the incapacity paperwork completed. Additionally, according to Child Action, Inc., Kaiser Permanente, one of the region’s largest healthcare providers, no longer allows doctors to fill out parental incapacity forms. Instead, Kaiser redirects parents to a business services office and uses its own form, creating more administrative hurdles for families.

Benefits of Paid Leave. According to Prenatal-to-3 Policy Impact Center, studies have found that six weeks of paid leave immediately after the birth or adoption of a child leads to improvements in children’s physical health and safety, both in infancy and longer term; increases timely vaccinations; boosts maternal mental health; and increases parent-child activities together, including reading and meals. Additionally, according to a study by the Office of the Assistant Secretary for Planning and Evaluation (ASPE), paid family leave around the time of childbirth can support lower income mothers’ return to work. ASPE found that paid family leave assisted mothers in making child care arrangements by providing time for them to find care and address logistics, and to let babies acclimate to care.

Related/Prior Legislation

SB 792 (Arreguín) of the current legislative session would make a series of changes to child care programs, including: aligning the income cap for disenrollment from subsidized child care programs with the income eligibility cap at 85% of the state median income, extending the family fee exemption for a family with children who are recipients of child protective services, and amending the definition of “attendance.” The bill is pending in the Senate Human Services Committee.

AB 1528 (Committee on Human Services) of the current legislative session would, among other things, extend family fee exemptions from 12 to 24 months for children referred for or at risk of receiving child protective services and amend the definition of “attendance.” The bill is pending in the Senate Human Services Committee.

Comments

This bill seeks to make retaining eligibility for subsidized child care easier for parents by recognizing pregnancy and family leave as an eligible need. Simply being on leave from work would not make someone eligible for child care; the parent or family would still need to be income eligible to receive a child care subsidy. This bill would allow families on leave from work to maintain their existing child care arrangement.

This bill would additionally recognize that care work is real work that often requires one’s whole focus. Taking leave from work to care for oneself during or after pregnancy or to care for a family member can be a vulnerable time. Additionally, it may not be optimal for caretakers to multitask care for a family member and young children. This bill would ensure that families do not have to

choose between priorities and would expand the capacity of caretakers to provide for the wellbeing of the whole family.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 9/3/25)

Child Action, Inc.
Child Care Resource Center
Children Now
Grace Institute - End Child Poverty in CA
Silicon Valley Community Foundation

OPPOSITION: (Verified 9/3/25)

None received

ASSEMBLY FLOOR: 62-4, 5/19/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Lackey, Sanchez, Tangipa

NO VOTE RECORDED: Castillo, Chen, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Kalra, Macedo, Papan, Patterson, Ta

Prepared by: Diana Dominguez / HUMAN S. / (916) 651-1524
9/6/25 10:30:15

**** END ****

THIRD READING

Bill No: AB 962
Author: Hoover (R)
Introduced: 9/3/25 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 6-0, 6/11/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Laird
NO VOTE RECORDED: Gonzalez

ASSEMBLY FLOOR: 75-0, 4/24/25 (Consent) - See last page for vote

SUBJECT: Pupil safety: comprehensive school safety plans: use of smartphones

SOURCE: Author

DIGEST: This bill authorizes a prohibition on smartphone use of a student in the case of emergency or in response to a perceived threat of danger, if that circumstance is explicitly addressed in a comprehensive school safety plan.

Senate Floor Amendments of 9/3/25 resolve a chaptering out conflict with AB 1216 (Assembly Committee on Education, Chapter 88, Statutes of 2025).

ANALYSIS:

Existing law:

- 1) Requires the governing board of a school district, county office of education (COE), and the governing body of charter school to develop and adopt a policy by July 1, 2026, to limit or prohibit the use of smartphones by students while they are at school or under the supervision of a school employee, and to update the policy every five years. (Education Code (EC) § 48901.7(a))
- 2) Prohibits an LEA's adopted smartphone use policy from restricting a student's use of a smartphone under any of the following circumstances:

- a) In the case of an emergency, or in response to a perceived threat of danger;
 - b) When a teacher or administrator grants permission to a student to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator;
 - c) When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the student; or
 - d) When the possession or use of a smartphone is required in a student's individualized education program (IEP). (EC § 48901.7(b))
- 3) Requires each school district or COE to be responsible for the overall development of all CSSPs for its schools operating kindergarten or any of grades 1 through 12. (EC § 32281)
- 4) Requires that the CSSP include an assessment of the current status of school crime committed on school campuses and at school-related functions and identification of appropriate strategies and programs to provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including child abuse reporting procedures; disaster procedures; an earthquake emergency procedure system; policies regarding pupils who commit specified acts that would lead to suspension or expulsion; procedures to notify teachers of dangerous pupils; a discrimination and harassment policy; the provisions of any schoolwide dress code; procedures for safe ingress and egress of pupils, parents, and school employees to and from school; a safe and orderly environment conducive to learning; and rules and procedures on school discipline. (EC § 32282)
- 5) Requires the CSSP to be submitted annually to the school district or COE for approval and requires a school district or COE to notify the California Department of Education (CDE) by October 15 of every year of any school that is not in compliance. (EC § 32288)

This bill authorizes a prohibition on smartphone use of a student in the case of emergency or in response to a perceived threat of danger, if that circumstance is explicitly addressed in a comprehensive school safety plan.

Comments

- 1) *Need for the bill.* According to the author, “AB 3216 was signed into law in 2024 requiring all schools to adopt a student smartphone policy limiting their use during the school day by July 2026. With this forthcoming requirement, there is anticipated confusion in regards to any potential conflicts between student smart phone policies and school safety plans when responding to an emergency. AB 962 would provide that unless a school’s Comprehensive Safety Plan includes language that addresses student smartphone use during a school emergency, the student smartphone access requirements set by law in 2024 must apply. Eliminating this confusion will ensure smooth coordination amongst emergency responders (police, fire, EMTs) and school officials, and further protect the collective safety of students, teachers, and administrators.”
- 2) *Comprehensive School Safety Plans.* LEAs, COEs, and charter schools serving students in grades kindergarten through 12 are required to develop and maintain a CSSP designed to address campus risks, prepare for emergencies, and create a safe, secure learning environment for students and school personnel.

The law requires designated stakeholders to annually engage in a systematic planning process to develop strategies and policies to prevent and respond to potential incidents involving emergencies, natural and other disasters, hate crimes, violence, active assailants/intruders, bullying and cyberbullying, discrimination, and harassment, child abuse and neglect, discipline, suspension and expulsion, and other safety aspects.

The law requires that each school update and adopt its CSSP by March 1 annually. Before an LEA, COE, or charter school adopts their CSSP, the schoolsite council or school safety planning committee must hold a public meeting at the schoolsite to allow members of the public to express an opinion about the school safety plan. The schoolsite council or school safety planning committee must also notify the local mayor and representatives of the following:

- a) The local school employee organization.
- b) The parent organization at the school site, including the parent-teacher association and parent-teacher clubs.

- c) Each teacher organization at the school site.
- d) The student body government.
- e) All persons who have indicated they want to be notified.

Once the public meeting has been held and the CSSP is adopted, the school must submit its CSSP to its respective LEA or COE for approval. LEAs and COEs must annually notify the CDE by October 15 of any schools that have not complied with requirements. Statute also requires the CDE to develop and post on its website best practices for reviewing and approving school safety plans.

- 3) *School smartphone use policies.* Since the passage of AB 272 (Muratsuchi, Chapter 42, Statutes of 2019), LEAs have had the explicit authorization to adopt policies to limit or prohibit student use of smartphones while they are on a schoolsite or are under the supervision of an LEA employee. Alongside this authorization, AB 272 also established circumstances under which a pupil *shall not* be prohibited from possessing or using a smartphone. These circumstances are as follows:

- a) In the case of an emergency, or in response to a perceived threat of danger.
- b) When a teacher or administrator of the school district, COE, or charter school grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.
- c) When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil.
- d) When the possession or use of a smartphone is required in a pupil's IEP.

With the passage of AB 3216 (Hoover, Chapter 500, Statutes of 2024), this authorization afforded to LEAs became a requirement, thus requiring the governing boards of LEAs, to develop and adopt a smartphone use policy by July 1, 2026, and update that policy every five years thereafter.

- 4) *Mixed messaging.* This bill aims to address a point of confusion that has arisen as LEAs prepare to adopt smartphone use policies in compliance with the new

requirement. According to the bill's proponent, the Association of California School Administrators:

"The CSSP, developed in collaboration with school communities and emergency responders, often includes policy limiting student smartphone use during emergencies unless at the direction of school personnel. This is for several reasons including mitigating the spread of misinformation as well as protecting against location sharing that could inadvertently increase the risk for a student and those around them.

".. [C]urrent law related to student smartphone use policies provides some exceptions to restricting smartphone use, including in the case of an emergency, or in response to a threat of danger. Our members have expressed concerns about potential inconsistencies with their CSSP and we believe addressing the issue now will help ensure a more seamless policy adoption and revision process."

Examples of CSSP provisions that address smartphone use during emergencies include the following:

"While in the area under threat, all cell phones, beepers and hand-held radios should be turned off since many explosive devices can be triggered by radio transmissions. Bomb threat experts recommend no radio transmission within 500 feet of a device, or suspected location of a device. Use of any electronic device within the 500' restriction zone must be cleared in advance with the Incident Commander."

"In the event of an emergency, the safety and well-being of the students is the top priority. In certain emergency situations, students will be allowed access to their cell phones, and staff will ensure that students can use their devices when it is deemed safe and necessary."

"This measure (smartphone use) is intended to allow students to communicate with their families to give and receive important updates. Our staff is trained to assess emergency situations and will guide students appropriately to ensure that the use of cell phones does not interfere with safety protocols or emergency procedures."

This bill addresses this conflict by establishing that if a comprehensive school safety plan has provisions that address smartphone use during emergency

situations or incidences of perceived threats, then those provisions serve as a permitted exception to the mandated access provisions under existing law.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 9/3/25)

Association of California School Administrators
California Association of School Business Officials
California IT in Education
California School Nurses Organization
Small School Districts Association

OPPOSITION: (Verified 9/3/25)

None received

ASSEMBLY FLOOR: 75-0, 4/24/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Chen, Gallagher, Harabedian, Lackey

Prepared by: Therresa Austin / ED. / (916) 651-4105
9/8/25 21:29:48

**** END ****

THIRD READING

Bill No: AB 963
Author: Petrie-Norris (D)
Amended: 9/9/25 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 7/9/25
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE JUDICIARY COMMITTEE: 11-2, 7/15/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener
NOES: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: 6-1, 8/29/25
AYES: Caballero, Cabaldon, Dahle, Grayson, Richardson, Wahab
NOES: Seyarto

ASSEMBLY FLOOR: 69-4, 6/2/25 - See last page for vote

SUBJECT: Public works: prevailing wages: access to records

SOURCE: International Union of Painters and Allied Trades, District Council 16

DIGEST: This bill requires an owner or developer undertaking any work subject to prevailing wage requirements to make certain records available to the Division of Labor Standards Enforcement (DLSE), multi-employer Taft-Hartley trust funds, and joint labor-management committees (JLMCs), as specified.

Senate Floor Amendments of 9/9/25 1) apply the bill's provisions to an "owner or developer" undertaking any work *subject to prevailing wage* requirements, rather than an owner or developer undertaking *any public works project*; 2) modify the definition of "owner or developer;" 3) expand the list of documents DLSE, multi-employer Taft-Hartley trust funds, and JLMCs can request to include, among other things, requests for bids, lists of bids received, total bid amounts, and final

executed construction contracts; 4) extend the timeline an owner or developer has to comply with a request from 10 calendar days to 30 calendar days; 5) modify when DLSE can enforce penalties against an owner or developer for noncompliance; and 6) require a request for records to be made within three years of the completion of the work subject to prevailing wage requirements.

ANALYSIS:

Existing federal law:

- 1) Permits, pursuant to the Labor Management Cooperation Act of 1978, the establishment of plant, area, and industrywide labor management committees JLMCs, which have been organized jointly by employers and labor organizations representing employees in that plant, area, or industry, as specified. (29 U.S.C. §175a)
- 2) Establishes multiemployer Taft-Hartley trust funds, which are collectively bargained pension, health, or welfare benefit trusts jointly administered by an equal number of employer and employee representatives, as specified. (29 U.S.C. §186(c)(5)-(c)(8))

Existing state law:

- 1) Establishes within the Department of Industrial Relations (DIR) the Division of Labor Standards Enforcement (DLSE) under the direction of the Labor Commissioner (LC), and empowers the LC to ensure a just day's pay in every work place and to promote justice through robust enforcement of labor laws. (Labor Code §79-107)
- 2) Defines "public works," for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. (Labor Code §1720(a))
- 3) Specifies that if the state or political subdivision reimburses a private developer for costs that would normally be borne by the public, or provides directly or indirectly a public subsidy to a private development project that is de minimis in the context of the project, an otherwise private development project *is not subject to public works law*. (Labor Code §1720(c)(3))
- 4) Requires that not less than the general prevailing rate of per diem wages be paid to all workers employed on a "public works" project costing over \$1,000 dollars

and imposes misdemeanor penalties for violation of this requirement. (Labor Code §1771)

- 5) Requires each contractor and subcontractor to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. (Labor Code §1776 (a))
- 6) Requires the payroll records in 5), above, to be certified and made available for inspection to all of the following:
 - a) An employee or an employee's authorized representative, upon request.
 - b) A representative of the body awarding the contract and DLSE.
 - c) The public, however, requests by the public shall be made through either the body awarding the contract or DLSE.(Labor Code §1776(b))
- 7) Requires contractors or subcontractors to file a certified copy of payroll records with the entity that requested the records within 10 days after receipt of written request. (Labor Code §1776(d))
- 8) Requires contractors and subcontractors, in the event that they do not comply within the 10- day period, to pay to the state or subdivision on whose behalf the contract was made or awarded a penalty of \$100 per day or portion thereof for every worker until strict compliance is effectuated. A contractor is not subject to a penalty due to the failure of a subcontractor to comply with this section. (Labor Code §1776(h))
- 9) Specifies that any records made available for inspection as copies and furnished upon request to the public or any public agency by the awarding body or DLSE shall be marked or obliterated to prevent disclosure of an individual's name, address, and social security number. The name and address of the contractor awarded the contract or the subcontractor performing the contract shall not be marked or obliterated. (Labor Code §1776(e))
- 10) Requires any copy of payroll records in 5), above, made available for inspection by, or furnished to, JLMCs to be marked or obliterated only to prevent disclosure of an individual's social security number. Records made

available to a multiemployer Taft-Hartley trust fund shall be marked or obliterated only to prevent disclosure of an individual's full social security number, but shall provide the last four digits. (Labor Code §1776(e))

- 11) Requires contractors and subcontractors, while performing public works, to furnish specified payroll records at least once a month directly to the LC, in an electronic format, in the manner prescribed by the LC, on the department's internet website. (Labor Code §1771.4(a)(3))
- 12) Requires a contractor, bidder, or other entity to provide to the public entity or other awarding body, on a monthly basis while the project or contract is being performed, a report demonstrating compliance with skilled and trained workforce requirements. (Public Contract Code §2602)

This bill:

- 1) Requires an owner or developer undertaking any work, subject to prevailing wage requirements, as specified, to make the following records with respect to that work available upon request to DLSE, multiemployer Taft-Hartley trust funds, and JLMCs:
 - a) Request for bids.
 - b) Lists of bids received and total bid amount.
 - c) Final executed construction contracts, between the direct contractor and either the owner or developer, demonstrating compliance with contract requirements found within public works law, as specified.
 - d) The names and license numbers of the contractors and subcontractors performing the work.
 - e) A certified copy of payroll records, as described in Section 1776 of the Labor Code, if the owner or developer has possession, custody, or control of these records.
 - f) If the owner or developer were required to provide an enforceable commitment that a skilled and trained workforce will be used to complete a contract or project, the monthly reports required under Section 2602 of the Public Contract Code.
- 2) Provides that any records of work performed that are made available under the requirements of 1), above, be redacted only to prevent disclosure of social security numbers, but allows an owner or developer to redact pricing information and other proprietary or confidential information from contracts and subcontracts if that information has not been made public. The names of

contractors and subcontractors, the scope of work, and any contractual requirements to pay prevailing wages or use a skilled and trained workforce shall not be redacted.

- 3) Requires an owner or developer to reasonably assist in identifying responsive records when the requesting department, trust fund, or JLMC has identified the documents or information sought with specificity.
- 4) Provides that an owner or developer has 30 days in which to comply with a written request for records enumerated in 1), above. The requesting and responding parties may agree in writing to an extension of time to respond.
- 5) Provides that, in the event an owner or developer fails to comply with a request from a multi-employer Taft-Hartley trust fund or JLMC, the fund or JLMC may submit a complaint to DLSE 30 calendar days after compliance was required.
- 6) Requires DLSE, if a complaint is received pursuant to 4), above, to submit to the owner or developer a new written request for the records enumerated in 1), above.
- 7) Provides that if an owner or developer fails to comply with a request from DLSE within 10 calendar days, the owner or developer shall be subject to a penalty by the LC until strict compliance is effectuated.
- 8) Provides that the penalty for an owner or developer's failure to provide certified payroll records, as specified, shall be one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, starting from the first day following the 10-day period in 7), above.
- 9) Provides that the penalty for an owner or developer's failure to provide the following: request for bids, list of bids received and total amounts, final executed construction contracts, as specified, the names and license number of the contractors and subcontractors performing the work, and monthly reports demonstrating compliance, shall be five hundred dollars (\$500) for each calendar day, or portion thereof, for each worker, starting from the first day following the 10-day period in 7), above.
- 10) Requires penalties received pursuant to 8) and 9), above, to be deposited in the State Public Works Enforcement Fund, as specified.

- 11) Requires the Director of DIR to adopt rules consistent with the California Public Records Act and the Information Practices Act of 1977 governing the release of records enumerated in 1), above, including the establishment of reasonable fees to be charged for reproducing copies of records.
- 12) Provides that "owner or developer" includes a corporation, limited liability company, partnership, joint venture, or other legal entity, that enters into a contract with a contractor to perform work on a project first advertised for bid or, if there is no bid advertisement date, executed on or after January 1, 2026, but does not include the state or a political subdivision.
- 13) Prohibits a multiemployer Taft-Hartley trust fund or JLMC from disclosing or sharing a certified copy of payroll records or an executed construction contract received under these provisions.
- 14) Authorizes a multiemployer Taft-Hartley trust fund or JLMC to share a certified copy of payroll records or an executed construction contract with DLSE or an awarding agency to provide evidence of a violation of these provisions.
- 15) Requires a request for the records in 1), above, to be made within three years of the completion of the work subject to prevailing wage requirements.

Comments

California's public works laws prevent worker exploitation and promote the creation of a skilled workforce. Recently, the Legislature has extended prevailing wage requirements to *non-public works projects*. These extensions are typically found in statutes governing housing and energy projects.

This bill, AB 963, would require an owner or developer undertaking any work subject to prevailing wages to make specified documents, including requests for bids, final executed construction contracts, and payroll records available to DLSE, multiemployer Taft-Hartley trust funds, and JLMCs, as specified.

Senate Floor Amendments of 9/9/25 may do the following:

- Though projects subject to prevailing wage extensions are not governed by the full breadth of public works law, these projects often include a requirement to maintain certified payroll records and make them available, pursuant to Labor

Code Section 1775. Under this section, a request to inspect payroll records must be made through either DLSE or the awarding body. Once made, contractors and subcontractors have ten days upon receipt of a written request to furnish the records.

AB 963 would extend the timeline that an owner or developer has to comply with a request for payroll records from 10 days to 30 days. This could create statutory inconsistencies for non-public works projects (such as some housing or energy projects) that are still subject to prevailing wage and record keeping requirements, pursuant to Labor Code Section 1775, but are not considered a “public work” for all other purposes.

- AB 963 would require an owner or developer to furnish final executed construction contracts, between the direct contractor and either the owner or developer, demonstrating compliance with contract requirements found within the entirety of public works law.

However, non-public works projects subject to prevailing wage requirements may be under *no statutory obligation* to comply with the entirety of contract requirements found within public works law.

Related/Prior Legislation

AB 538 (Berman, 2025) would require an awarding body, upon request by the public, to obtain CPRs from a contractor and make them available to the requesting entity. Contractors would have 10 days to comply upon receipt of a written notice. This bill is pending on the Senate Floor.

AB 3186 (Petrie-Norris, 2024) would have required an owner or developer undertaking any public works project to make certain records available to the DLSE, multi-employer Taft-Hartley trust funds, and joint labor-management JLMCs, as specified. AB 3186 was nearly identical to the prior version of AB 963, before September 9, 2025 floor amendments. This bill was held in the Senate Rules Committee.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- The Department of Industrial Relations (DIR) indicates that it would minimally incur first-year costs of \$876,000, and \$828,000 annually thereafter, to

implement the provisions of the bill (State Public Works Enforcement Fund). Cost drivers would include investigating and adjudicating complaints for non-compliance with records requirements, and adopting rules for records release consistent with the California Public Records Act (CPRA). DIR notes it may need additional resources if there is a larger volume of complaints than anticipated.

- This bill could result in an increase in penalty revenue to the State. The magnitude is unknown, but probably minor (State Public Works Enforcement Fund).

SUPPORT: (Verified 9/10/25)

International Union of Painters and Allied Trades, District Council 16 (Source)

A&B Painting, Inc.

All County Flooring

Aragon Construction, Inc.

B.T. Mancini Co., Inc.

C.A. Bucher Painting Co., Inc.

California Federation of Labor Unions

California-Nevada Conference of Operating Engineers

California State Association of Electrical Workers

California State Council of Laborers

California State Pipe Trades Council

Capital Industrial Coatings, LLC

Certified Coatings Company

Concord Drywall Inc.

Conley & Sons Construction

Crown Sheet Metal & Skylights Inc.

Custom Drywall

Devco Drywall Interiors Inc.

District Council of Iron Workers of the State of California and Vicinity

Drywall Finishers Regional Local Union 1136

Eladio and Sons

Ellis Flooring Inc.

Finishing Contractors Association of Southern California

Fisher Design + Build, Inc.

Future Flooring Group Db. C&S Flooring Systems, Inc.

Genesis Flooring

Giroux Glass Inc..

Glaziers Local 718

Golden Gate Glass & Mirror Co.
Golden State Contract Flooring
Hoem & Associates
International Brotherhood of Boilermakers, Western States Section
International Union of Painters & Allied Trades District Council 36
International Union of Painters and Allied Trades Local 272
International Union of Painters and Allied Trades Local 376
International Union of Painters and Allied Trades Local 507
International Union of Painters and Allied Trades Local 831
International Union of Painters and Allied Trades Local 1036
International Union of Painters and Allied Trades Local 1621
J&J Acoustics, Inc.
Johnson and Turner Painting Company, Inc.
Karsyn Construction Inc.
KBI Painting, Inc.
Kirk Builders
Magnum Drywall, Inc.
Mastria Inc.
MGM Drywall, Inc.
Murphy Industrial Coatings, Inc.
NC Flooring Group INC
Nor Cal Glass
Northern California Allied Trades
Pacific Glazing Contractors
Paramount Interiors LLC
Pari & Gershon Inc.
Polytech Industrial Incorporated
Primal Paint, Inc.
Pro Spectra Contract Flooring, Union City
R.E. Cuddie Co.
Ralls Construction
Redwood Painting Co., Inc.
Reno's Floor Covering, Inc.
Satellite Painting, Inc.
Signature Glass & Windows Inc. Lic # 750091
Silicon Valley Glass Inc.
Southern California Glass Management Association
State Building and Construction Trades Council
Tisys Construction
Vanguard Painting, Inc.

Western Painting and Coating Contractors Association
Western States Council of Sheet Metal Workers
Wm. B. Saleh Co.

OPPOSITION: (Verified 9/10/25)

Associated General Contractors of California
California Building Industry Association
California Council for Affordable Housing
California Housing Consortium
California Housing Partnership
California Solar & Storage Association
Construction Employers' Association
Housing California
Non-profit Housing Association of Northern California
San Diego Housing Federation
Southern California Association of Non-profit Housing
Valley Industry and Commerce Association

ARGUMENTS IN SUPPORT:

The International Union of Painters and Allied Trades, District Council 16, sponsors of the measure, argue:

“Often, on construction projects, workers are underpaid and or misclassified and, without oversight, this growing problem will only continue to get worse. Existing law provides the Division of Labor Standards Enforcement (DLSE), multiemployer Taft-Hartley trust funds, and joint labor-management committees with the ability to request documents from contractors when they are using public funds to develop public works projects. It is imperative that the Public Contract Code, the California Labor Code, and prevailing wage requirements are met on every public works project.

It is understood that private entities are just that, private. However, private entities using public funds also should be held to the same standards and accountability as governmental bodies when it comes to producing project documents and information. Private entities currently have no oversight through the California Public Records Act.

AB 963 will grant the ability to the DLSE, multiemployer Taft-Hartley trust funds, and joint labor management committees to request a limited scope of documents from a corporation, limited liability company, partnership, joint venture, or other

legal entity when developing projects that utilize public funds regardless of whether the project is in its entirety a public works project. AB 963 will provide oversight to publicly funded projects to ensure that the Public Contract Code, the California Labor Code, and prevailing wage requirements are being enforced on all public works projects that utilize public funds.”

ARGUMENTS IN OPPOSITION:

A coalition of opponents, including the California Housing Consortium and Housing California, argue:

“This bill requires that affordable housing developers make extensive private documentation available, including final executed construction contracts. It also creates a duplicative process that would require an owner or developer of affordable housing to make certified payroll records and skilled and trained workforce monthly reports available upon request by the Division of Labor Standards Enforcement, multi-employer Taft-Hartley trust funds, and joint labor-management committees. The stated intent of the bill is to ensure compliance with prevailing wage laws. However, there is already a process in place to achieve that goal through the Department of Industrial Relations, and this bill is unnecessary.

We agree that compliance with prevailing wage laws is important, but we fail to understand how the current information that the state already collects is deficient.

When a private development is subject to prevailing wage requirements, the general contractor has a duty to ensure that the project complies with the applicable labor and wage laws. Owners and developers of affordable housing already submit prevailing wage reports to the Department of Industrial Relations (DIR) to demonstrate compliance. The system is online, and these records can be requested by anyone.

If there are problems with the public obtaining the records from DIR, we recommend focusing on improving DIR’s response capacity. Creating a redundant and unnecessary requirement for those building housing will put a strain on their limited resources and will make it more difficult to build the housing that the state desperately needs.”

ASSEMBLY FLOOR: 69-4, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, Elhawary, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Irwin,

Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio, Hadwick, Macedo, Tangipa

NO VOTE RECORDED: Castillo, Dixon, Ellis, Gallagher, Hoover, Sanchez

Prepared by: Emma Bruce / L., P.E. & R. / (916) 651-1556

9/11/25 10:07:01

****** END ******

THIRD READING

Bill No: AB 968
Author: Boerner (D)
Amended: 7/9/25 in Senate
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 11-0, 7/14/25
AYES: Ashby, Choi, Archuleta, Arreguín, Grayson, Menjivar, Niello,
Smallwood-Cuevas, Strickland, Umberg, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 77-0, 5/27/25 - See last page for vote

SUBJECT: Contraceptives

SOURCE: Author

DIGEST: This bill authorizes a pharmacist to furnish nonhormonal contraceptives approved by the federal Food and Drug Administration (FDA) in accordance with the standardized procedures or protocols that were developed and approved for self-administered hormonal contraceptives.

ANALYSIS:

Existing law:

- 1) Prohibits a licensee of a healing arts board from obstructing a patient in obtaining a legally prescribed or ordered drug or device, including emergency contraception drug therapy and self-administered hormonal contraceptives. (Business and Professions Code (BPC) § 733)
- 2) Authorizes a physician and surgeon, registered nurse, certified nurse-midwife, nurse practitioner, physician assistant, or pharmacist to, within their respective scopes, use a self-screening tool to identify patient risk factors for the use of self-administered hormonal contraceptives by a patient, and, after an

appropriate prior examination, prescribe, furnish, or dispense self-administered hormonal contraceptives to that patient. (BPC § 2242.2)

- 3) Authorizes a pharmacist to furnish self-administered hormonal contraceptives, in accordance with standardized procedures or protocols developed and approved by the Board and Medical Board of California (MBC) and emergency contraception drug therapy, in accordance with standardized procedures or protocols developed by the pharmacist and an authorized prescriber who is acting within his or her scope of practice or standardized procedures or protocols developed and approved by both the Board and MBC. Requires a pharmacist to complete specified training and comply with information disclosure requirements for emergency contraception furnishing. (BPC § 4052.3)
- 4) Requires a pharmacist to provide an oral consultation to a patient or the patient's agent in any care setting whenever the prescription drug has not previously been dispensed to a patient; however, a pharmacist is not required to provide oral consultation when a patient or the patient's agent refuses such consultation. (Title 16 California Code of Regulations § 1707.2)

This bill:

- 1) Updates provisions of the law authorizing practitioners to use a self-screening tool to identify patient risk factors for the use of *contraceptives*, rather than just specified self-administered hormonal contraceptives.
- 2) Expands the authority of a pharmacist to furnish specified contraceptives in accordance with standardized procedures or protocols to include FDA-approved nonhormonal contraceptives.
- 3) Deletes obsolete language related to authority for a pharmacist, pharmacist's employer, or pharmacist's agent to charge an administrative fee for emergency contraception drug therapy services.

Background

As noted in its recent sunset review oversight report to the Legislature, the Board is estimated to regulate over 50,700 pharmacists, 1,300 advanced practice pharmacists, 4,400 intern pharmacists, and 65,700 pharmacy technicians across a total of 32 licensing programs. In addition to regulating personal professionals, the Board oversees and licenses related business entities, including pharmacies,

clinics, wholesalers, third-party logistic providers, and automated drug delivery systems.

SB 493 (Hernandez, Chapter 469, Statutes of 2013) authorized pharmacists to perform additional functions according to specified requirements, including furnishing self-administered hormonal contraceptives based on a state protocol developed jointly by the Board and Medical Board of California (MBC), pursuant to guidelines of the Centers for Disease Control (CDC), among other services.

Nonhormonal contraceptives protect against pregnancy without influencing natural hormones. While many are available over-the-counter and do not require a prescription, some forms of nonhormonal contraceptives are prescribed. This bill clarifies that pharmacists are able to furnish any contraceptives pursuant to a prescription, including nonhormonal contraceptives, in accordance with protocols outlined in the law.

In July 2023, the FDA announced its approval of the medication Opill, a norgestrel tablet to prevent pregnancy. Opill was the first daily oral contraceptive approved for use in the United States without a prescription, significantly increasing access by allowing patients to purchase oral contraceptive medicine at local pharmacies over-the-counter. This approval significantly increased availability and access to birth control for women and other patients seeking to prevent pregnancy.

However, the over-the-counter status of Opill has complicated the implementation of related efforts to increase access to contraception, specifically those related to health coverage and reimbursement. In 2022, the Legislature enacted Senate Bill 523 (Leyva), which requires a health care service plan or health insurer to provide point-of-sale coverage for over-the-counter FDA-approved contraceptive drugs, devices, and products at in-network pharmacies without cost sharing or medical management restrictions. Because Medi-Cal generally requires a prescription to reimburse for medications, even those approved as over-the-counter by the FDA, patients are not able to take advantage of this legislation when accessing Opill directly from a pharmacy. To resolve this issue, this bill would clarify that a pharmacist may furnish over-the-counter contraceptives without the standardized procedures or protocols required for prescription-only medications.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 8/19/25)

California Pharmacists Association
Essential Access Health

OPPOSITION: (Verified 8/19/25)

None received

ARGUMENTS IN SUPPORT: According to the California Pharmacists Association, “This legislation is a natural and necessary evolution of existing pharmacy practice. Under current law, pharmacists are authorized to furnish self-administered hormonal contraceptives, an authority that has proven highly effective in expanding access to timely, patient-centered reproductive care...By further enabling pharmacists to use their clinical training and professional judgment to furnish a broader range of contraceptive options, AB 968 supports a more responsive and inclusive model of care...CPhA believes that expanding pharmacists’ authority to furnish nonhormonal contraceptives will significantly improve access to reproductive care, reduce delays in treatment, and promote health equity across California.”

Essential Access Health writes that “Limiting the contraceptive methods that pharmacists can furnish to hormonal options creates unnecessary access barriers for consumers and prevents pharmacists from offering a broad range of hormonal and non-hormonal birth control. For example, it prevents pharmacists from furnishing non-hormonal barrier methods including internal condoms, diaphragms, and cervical caps, as well as non-hormonal vaginal gel (Phexxi). People may choose to use types of non-hormonal methods to prevent pregnancy for a variety of reasons, and access is particularly important for individuals with health conditions like cancer survivors, those at risk of thrombotic events, or individuals managing complex medication regimens that make hormonal contraceptives medically inadvisable.”

ASSEMBLY FLOOR: 77-0, 5/27/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez,

Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia,
Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NO VOTE RECORDED: Jeff Gonzalez, Nguyen

Prepared by: Sarah Mason / B., P. & E.D. /
8/20/25 23:22:53

****** END ******

THIRD READING

Bill No: AB 1018
Author: Bauer-Kahan (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-2, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 50-16, 6/2/25 - See last page for vote

SUBJECT: Automated decision systems

SOURCE: Service Employees International Union California
TechEquity Action

DIGEST: This bill regulates the use of “automated decision systems” (ADS). It places obligations on developers and deployers of such systems designed or used to make or facilitate “consequential decisions.”

Senate Floor amendments of 9/5/25 narrow the scope of the bill by, in part, carving out generative AI systems and adding several exemptions. The amendments also reduce the burden on developers and deployers by, in part, reducing the document retention timeline and including factors for courts to consider in assessing civil penalties.

ANALYSIS:

Existing law:

- 1) Establishes the California Consumer Privacy Act (CCPA), which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civil (Civ.) Code § 1798.100 et seq.)
- 2) Establishes the Consumer Privacy Rights Act (CPRA), which amends the CCPA and creates the California Privacy Protection Agency (PPA), which is charged with implementing these laws, promulgating regulations, and carrying out enforcement actions. (Civ. Code § 1798.100 et seq.; Proposition 24 (2020).)
- 3) Establishes the Civil Rights Department, and sets forth its statutory functions, duties, and powers. (Government (Gov.) Code § 12930.)
- 4) Establishes the Fair Employment and Housing Act (FEHA). (Gov. Code § 12900 et seq.)
- 5) Establishes the Unruh Civil Rights Act. (Civ. Code § 51.)
- 6) Defines “trade secret” under the Uniform Trade Secrets Act as information, including a formula, pattern, compilation, program, device, method, technique, or process, that meets specified criteria. (Civ. Code § 3426.1(d).)
- 7) Requires the California Department of Technology (CDT) to conduct a comprehensive inventory of all high-risk ADS that have been proposed for use, development, or procurement by, or are being used, developed, or procured by, any state agency. It defines the relevant terms. (Gov. Code § 11546.45.5.)

This bill:

- 1) Requires a developer of a covered ADS that was first deployed, or made available to potential deployers, before January 1, 2026, to conduct an initial impact assessment on the covered ADS before January 1, 2027 and annually thereafter. For covered ADS first deployed or made available on or after January 1, 2026, the developer shall conduct an impact assessment before

initially deploying it or making it available to potential deployers, and annually thereafter.

- 2) Requires a developer, in conducting a impact assessment, to carry out a number of specified duties.
- 3) Requires a developer that sells, licenses, or otherwise transfers a covered ADS to a potential deployer to provide the deployer with specified information.
- 4) Permits a developer to make reasonable redactions from the documentation provided to protect trade secrets, but requires notice of such withholding and the basis for it.
- 5) Dictates the process and form that any documentation required to be provided to a deployer by a developer must take.
- 6) Makes it unlawful to advertise to consumers in the state that a covered ADS is capable of performing in a manner not substantiated by the results of the most recent impact assessment conducted on the covered ADS.
- 7) Requires developers to designate at least one employee to oversee the developer's compliance herewith and to conduct a prompt and comprehensive review of any credible compliance issue raised to that employee.
- 8) Provides that the above do not apply to a developer subject to the federal Gramm-Leach-Bliley Act who uses a covered ADS to make or facilitate a consequential decision related to financial services, as described.
- 9) Requires a deployer, before and after it finalizes a consequential decision made or facilitated by a covered ADS, to provide any subject of that decision with specified information. A deployer must also provide the subject with an opportunity to correct any incorrect personal information used and to appeal the decision according to specified processes. Dictates the process and form that documentation required to be provided to a subject by a deployer must take.
- 10) Provides that a deployer's collection, use, retention, and sharing of personal information from a subject of a consequential decision shall be reasonably necessary and proportionate to achieve the purposes for which the personal information was collected and processed, or for another disclosed purpose that

is compatible with the context in which the personal information was collected, and not further processed in a manner that is incompatible with those purposes.

- 11) Provides the conditions under which a deployer assumes the responsibilities of a developer.
- 12) Requires a deployer that uses a covered ADS to make or facilitate a consequential decision to designate at least one employee to oversee the deployer's compliance herewith. That employee must conduct a prompt and comprehensive review of any credible compliance issue related to the deployer's use of a covered ADS that is raised to that employee.
- 13) Requires a developer to provide, where applicable, an auditor with any available information that is reasonably necessary for the auditor to conduct a comprehensive audit. Provides that necessary audits not completed by the specified deadlines require the developer to not deploy or make available the ADS.
- 14) Imposes retention requirements on developers and deployers with respect to specified documentation.
- 15) Provides that the provisions governing deployers become operative on January 1, 2027.
- 16) Allows for the redaction of information revealing trade secrets, as provided, but requires disclosure of such withholding and the basis for it.
- 17) Provides that within 30 days of receiving a request from the Attorney General (AG) for a impact assessment, a developer or auditor of a covered ADS shall provide an unredacted copy of the document to the AG. The AG is authorized to share these materials with other enforcement entities as necessary for enforcement purposes.
- 18) Clarifies that the above disclosure or sharing of a impact assessment does not constitute a waiver of any attorney-client privilege, work-product protection, or trade secret protection that might otherwise exist with respect to any information contained therein. Such materials are exempt from the California Public Records Act.

- 19) Authorizes enforcement actions against developers, deployers, or auditors to be brought by specified public entities.
- 20) Authorizes a court to award a prevailing plaintiff in such actions specified remedies, including a civil penalty of up to \$25,000 per violation. It provides courts with relevant circumstances to be considered in assessing the civil penalty.
- 21) Exempts specified ADS.
- 22) Clarifies the relevance of compliance, or the failure to comply, with these provisions in actions pursuant to the Unruh Civil Rights Act and the Fair Employment and Housing Act.
- 23) Defines AI, ADS, trade secret, and personal information in accordance with existing law and defines other relevant terms.

Background

ADS, especially those powered by AI, are being increasingly deployed in a multitude of contexts, including employment, housing, education, and health care. Major transparency and fairness concerns have been raised about the use of ADS to make consequential decisions, essentially determinations with significant legal or other material effect on people's lives.

This bill seeks to regulate the development and deployment, by both public and private actors, of "covered ADS." It requires developers to conduct impact assessments of their ADS, which, among other things, identify details of the systems, expected performance and uses, and potential disparate impacts. Deployers are required to provide certain notices to subjects of consequential decisions and afford certain rights to them.

This bill is sponsored by TechEquity Action and the Service Employees International Union (SEIU) California. It is supported by a variety of labor, consumer, privacy, and other advocacy groups, including Common Sense Media and Consumer Reports. It is opposed by a number of industry associations, including the Consumer Technology Association and the American Staffing Association. For a more thorough discussion, please see the Senate Judiciary Committee analysis of this bill, which is incorporated by reference herein.

Comments

According to the author:

The use of automated decision systems (ADS) has become prevalent among Californian's daily lives and used within various sectors – including, housing, employment, and even in criminal justice sentencing and probation decisions. However, the algorithms that power ADS are often vulnerable to issues such as unrepresentative data, faulty classifications, and flawed design. These shortcomings can result in biased, discriminatory, or unfair outcomes. Rather than solving systemic problems, poorly designed ADS can worsen the very harms they aim to address—ultimately hurting the people they are meant to help. AB 1018 provides the necessary guardrails by regulating the development and deployment of an ADS used to make consequential decisions. Specifically, it requires developers to conduct an initial performance evaluation of an ADS by January 1, 2027. Additionally, the current role that an ADS plays in a consequential decision is hidden from consumers. Fundamentally, consumers should have the right to be well informed of how these ADS are used in life altering decisions. AB 1018 calls for transparency on the usage of ADS by requiring notice to consumers by deployers before and after a consequential decision. It is crucial that we take the necessary steps to ensure the technology is used responsibly and can be trusted. Well-intentioned but flawed technology is a matter of state concern. Guardrails and accountability are needed to ensure that technology does not further marginalize communities or broaden inequities.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Unknown, potentially significant costs (local funds, General Fund) to local agencies that deploy ADS to make consequential decisions and must comply with the above-described requirements, possibly in the hundreds of millions of dollars annually statewide. For example, counties will be required to review all of their systems for compliance—including tools used for online testing, hiring, permitting, case management, risk assessments, and property management. They will also incur costs of audits, training, staffing, disclosures, appeals process, data retention, sending out notices, and

potential legal exposure. If developers raise their cost as a result of this bill, these costs will be passed onto the counties. Counties may claim reimbursement of those costs if the Commission on State Mandates determines that this bill creates a new program or imposes a higher level of service on local agencies.

- The State Controller's Office (SCO) reports that it, and all other state governmental entities would be considered a "deployer," of an ADS, as defined in the bill. If SCO implemented one or multiple ADS systems that meet the criteria for oversight in AB 1018, SCO would anticipate needing the following General Fund Resources:
 - 2025-26: \$1,408,000 for 7.0 two-year limited-term positions and one-time costs;
 - 2026-27: \$1,384,000 for 7.0 two-year limited-term positions; and,
 - 2027-28 and ongoing: \$761,000 for 4.0 permanent positions.

SCO indicates that these estimates reflect the requirements for a large, complex agency such as the SCO managing sensitive personal and financial data across automated systems. Actual staffing may be adjusted depending on the complexity and scale of the deployed ADS. Some functions may overlap or be handled by existing staff with appropriate upskilling, while external contractors could augment capacity for short-term surges, such as during initial implementation or major audits. If AB 1018 becomes law, the SCO would need 5–7 information security staff—including a dedicated supervisor—for the initial implementation of AB 1018, with 3–4 (including the supervisor) required for ongoing security and compliance operations related to automated decision systems.

- Costs (special fund) of an unknown but potentially significant amount to the Labor Commissioner to enforce Labor Code violations, possibly in the millions of dollars, annually. Actual costs will depend on the number of enforcement actions and the amount of workload associated with each action.
- The Department of Justice (DOJ) estimates a fiscal impact of \$2.5 million or less (General Fund, Unfair Competition Law Fund). The DOJ notes that implementation of this bill will be dependent upon the appropriation of funds. The DOJ will be unable to absorb the costs to comply with or implement the requirements of the bill within existing budgeted resources.

The Consumer Protection Section (CPS), Civil Rights Enforcement Section (CRES) and Healthcare Rights & Access Section (HRA) within the Public Rights Division of the DOJ anticipate increased workloads in enforcing this bill beginning on January 1, 2026, and ongoing. The workload includes investigating and prosecuting violations. The Sections will require the following additional resources:

- CPS: 1.0 Deputy Attorney General (DAG); 1.0 Associate Governmental Program Analyst (AGPA); 1.0 Legal Secretary (LS); and, \$250,000 for External Consultant for expert witness services to support investigation and prosecution;
 - CRES: 1.0 Deputy Attorney General (DAG); 1.0 Associate Governmental Program Analyst (AGPA); 1.0 Legal Secretary (LS); and, \$250,000 for External Consultant for expert witness services to support investigation and prosecution; and,
 - HRA: 1.0 Deputy Attorney General (DAG); 1.0 Associate Governmental Program Analyst (AGPA); 1.0 Legal Secretary (LS); and, \$250,000 for External Consultant for expert witness services to support investigation and prosecution.
- The Civil Rights Department (CRD) estimates a fiscal impact over \$2 million (General Fund). CRD notes that this bill places requirements on ADS developers and deployers. It also provides the CRD with the authority to bring a civil action to enforce compliance with this bill. CRD anticipates requesting eight positions, including researchers/ research data specialists, associate governmental program analysts, and attorneys, approximately \$2.2 million for FY 26-27, and \$2.1 million for FY 27-28 and ongoing. In addition to covering the costs of the new positions, these resources would also fund an ongoing contract with an expert consultant, IT and other administrative costs, and a one-time job analysis that would be required for one of the research positions. These resources would be necessary to support the complex legal and technological analysis required to enforce the components of this bill.
 - The State Water Board estimates a significant fiscal impact (General Fund, special funds) likely in the millions of dollars per year. The State Water Board reports, as written, this bill's definition of automated decision system is vague, ambiguous, and could encompass many current tools used, like excel workbooks. These tools are used broadly across Water Boards programs, and many are used to inform actions that could be considered

consequential actions under the bill. To meet the bill's provision, the State Water Board estimates significant cost pressures, likely in the millions of dollars per year. Costs would allow the State Water Board to fulfill several requirements regarding each of these covered systems. This would include facilitating and conducting a performance evaluation, contracting with an independent third party to perform audits on any systems the Water Boards develops, notifying those impacted by the consequential decision about the use of the ADS, and providing an appeal process. Taking these steps for each covered system, if feasible at all, would require significant additional staff and contract resources in the millions of dollars annually, impacting all Water Boards' fund sources. Alternatively, State Water Board programs would need to find ways to store, process, and analyze data to make decisions without using any tool which would qualify as an automated decision system. Costs would be incurred from all eligible State Water Board fund sources.

- UC Health estimates a fiscal impact of \$42 million in one-time costs and approximately \$24 million in ongoing costs to implement AB 1018. Compliance costs for the University's health systems include expenses related to implementing required audits, administrative processes, staff training, and system modifications.
- The California Department of Health and Human Services (CalHHS) reports a significant fiscal impact (General Fund, special funds). The Office of Technology and Solutions Integration (OTSI) estimates costs, across the 12 CalHHS departments, in the low millions up to low tens of millions (Total Fund) annually as solutions applicable under the bill are expected to grow in use over the coming years. These costs are estimated and attributable due to legal and security resources for monitoring and enforcement, compliance oversight, IT development and staffing necessary for governance and appeals management. This bill could impact many of the Agency's information systems and data solutions as Generative AI solutions are being built into many of the tools used. Evaluation and governance will become ongoing cost-pressure as it becomes necessary to review not just risk/compliance related to AI components of solutions, but applicability to the requirements of this bill. This bill would require programming and processing revisions, stakeholder engagement, development and operation of an appeal process in all cases, along with a third-party audit (beginning in 2030). The costs to implement this bill depends on the number of solutions and complexity of developing and resourcing the appeals processes that are yet to be determined. This estimate does not include potential increased

contracting costs due to vendors including costs for conducting the assessment and other requirements.

- The California Department of Corrections and Rehabilitation (CDCR) reports that it does not currently use platforms it considers to be Automated Decision Systems (ADS). As a result, CDCR does not anticipate immediate costs associated with the requirements in AB 1018. However, should the department choose to implement or develop systems in the future that meet the bill's definition of an ADS, there could be costs associated with compliance. These may include but are not limited to performance evaluations, third-party audits, disclosure and documentation requirements, and staff oversight responsibilities outlined in the bill. It should be noted that CDCR uses several risk assessment tools, including, but not limited to, the Static-99R to assess every eligible sex offender prior to release on parole, the California Static Risk Assessment tool to assess the risk of reoffending, the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) to assess an incarcerated individuals needs and target those needs, and the Automated Reentry Management System (ARMS). If this bill is interpreted to apply to these tools, CDCR, and other correctional agencies, could potentially incur a significant fiscal impact.
- The Department of Finance (DOF) reports potential unknown costs (General Fund) and indicates that that this bill may apply to its ongoing pilot using generative artificial intelligence to assist with bill analyses.
- Unknown, potentially significant costs to the Judicial Council, likely in the hundreds of millions annually. This bill could hamper the ability of trial courts and their justice partners to use several tools, including SARATSO for sex offenders, and many others, such as pretrial risk assessment tools minimize bias in pretrial detention situations. Developers of these tools, including nonprofits, universities, and even the state of Virginia, are unlikely to make any adjustments as would be required under this bill. As such, the entire judicial branch could potentially lose the use of all pretrial risk assessment tools, as their developers do not necessarily have a strong financial incentive to adhere to this bill's stringent requirements. Courts also use tools such as MyCitation, which would also be affected. MyCitation is a tool created by the Judicial Council pursuant to AB 143 (Committee on Budget) Stats. 2021, ch. 79, designed as an easy-to-use option for defendants to provide relevant financial information for the court to consider reductions in infraction fines and fees owed.

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund). By authorizing a new civil penalty with statutory damages, this bill will likely lead to additional case filings that otherwise would not have been commenced, with attendant workload and resource costs to the court. This bill may result in additional trial court costs to the extent that cases are brought to litigate its constitutionality. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- Costs (General Fund, special funds) of an unknown but significant amount to each state agency that deploys ADS to make or contribute to consequential decisions and must comply with this bill's notice, opt-out, correction, appeal, and, if applicable, audit requirements. In the aggregate, for all affected state agencies, costs may be in the hundreds of millions of dollars annually ongoing.

SUPPORT: (Verified 9/8/25)

SEIU California (source)

TechEquity Action (source)

ACCE Action (Alliance of Californians for Community Empowerment)

American Federation of Musicians, Local 7

Asian Americans Advancing Justice Southern California

California Center for Movement Legal Services

California Civil Liberties Advocacy

California Community Foundation

California Employment Lawyers Association

California Federation of Labor Unions, AFL-CIO

California Immigrant Policy Center

California Initiative on Technology and Democracy

California National Organization for Women

California Professional Firefighters

California School Employees Association
California Women's Law Center
CFT – a Union of Educators & Classified Professionals, AFT, AFL-CIO
Child Care Law Center
Citizen's Privacy Coalition
Common Sense Media
Consumer Attorneys of California
Consumer Federation of America
Consumer Federation of California
Consumer Reports
Courage California
East Bay Community Law Center
Economic Security California Action
Electronic Privacy Information Center
End Child Poverty California Powered by Grace
Equal Rights Advocates
Fair Housing Advocates of Northern California
Felony Murder Elimination Project
Greenlining Institute
Housing Now!
Justice2jobs Coalition
Kapor Center
LA Defensa
LAANE (Los Angeles Alliance for a New Economy)
Lawyers Committee for Civil Rights of the San Francisco Bay Area
Mujeres Unidas Y Activas
Northern California District Council of the International Longshore and
Warehouse Union
Oakland Privacy
Parent Voices
Powerswitch Action
Privacy Rights Clearinghouse
Public Citizen
Restoring Hope California
Rubicon Programs
Smart Justice California
Surveillance Resistance Lab
Tech Oversight Project
UDW/AFSCME Local 3930
UFCW - Western States Council

Vision Y Compromiso
Women's Foundation California
Working Partnerships USA
Worksafe

OPPOSITION: (Verified 9/8/25)

Advanced Medical Technology Association
Aerospace and Defense Alliance of California
American College of Obstetricians & Gynecologists - District IX
American Financial Services Association
American Innovators Network
American Property Casualty Insurance Association
American Staffing Association
America's Physician Groups
Associated General Contractors of California
Association of California Life and Health Insurance Companies
Association of National Advertisers
Business Software Alliance
Business Software Association
Calbroadband
Calcom Association
California Association of Clerks & Election Officials
California Association of Health Plans
California Bankers Association
California Chamber of Commerce
California Community Banking Network
California Credit Union League
California Dental Association
California Financial Services Association
California Fuels and Convenience Alliance
California Hospital Association
California Land Title Association
California Life Sciences
California Manufacturers and Technology Association
California Medical Association (CMA)
California Mortgage Bankers Association
California Radiological Society
California Retailers Association
California Staffing Professionals (CSP)
Chamber of Progress

Civil Justice Association of California (CJAC)
College Board
Computer and Communications Industry Association
Connected Commerce Council
Consumer Data Industry Association
Consumer Technology Association
CTIA
Delta Dental of California
El Dorado County Chamber of Commerce
El Dorado Hills Chamber of Commerce
Elk Grove Chamber of Commerce
Family Business Association of California
Financial Technology Association
Fiserv
Folsom Chamber of Commerce
Hollywood Chamber of Commerce
Innovative Lending Platform Association
Internet Works
Internet.works
Judicial Council of California
Kaiser Permanente
Lincoln Chamber of Commerce
Los Angeles County
Los Angeles County Business Federation
Mortgage Bankers Association
National Association of Mutual Insurance Companies
Ochin, INC.
Orange County Business Council
Personal Insurance Federation of California
Psinapse Technology
Public Risk Innovation, Solutions, and Management (PRISM)
Rancho Cordova Chamber of Commerce
Receivables Management Association International
Rocklin Area Chamber of Commerce
Roseville Area Chamber of Commerce
Santa Maria Valley Chamber of Commerce
Securities Industry and Financial Markets Association
Security Industry Association
Shingle Springs/cameron Park Chamber of Commerce
Silicon Valley Leadership Group

Society for Human Resource Management
Software Information Industry Association
STAR Staffing
Sutter Health
Techca
Technet
The Payments Coalition
United Chamber Advocacy Network Ucan
University of California
Valley Industry and Commerce Association (VICA)
Yuba Sutter Chamber of Commerce

ARGUMENTS IN SUPPORT: A broad coalition, including the sponsors, SEIU California and TechEquity Action, write:

While the advent of generative AI and large language models has been a new piece of the puzzle, ADS have long existed in our communities. ADS have been woven into the daily lives of our community members—increasingly these tools are dictating access to and the quality of housing, healthcare, employment, credit, and many other critical services Californians need. The potential harms and biases of these systems have been well documented—from banks using lending models that were twice as likely to deny Black applicants compared to White applicants with the same financial profile,¹ to healthcare providers using ADS that significantly underestimated the healthcare needs of Black patients compared to White ones.² Technology should not be a pass to violate our civil and labor rights, this legislation regulates the misuse of automated systems.

AB 1018 would enact common-sense guardrails to help ensure that developers and deployers of these tools are testing for discriminatory outcomes prior to utilizing the tool and ensuring that consumers have the information they need to understand the role that an ADS is playing in critical decisions and what rights they have when these systems impact critical areas of their lives.

ARGUMENTS IN OPPOSITION: A coalition of financial industry groups, including the California Credit Union League, writes:

While Section 22756.2(b)(1) provides the authority to a financial institution to deny an opt-out request for financial services providers regulated under the Gramm

¹ <https://themarkup.org/denied/2021/08/25/the-secret-bias-hidden-in-mortgage-approval-algorithms>.

² <https://www.theguardian.com/society/2019/oct/25/healthcare-algorithm-racial-biases-optum>.

Leach Bliley Act, the nation's most robust law governing how financial information is used, it is unclear to us why there is not a similar exemption from the entirety of the bill. As written today, financial institutions could choose to categorically deny any consumer's opt-out request. This will ultimately frustrate and confuse consumers, which is the opposite of the state intention of AB 1018 – which is to bring more transparency.

The Equal Credit Opportunities Act (ECOA) and Fair Credit Reporting Act (FCRA) already require creditors to provide a notice to consumers when they are denied credit detailing the reason for the denial and a method to dispute the accuracy or completeness of any information that led to the denial. Yet, financial services must still provide an opportunity to correct information, which is duplicative of FCRA, and an opportunity to appeal, which can impact the lending process. Establishing a consumer appeal provision would require a type of manual underwriting that has not been regularly used in the mortgage industry for nearly three decades. The current mortgage origination process relies on automated systems such as AUSs and Credit Scoring Models (CSMs) that do not have usable or scalable alternative manual processes.

ASSEMBLY FLOOR: 50-16, 6/2/25

AYES: Addis, Aguiar-Curry, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Papan, Patel, Pellerin, Quirk-Silva, Celeste Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa

NO VOTE RECORDED: Ahrens, Alanis, Bains, Carrillo, Flora, Pacheco, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Soria, Valencia, Wallis

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113
9/9/25 10:16:46

**** END ****

THIRD READING

Bill No: AB 1036
Author: Schultz (D)
Amended: 8/29/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/1/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 53-13, 6/2/25 - See last page for vote

SUBJECT: Criminal procedure: postconviction discovery

SOURCE: California Innocence Coalition

DIGEST: This bill increases access to postconviction discovery for felony defendants who were sentenced to state prison.

ANALYSIS:

Existing law:

- 1) Provides that in a case in which a defendant is or has ever been convicted of a serious felony or a violent felony resulting in a sentence of 15 years or more, upon the prosecution of a postconviction writ of habeas corpus or a motion to vacate a judgment, or in preparation to file that writ or motion, and on a showing that good faith efforts to obtain discovery materials from trial counsel were made and were unsuccessful, the court shall, except as provided, order that the defendant be provided reasonable access to any of the materials, as defined. (Penal Code (Pen. Code), § 1054.9, subd. (a).)

- 2) Provides that in a case in which a sentence other than death or life in prison without the possibility of parole is or has ever been imposed, if a court has entered a previous order granting discovery, a subsequent order granting discovery may be made in the court's discretion. (Pen. Code, § 1054.9, subd. (b).)
- 3) Defines "discovery materials" in this context as "materials in the possession of the prosecution and law enforcement authorities to which the defendant would have been entitled to at the time of trial." (Pen. Code, § 1054.9, subd. (c).)
- 4) Provides that in response to a writ or motion, the court may order that the defendant be provided access to physical evidence for the purpose of examination, including, but not limited to, any physical evidence relating to the investigation, arrest, and prosecution of the defendant only upon a showing that there is good cause to believe that access to physical evidence is reasonably necessary to the defendant's effort to obtain relief. (Pen. Code, § 1054.9, subd. (d).)
- 5) States the retention of discovery materials is not required unless otherwise required by law or court order. (Pen. Code, § 1054.9, subd. (f).)
- 6) Provides that in criminal matters involving a conviction for a serious or violent felony resulting in a sentence of 15 years or more, trial counsel shall retain a copy of a former client's files for the term of imprisonment. An electronic copy is sufficient only if every item in the file is digitally copied and preserved. (Pen. Code, § 1054.9, subd. (g).)
- 7) Provides that specified changes to the postconviction discovery laws are intended to only apply prospectively. (Pen. Code, § 1054.9, subd. (j).)
- 8) Requires the prosecution to disclose the following evidence to the defendant or their attorney before trial, if it is possessed by the prosecution or the prosecutor knows it is possessed by the investigating agencies:
 - a) Names and addresses of persons the prosecutor intends to call as witnesses at trial;
 - b) Statements made by all defendants;
 - c) All relevant real evidence obtained as part of the investigation of the charged offenses;

- d) The existence of felony convictions of material witnesses whose credibility is likely to be critical to the outcome of the trial;
- e) Any exculpatory evidence; and,
- f) Relevant written or recorded statements of witnesses or reports of the statements of witnesses whom the prosecutor intends to call at trial. (Pen. Code, § 1054.1.)

This bill:

- 1) Extends post-conviction discovery to include cases in which a defendant is or has ever been convicted of a felony resulting in incarceration in state prison, instead of those convicted of a serious or violent felony resulting in a sentence of 15 years or more.
- 2) Excepts from post-conviction discovery cases in which a protective order prohibits the disclosure.
- 3) Expands the definition of post-conviction "discovery materials" to include materials that tend to negate guilt, mitigate the offense, mitigate the sentence, or otherwise are favorable or exculpatory to the defendant.
- 4) Specifies post-conviction "discovery materials" also includes all materials that the convicted person would be entitled to if they were being tried today, irrespective of whether the materials were discoverable at the time of the convicted person's original trial and the prosecution's jury selection notes.
- 5) Requires the following regarding the production of jury selection notes:
 - a) If the prosecution believes there is good cause to shield jury selection notes from disclosure, they shall make a foundational proffer describing how information in their file would bear on their case strategy;
 - b) If a court finds good cause to believe the jury selection notes would bear on the prosecution's case strategy, it must conduct an in camera review and order necessary redactions; and,
 - c) The prosecution's lack of exercised peremptory challenges during jury selection shall constitute good cause to withhold disclosure of jury selection notes.
- 6) Defines "the prosecution" as a prosecuting agency, as well as counsel for the respondent in a habeas petition.

- 7) States that access to post-conviction discovery materials, as specified, does not impose an additional obligation to investigate the existence of new discovery materials or prohibit a court from ordering the prosecution or law enforcement to investigate the existence of new discovery materials when appropriate.
- 8) Clarifies that a defendant's trial counsel shall maintain a copy of a former client's case file for any felony conviction resulting in incarceration in state prison. Digital copies must be preserved in color.
- 9) Provides that to the extent this imposes new requirements on trial counsel, trial counsel shall begin retaining their physical files and digital color copies of evidence for all felony convictions resulting in incarceration in state prison on or after July 1, 2026.

Comments

Post-Conviction Discovery Generally. Existing law generally allows for limited discovery in post-conviction proceedings like petitions for habeas corpus or motions to vacate. Penal Code section 1054.9 allows for reasonable access to any discovery available to the defendant at the time of trial, but only in cases where the defendant was sentenced to 15 years or more on a serious or violent felony. However, the defendant must demonstrate that efforts to obtain the trial attorney's file were unsuccessful. Defense attorneys must retain client files when the person was incarcerated for more than 15 years on a serious or violent felony for the period of the person's confinement. (Pen. Code, § 1054.9, subd. (a).)

Penal Code section 1054.9, subdivision (c) only allows discovery of materials to which the defendant would have been entitled at time of trial. This includes discovery of materials to which the defendant was entitled at trial but did not receive. (*Barnett v. Superior Court* (2010) 50 Cal.4th 890, 898.)

This bill allows for post-conviction discovery in any felony case resulting in incarceration in state prison – not just serious and violent felonies for which the defendant is sentenced to 15 years or more – and clarifies that discoverable materials includes any evidence that may be available to the defendant today, regardless of whether it would have been available at the time of trial. This bill provides the following with respect to post-conviction discovery of the prosecution's jury notes:

- If the prosecution believes there is good cause to shield jury selection notes from disclosure, they shall make a foundational proffer describing how information in their file would bear on their case strategy;

- If a court finds good cause to believe the jury selection notes would bear the prosecution's case strategy, it must conduct an in camera review and order necessary redactions; and,

Moreover, the prosecution's lack of exercised peremptory challenges during jury selection shall constitute good cause to withhold disclosure of jury selection notes. Finally, this bill requires criminal defense attorneys to retain records for any felony resulting in a sentence of a year or more for the term of the defendant's incarceration.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

Fiscal Impact:

- Unknown costs to the state funded trial courts (Trial Court Trust Fund, General Fund) for the additional hearings need to resolve discovery disputes in these postconviction proceedings. The actual costs depend on the expected population of defendants who might seek post-conviction discovery as authorized by AB 1036 and have their requests come before the court for resolution. Beginning in fiscal year 2024-25, the trial courts have absorbed an ongoing \$55 million reduction to their operational funding, which impacts their ability to provide core services. Absent an appropriation, this bill will result in new, unfunded workload for the trial courts, putting further pressure on their limited resources.
- Costs (local funds, General Fund) of an unknown but potentially significant amount to district attorney offices and local law enforcement agencies to provide post-conviction discovery. This bill expands eligibility for post-conviction discovery to more defendants and requires production of more discovery materials to a defendant upon a court order. As a result, prosecutors and law enforcement agencies may experience higher workload to review, redact, and produce discovery materials. Actual costs will depend on the number of court orders granting access to postconviction relief and the amount of workload needed to comply with each order, but total aggregate costs statewide may be in the hundreds of thousands to millions of dollars annually. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.
- Costs (local funds, General Fund) of an unknown amount to public defender offices to comply with the bill's record retention requirements. The bill permits

attorneys to retain digital color copies of evidence rather than storing physical copies of files, so costs may be primarily for additional workload to scan the files for all clients who meet the bill's new eligibility requirements. General Fund costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates.

SUPPORT: (Verified 8/29/25)

ACLU California Action
 California Public Defenders Association
 Catalyst California
 Communities United for Restorative Youth Justice
 Courage California
 Death Penalty Focus
 Ella Baker Center for Human Rights
 Friends Committee on Legislation of California
 Initiate Justice
 Initiate Justice Action
 Justice2jobs Coalition
 LA Defensa
 San Francisco Public Defender
 Silicon Valley De-bug
 Smart Justice California, a Project of Tides Advocacy
 The W. Haywood Burns Institute
 University of San Francisco School of Law | Racial Justice Clinic

OPPOSITION: (Verified 8/29/25)

California District Attorneys Association
 One Private Individual

ARGUMENTS IN SUPPORT:

According to the California Public Defenders Association:

It is a sad truth that our system of justice is far from perfect, and that far too often innocent people are convicted for crimes they have not committed. (See, e.g., <https://www.nbcboston.com/news/local/california-man-exonerated-released-prison-1998-whittier-shooting-miguel-solorio/3274941/> [Californian man recently exonerated after spending

25 years in prison]; <https://www.eastbaytimes.com/2024/07/26/i-loved-her-temecula-man-exonerated-for-mistress-murder-says/> [California man recently exonerated after spending 20 years in prison]; <https://www.dailynews.com/2024/05/07/la-county-approves-24-million-for-exonerated-men-after-their-years-in-prison/> <https://www.dailynews.com/2024/05/07/la-county-approves-24-million-for-exonerated-men-after-their-years-in-prison/> [Two Californian men recently exonerated after spending 23 years in prison].)

Under current law, however, wrongfully convicted men and women are prevented from accessing the evidence necessary to prove their innocence, either because that evidence was not preserved, or because the state refuses to give them access.

Assembly Bill 1036 addresses this issue, in part, by requiring defense counsel to preserve trial records, and by requiring the state to give post-conviction defendants access to relevant evidence, including evidence that tends to negate guilt, mitigate the offense, or prove that the conviction was wrongfully obtained.

Because a justice system that is unwilling to acknowledge its own errors is never just, AB 1036's push for transparency and fairness in the post-conviction context is a vital step in the right direction.

ARGUMENTS IN OPPOSITION:

According to the California District Attorneys Association:

Current law provides several ways in which a person pursuing a postconviction writ of habeas corpus may request discovery. For example, any time a court has issued an order to show cause and thus has recognized that if the person's claims are true, they may be entitled to relief, that same court may order discovery. This is true of any petition for writ of habeas corpus brought by any person, regardless of what they were convicted of or how much time they were ordered to serve.

In addition, Penal Code section 1054.9 currently provides enhanced postconviction discovery rights to individuals convicted of a serious or violent felony and sentenced to 15 years or more. These individuals

may obtain discovery when pursuing a postconviction writ of habeas corpus or a motion to vacate judgment. Though many discovery requests brought under section 1054.9 are made after a petition for writ of habeas is filed, the requests may be made before filing. AB 1036 would broaden these enhanced discovery rights to any person convicted of a felony who received a sentence of at least a year of incarceration.

Section 1054.9 currently includes safeguards to protect against unnecessarily burdensome requests. For example, the law currently requires a showing that good faith efforts to obtain the materials from trial counsel have been made and were unsuccessful. Moreover, since 2019, defense counsel has been required to maintain discovery materials for this purpose for the duration of the client's imprisonment. AB 1036 would eliminate the requirement that convicted individuals first seek copies of discovery that their defense lawyers have retained specifically for this purpose, and allow them to instead seek the discovery directly from the prosecution.

Further, the bill broadens the definition of "discovery materials" in two ways. First, it requires discovery of materials that "tend to negate guilt, mitigate the offense, or mitigate the sentence, or otherwise are favorable or exculpatory to the defendant." This attempt to codify existing decisional authority is unnecessary. Prosecutors are already subject to an ongoing obligation upon prosecutors under *Brady v. Maryland* to supply convicted persons with material favorable evidence. In addition, Rule 3.8 of the California Rules of Professional Conduct requires prosecutors to disclose new, credible and material evidence that creates a reasonable likelihood the convicted person did not commit crime. CDAA believes that these standards do not require codification.

The second way in which AB 1036 expands the definition of discovery is by including as discovery the prosecutor's jury selection notes regardless of whether a colorable – or any claim – of misconduct in jury selection is made. Under current law a convicted person may receive the prosecutor's jury selection notes if they can demonstrate a *prima facie* case of racial bias in jury selection. This standard recognizes that much of what is contained in a prosecutor's jury selection notes may reflect upon trial strategy or contain other information that qualifies as core work product, and that disclosure of

jury selection notes should not be ordered without good cause and judicial review. CDAA strongly objects to any amendment that would mandate disclosure of jury notes in all cases regardless of whether there is any evidence of bias or misconduct in jury selection.

CDAA is deeply concerned that by expanding the pool of convicted persons who may seek pre-filing habeas discovery, by eliminating the requirement that a convicted person first seek copies from defense counsel, and by expanding the definition of discovery materials far beyond current discovery obligations, AB 1036 lacks sufficient safeguards to prevent misuse of discovery requests and may create opportunities for frivolous or abusive litigation that could overwhelm courts and prosecutors' offices.

We urge you to reconsider the language of AB 1036 and work with stakeholders, including prosecutors, to ensure that postconviction discovery processes remain fair for convicted persons without becoming unduly burdensome on prosecutors and without creating easy opportunities for abuse of process.

ASSEMBLY FLOOR: 53-13, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Ta, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Davies, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Macedo, Patterson, Sanchez, Tangipa, Wallis

NO VOTE RECORDED: Alanis, Castillo, Chen, Flora, Krell, Lackey, Muratsuchi, Pacheco, Michelle Rodriguez, Blanca Rubio, Solache, Soria, Stefani

Prepared by: Cheryl Anderson / PUB. S. /
9/2/25 18:13:17

**** END ****

THIRD READING

Bill No: AB 1043
Author: Wicks (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Niello

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 76-0, 6/2/25 - See last page for vote

SUBJECT: Age verification signals: software applications and online services

SOURCE: Children Now

DIGEST: This bill imposes obligations on covered manufacturers to communicate certain information to developers, including age bracket information. This bill requires developers to request and treat age signals as the primary indicator of the user's age.

Senate Floor amendments of 9/5/25 delay the operative date and narrow the scope of the bill, by, in part, including a number of exemptions, reducing the required age brackets, and replacing “covered manufacturer” with solely “operating system provider” for requirements imposed by the bill.

ANALYSIS:

Existing law:

- 1) Provides a right to free speech and expression. (U.S. Constitution (Const.), 1st amend; California (Cal.) Const., art 1, § 2.)

- 2) Recognizes certain judicially created exceptions to the rights of freedom of speech and expression. (*E.g.*, *Virginia v. Black* (2003) 538 U.S. 343, 359.)
- 3) Requires, pursuant to the Parent's Accountability and Child Protection Act, a person or business that conducts business in California, and that seeks to sell any product or service in or into California that is illegal under state law to sell to a minor to, notwithstanding any general term or condition, take reasonable steps, as specified, to ensure that the purchaser is of legal age at the time of purchase or delivery, including, but not limited to, verifying the age of the purchaser. (Civil (Civ.) Code § 1798.99.1(a)(1).)
- 4) Establishes the California Consumer Privacy Act, which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civ. Code § 1798.100 et seq.)
- 5) Provides a consumer the right, at any time, to direct a business that sells or shares personal information about the consumer to third parties not to sell or share the consumer's personal information. It requires such a business to provide notice to consumers, as specified, that this information may be sold or shared and that consumers have the right to opt out of that selling and sharing. (Civ. Code § 1798.120(a)-(b).)
- 6) Prohibits a business, notwithstanding the above, from selling or sharing the personal information of consumers if the business has actual knowledge that the consumer is less than 16 years of age, unless the consumer, in the case of consumers at least 13 years of age and less than 16 years of age, or the consumer's parent or guardian, in the case of consumers who are less than 13 years of age, has affirmatively authorized the sale or sharing of the consumer's personal information. A business that willfully disregards the consumer's age shall be deemed to have had actual knowledge of the consumer's age. (Civ. Code § 1798.120(c).)
- 7) Establishes the Protecting Our Kids from Social Media Addiction Act, which prohibits an operator of an addictive internet-based service or application from providing an addictive feed to a user unless they have actual knowledge that the

user is not a minor or the operator has obtained parental consent. (Health & Saf. Code § 27000 et seq.)

This bill:

- 1) Requires an operating system provider to provide an accessible interface at account setup that requires an account holder to indicate the birth date, age, or both, of the user of that device for the purpose of providing a signal regarding the user's age bracket to applications available in a covered application store.
- 2) Requires an operating system provider to provide developers who have requested a signal with respect to a particular user with a digital signal via a reasonably consistent real-time application programming interface (API) that identifies, at a minimum, which of several age brackets pertain to the user.
- 3) Requires an operating system provider to send only the minimum amount of information necessary to comply herewith and prohibits the sharing of the digital signal information with a third party for a purpose not required hereby.
- 4) Requires a developer to request a signal with respect to a particular user from an operating system provider or a covered application store when the application is downloaded and launched. Once the signal is received, the developer is deemed to have actual knowledge of the age range of the user to whom that signal pertains across all platforms of the application and points of access of the application even if the developer willfully disregards the signal. A developer shall not willfully disregard internal clear and convincing information otherwise available to the developer that indicates that a user's age is different than the age bracket data indicated by a signal provided by an operating system provider or a covered application store.
- 5) Provides that the signal shall be treated as the primary indicator of a user's age range. However, if a developer has internal clear and convincing information that a user's age is different than the age indicated by a signal received pursuant hereto, the developer shall use that information as the primary indicator of the user's age.
- 6) Requires a developer that receives a signal indicating a user's age range to use that signal to comply with applicable law but the developer shall not do either of the following:

- a) Request more information from an operating system provider or a covered application store than the minimum amount of information necessary to comply herewith.
 - b) Share the signal with a third party for a purpose not required by this title.
- 7) Subjects a person in violation to an injunction and to liability for a civil penalty of not more than \$2,500 per affected child for each negligent violation or not more than \$7,500 per affected child for each intentional violation. Such penalties are recoverable only in a civil action brought in the name of the people of the State of California by the Attorney General.
- 8) Provides that an operating system provider or a covered application store that makes a good faith effort to comply herewith, taking into consideration available technology and any reasonable technical limitations or outages, shall not be liable for an erroneous signal or any conduct by a developer that receives a signal.
- 9) Requires an operating system provider or covered application store to comply herewith in a nondiscriminatory manner, as provided.
- 10) Provides that with respect to a device for which account setup was completed before January 1, 2027, an operating system provider shall, before July 1, 2027, provide an accessible interface that allows an account holder to indicate the birth date, age, or both, of the user of that device for the purpose of providing a signal regarding the user's age bracket to applications available in a covered application store. If an application last updated with updates on or after January 1, 2026, was downloaded to a device before January 1, 2027, and the developer has not requested a signal with respect to the user of the device on which the application was downloaded, the developer shall request a signal from a covered application store with respect to that user before July 1, 2027.
- 11) Clarifies its scope and interaction with other laws. Provides that it becomes operative on January 1, 2027.
- 12) Includes a severability clause.
- 13) Defines the relevant terms.

Background

Children face numerous serious risks in online environments that can have lasting impacts on their development and wellbeing. Exposure to inappropriate content, including violent, sexual, or disturbing material, can be traumatic and age-inappropriate for developing minds. Cyberbullying and online harassment can lead to anxiety, depression, and social isolation, while predators may attempt to groom or exploit children through social media, gaming platforms, and messaging apps. Additionally, excessive screen time and addictive app design can interfere with sleep, physical activity, and real-world social development. Children may also inadvertently share personal information or fall victim to scams. Many approaches to solving these problems by requiring age verification have serious trade offs, whether it be privacy, security, or effectiveness.

This bill seeks to accomplish these goals by requiring operating system providers and app stores to obtain age information on minor users and to communicate this to app developers. Developers are required to request the signal then to treat these signals as the primary indicator of a user's age, as provided. This bill is sponsored by Children Now. It is supported by several advocacy groups, including CFT — A Union of Educators & Classified Professionals, and Pinterest. It is opposed by Chamber of Progress.

Comments

According to the author:

California's children are growing up with access to an online world that was not built with them in mind. Kids rely on the digital world for education, entertainment, and socialization, but there are no guardrails that protect them from exposure to manipulative design features, and inappropriate interactions. This leaves children vulnerable to harm, including cyberbullying, sextortion, mental health struggles and more. This is simply unacceptable. It is essential that online spaces are designed with children's safety in mind from the outset — and a key part of that design is the ability to accurately assess a user's age.

The Digital Age Assurance Act is a crucial step in ensuring kids can explore the digital world more safely — and a critical step needed for us to require social media and other online companies to implement higher consumer safety standards for products accessed by kids. The urgency behind AB 1043 is backed by mounting evidence of the

harmful impacts unregulated digital environments can have on children's mental health, safety, and overall well-being. Creating a statutory age assurance framework that balances privacy and usability will give parents greater peace of mind, build trust with children and families, and create consistency for businesses looking to innovate responsibly. AB 1043 provides a scalable path forward — one that encourages the development of safer online experiences while preserving the benefits of digital participation for young users.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Possible costs (General Fund, special funds) to the Department of Justice (DOJ) of an unknown amount. Actual costs will depend on whether the Attorney General pursues enforcement actions, and, if so, the level of additional staffing DOJ needs to handle the related workload. If DOJ hires staff to handle enforcement actions authorized by this bill, the department would incur significant costs, likely in the low hundreds of thousands of dollars annually at a minimum. If DOJ does not pursue enforcement as authorized by this bill, the department would likely not incur any costs.
- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate civil actions. Expanding civil penalties could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

SUPPORT: (Verified 9/10/25)

Children Now (source)

AAPI Equity Alliance

California Academy of Child and Adolescent Psychiatry

California Catholic Conference

California Civil Liberties Advocacy

California Parents for Public Virtual Education

CFT- a Union of Educators & Classified Professionals, AFT, AFL-CIO
Common Sense Media
#HalfTheStory
Internet Works
Latino Equality Alliance
Lenovo, Inc.
Parent Support for Online Learning
Pinterest, Inc.
The Source LGBT+ Center

OPPOSITION: (Verified 9/10/25)

Chamber of Progress
Technet

ARGUMENTS IN SUPPORT: Children Now, the sponsor of this bill, writes:

The mental health of youth is in crisis. The challenges that families have faced for generations are exacerbated and amplified by modern technology. Parents, schools and governments are all grappling with the challenges of how to keep kids safe online. Simultaneously, connectivity provides opportunity for access to friends, family, community, and resources.

By sharing approximate users' age to developers of online products and services, AB 1043 will ensure that online platforms provide age-appropriate online experiences. AB 1043 marks an important step toward creating a developmentally safe online world that supports youths' mental, emotional, and social development.

ARGUMENTS IN OPPOSITION: Chamber of Progress writes:

While it is important to encourage parental involvement to ensure minors' safety online, parents are not always best suited to control how their child uses a platform. AB 1043 risks harming the very children it aims to protect, especially vulnerable youth. Many apps that provide critical services, such as platforms supporting mental, physical, and reproductive health, prioritize anonymity to ensure user safety and promote positive, help-seeking behaviors. Age-bracket signaling and automatic parental consent and control requirements, as

outlined in AB 1043, could pressure app stores to collect more information, compromising privacy.

In situations where a parent does not support their child's identity or seeks to restrict access to certain political, health, or other information, this authority can be utilized and weaponized as a tool of control, particularly in abusive or unhealthy home environments. For many youth, online spaces serve as a lifeline, offering access to communities, resources, and support networks that may not be available in their offline lives. LGBTQ+ youth, especially those who may live in communities hostile to their identity, see social media as a crucial tool to connect with LGBTQ+ groups, access content from people's shared experiences, maintain positive connections, and reduce perceived isolation. LGBTQ+ youth use online platforms to seek emotional support, search for information about their identities, and find communities that accept them when their own parents do not. In fact, only 38% of LGBTQ youth report living in affirming households, while 60% reported finding online spaces to be supportive.

ASSEMBLY FLOOR: 76-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Lackey, Patterson, Ta

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113
9/10/25 10:28:42

**** END ****

THIRD READING

Bill No: AB 1079
Author: Ávila Farías (D)
Amended: 7/3/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 10-1, 7/1/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson

NOES: Niello

NO VOTE RECORDED: Valladares, Wiener

SENATE ELECTIONS & C.A. COMMITTEE: 4-1, 7/15/25

AYES: Cervantes, Allen, Limón, Umberg

NOES: Choi

ASSEMBLY FLOOR: 55-16, 6/4/25 - See last page for vote

SUBJECT: Civil appeals: stay of enforcement

SOURCE: Author

DIGEST: This bill provides that the perfecting of an appeal does not stay enforcement of an order in the trial court, in the absence of an order of the trial court providing otherwise, if the trial court finds that either: (1) a party's at-large method of election violates, or is likely to violate, the California Voting Rights Act of 2001; or (2) a party's election district boundaries violate, or are likely to violate, the FAIR MAPS Act of 2023. This bill requires; however, that the enforcement of a judgment or order under the California Voting Rights Act of 2001 or the FAIR MAPS Act of 202 may be stayed by the court upon appeal if the Secretary of State files a certification in the trial court stating that enforcement of the order is otherwise necessary for the orderly administration of the state's elections. This bill provides that it does not apply to a judgment or order entered in a proceeding or action described above that is commenced on or before January 1, 2026.

ANALYSIS:

Existing law:

- 1) Establishes the California Voting Rights Act of 2001 to prevent electoral maps from being created in a manner that would reduce the ability of a protected class to influence the outcome of an election. (Elections Code (Elec. Code) §§14025 et seq.):
 - a) Prohibits at-large municipal elections from being imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class. (Elec. Code Section 14026.)
 - b) A violation of a) is established if it can be shown that racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision. (Elec. Code Section 14027 (a).)
 - c) The occurrence of racially polarized voting under b) is to be determined by examining results of elections in which at least one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of members of a protected class. (*Id.* at subd. (b).)
- 2) Establishes the Fair and Inclusive Redistricting for Municipalities and Political Subdivisions Act of 2023 (FAIR MAPS Act of 2023) to protect the integrity, fairness, transparency, and accessibility of the local redistricting process, prohibit discriminatory local redistricting practices, and protect the people from unrepresentative and dilutive local electoral systems. (Elec. Code §§ 21100 et seq.):
 - a) Requires, following or concurrent with the decision to establish district-based elections for a legislative body, or following each federal decennial census for a legislative body that is already elected using district-based elections, the districting body to, by ordinance or resolution, adopt boundaries for all of the election districts of the legislative body so that the election districts are substantially equal in population as required by the U. S. Constitution. (Elec. Code § 21130 (a).)
 - b) Provides the criteria for establishing municipal electoral districts pursuant to a), and includes a requirement that, to the extent practicable and where it

does not conflict with the law, the geographic integrity of any local neighborhood or local community of interest must be respected in a manner that minimizes its division. (*Id.* at subd. (c).)

- c) Defines “community of interest” to mean a population that shares common social or economic interests that should be included within a single election district for purposes of its effective and fair representation, and that characteristics of communities of interest may include, but are not limited to, shared public policy concerns such as education, public safety, public health, environment, housing, transportation, and access to social services. (*Ibid.*)
- 3) Provides the perfecting of an appeal stays proceedings in the trial court upon the judgment or order appealed from or upon the matters embraced therein or affected thereby, including enforcement of the judgment or order, unless otherwise provided by law. The trial court may proceed upon any other matter embraced in the action and not affected by the judgment or order. (Code of Civil Procedure § 916(a).)
- a) Provides that when there is a stay of proceedings other than the enforcement of the judgment, the trial court retains jurisdiction of proceedings related to the enforcement of the judgment as well as any other matter embraced in the action and not affected by the judgment or order appealed from. (*Id.* at subd. (b).)

This bill:

- 1) Provides that the perfecting of an appeal does not stay enforcement of the judgment or order in the trial court, in the absence of an order of the trial court providing otherwise, under any of the following circumstances:
 - a) The trial court has found that a party’s at-large method of election, as defined, violates, or is likely to violate, the California Voting Rights Act of 2001; or
 - b) The trial court has found that a party’s at-large method of election, as defined, violates, or is likely to violate the FAIR MAPS Act of 2023.
- 2) Requires that, notwithstanding 1), a trial court’s order is stayed during the pendency of an appeal if the Secretary of State files a certification in the trial court declaring that staying enforcement of a judgment or order pending appeal is otherwise necessary for the orderly administration of the state’s elections

- 3) Provides that, if the enforcement of a judgment or order is not stayed pursuant to 1), above, the party whom the action is brought against must reimburse a county elections official for any actual costs incurred by that elections official in administering elections as a result of the enforcement of the trial court's judgment or order, and as the result of any orders issued by a court during an appeal of the action.
- 4) Provides that the above provisions do not apply to a judgment or order entered on, or action commenced before, January 1, 2026 that asserts at least one cause of action under the California Voting Rights Act of 2001 or the FAIR MAPS Act of 2023.
- 5) Makes various findings and declarations of the Legislature.

Comments

Almost forty years ago, the U. S. Supreme Court held that conducting elections in a way that dilutes the voting power of minority groups violated the U. S. Constitution. (*Thornburg v. Gingles* (1986) 478 U.S. 30.) In 2001, the Legislature enacted the California Voting Rights Act of 2001 (SB 976 (Polanco) Ch. 129, Stats. 2002.), which invalidates at-large local elections for a municipality if a plaintiff proves that the minority community tends to vote in a cohesive manner and that the municipality's racial majority votes in a racially sufficiently monolithic manner as to prevent minority candidates from having a realistic chance to prevail. As a result, many municipalities in California have gradually moved toward district-based elections over the past 20 years.¹ In 2023, the Legislature adopted AB 764 (Bryan, Ch. 343, Stats. 2023) to expand district-based election requirements to include elections for special districts, including school boards and community college trustees. Existing law does not require district-based elections, so a municipality or special district must voluntarily change to a district-based election, or this change can be required by the courts.

The FAIR MAPS Act of 2023 revised and standardized the criteria and process to be used by local governments when adjusting the boundaries of the electoral districts that are used to elect members of the jurisdictions' governing bodies, and required local jurisdictions to comply with substantial public hearing and outreach requirements as part of the process for adjusting the boundaries of electoral

¹ Pieter K. van Wingerden and Aria Farat, *Mapping the Revolution in California City Council Election Systems*, Rose Institute of State and Local Government, Claremont McKenna College, (Apr. 20, 2025), available at https://roseinstitute.org/wp-content/uploads/2025/05/CA-City-Elections-Systems-Report_FINAL.pdf.

districts. AB 764 (Bryan, Chapter 343, Statutes. 2023.) The FAIR MAPS Act of 2023 sought to implement recommendations made in a report that evaluated the effects of the FAIR MAPS Act of 2019 AB 849 (Bonta, Chapter 557, Statutes 2019) during the local redistricting process that followed the 2020 federal decennial census.²

In 2016, the Pico Neighborhood Association and others filed a lawsuit against the City of Santa Monica alleging that the at-large system used to elect candidates to the Santa Monica City Council was implemented to dilute the voting power of Latino voters in Santa Monica in violation of the California Voting Rights Act and the Equal Protection Clause of the California Constitution. In 2019, the Los Angeles Superior Court ruled in favor of plaintiffs on both claims. (*Pico Neighborhood Association v. City of Santa Monica* (2019) 2019 Cal. Super. LEXIS 2015.) The City of Santa Monica appealed the trial court decision, which was automatically stayed pursuant to existing law. The California Court of Appeals reversed the trial court's decision finding that minority voters would have to be numerous enough to comprise a majority-minority district in order to win a case under the California Voting Rights Act. (*Pico Neighborhood Association v. City of Santa Monica* (2020) 265 Cal.Rptr.3d 530, at 547) The appeals court wrote that the "reason for the asserted lack of electoral success in Santa Monica would appear to be that there are too few Latinos to muster a majority, no matter how the City might slice itself into districts or wards. At-large voting is not to blame. Small numbers are."

The plaintiffs appealed to the California Supreme Court, which found that the appellate court used an incorrect standard to evaluate the plaintiff's case under the California Voting Rights Act. The Supreme Court agreed that must establish both the racially polarized voting and vote dilution requirements to succeed under the California Voting Right Act, but rejected the requirement that the minority group has to be able to create a minority-majority district. (*Pico Neighborhood Association v. City of Santa Monica* (2023) 15 Cal. 5th 292, at 321-22.) The Supreme Court held that "[u]nlike its federal analogue, the [California Voting Rights Act] prohibits the use of an at-large electoral system that dilutes not only the ability of a protected class 'to elect candidates of its choice,' but also 'its ability to influence the outcome of an election.' (Elec. Code, § 14027.)" (*Id.* at 323.) The Supreme Court stated that it was expressing no view on the ultimate question of whether the City of Santa Monica's existing election system is consistent with the California Voting Rights Act, and remanded the case to the appellate court to

² Nicholas Heidorn, *The Promise of Fair Maps*, Common Cause California, available at <https://www.commoncause.org/california/wp-content/uploads/sites/29/2023/01/CCC-FMA-Report.pdf>.

“decide in the first instance whether, under the correct legal standard, plaintiffs have established that at-large elections dilute their ability to elect their preferred candidate; whether plaintiffs have demonstrated the existence of racially polarized voting; and any of the other unresolved issues in the City's appeal.” (*Id.* at 324-25.) The case is currently pending.

Section 916 of the Code of Civil Procedure provides a default rule that matters embraced upon an appeal of a trial court order are to be stayed during the pendency of the appeal, except as specified in Sections 917.1 through 917.9, and Section 116.810. Section 1110b of the Code of Civil Procedure provides that if an appeal is made from an order or judgment granting a writ of mandate, the court granting the writ, or the appellate court, may direct that the appeal not be stayed if it is satisfied upon the showing made by the petitioner that the petitioner will suffer irreparable damage in the petitioner's business or profession if the order is stayed.

The California Supreme Court has held that if the “statutory conditions have been met and a stay on appeal is prescribed, the courts lack discretion to deny it except as other statutes may authorize.” The Court has stated that “the Legislature may always, if it chooses, reexamine California's statutory law governing stays pending appeal and decide whether the law would be better served by an approach that permits courts to take account of a wider array of equitable considerations than does present law.”

As evidenced by the Pico Neighborhood Association case, automatically staying voting rights act cases on appeal can result in further disenfranchising minority voters. Preventing these cases from being automatically stayed promotes the public policy of democratic and fair elections. Undoing district-based elections, should the decision be overturned on appeal, does not appear to place an undue burden on the municipality. The City of Santa Monica was opposed to this bill when it was in the Assembly; however, it has removed its opposition since amendments were adopted to provide that the bill's provisions do not apply to a judgment or order entered in or action commenced on or before January 1, 2026. As such, the Pico Neighborhood Association case currently pending in the appeals court would continue to be stayed during the pendency of the appeal should this bill be enacted.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/16/25)

None received

OPPOSITION: (Verified 7/16/25)

Northeast Neighbors of Santa Monica
Pico Neighborhood Association
Santa Monica Northeast Neighbors
Santa Monicans United
Wilshire Montana Neighborhood Coalition
8 Individuals

ARGUMENTS IN SUPPORT: The author writes:

AB 1079 would have a positive impact on the ability of underserved and marginalized communities to access the justice system. If cities or districts are able to delay justice to marginalized and underserved communities by simply filing a Notice of Appeal, it is not practical to those marginalized and underserved communities to utilize the justice system, because, as Dr. Martin Luther King Jr. said in his Letter from a Birmingham jail: “justice delayed is justice denied.” Why would members of marginalized and underserved communities utilize the justice system when it is denying them justice?

ARGUMENTS IN OPPOSITION: The Pico Neighborhood Association writes

Originally crafted to curtail the misuse of civil appeals to delay court-ordered transitions to district elections under the California Voting Rights Act, the bill has been undermined by a late-stage amendment that unjustly excludes Santa Monica—one of the very jurisdictions where such a remedy is most urgently needed.

The exclusion of Santa Monica from the protections of AB1079 legitimizes the City’s long-standing delay tactics and knowingly permits the continuation of racial discrimination in our local elections. Minority voters in our city, especially those in the Pico Neighborhood, have endured nearly a decade of litigation and disenfranchisement despite a 2019 court ruling recognizing racially polarized voting and ordering a transition to district elections. Rather than correct this injustice, the amended bill enshrines it.

ASSEMBLY FLOOR: 55-16, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Hart, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom,

Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas
NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Tangipa, Wallis
NO VOTE RECORDED: Flora, Jeff Gonzalez, Harabedian, Irwin, Pacheco, Papan, Schultz, Ta

Prepared by: Amanda Mattson / JUD. / (916) 651-4113
7/16/25 16:22:47

****** END ******

THIRD READING

Bill No: AB 1084
Author: Zbur (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE JUDICIARY COMMITTEE: 11-1, 7/1/25
AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener
NOES: Niello
NO VOTE RECORDED: Valladares

SENATE HEALTH COMMITTEE: 9-0, 7/16/25
AYES: Menjivar, Durazo, Gonzalez, Limón, Padilla, Richardson, Rubio, Weber
Pierson, Wiener
NO VOTE RECORDED: Valladares, Grove

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 60-13, 6/4/25 - See last page for vote

SUBJECT: Change of name and gender and sex identifier

SOURCE: Equality California

DIGEST: This bill streamlines the process for legally changing one's name, including a change of name to match a person's gender identity.

Senate Floor Amendments of 9/5/25 remove the urgency clause from the bill and delay implementation until July 1, 2026.

ANALYSIS:

Existing law:

- 1) Provides that a person may file a petition with a superior court seeking a judgment recognizing the change of gender to female, male, or nonbinary. If requested, the judgment shall include an order that a new birth certificate be prepared reflecting the change of gender and any name change accomplished by an order of a court of this state, another state, the District of Columbia, or any territory of the United States. (Health & (Safety) Saf. Code § 103425.)
- 2) Provides the process for a petitioner seeking a court order to recognize a change in the petitioner's gender and sex identifier as female, male, or nonbinary and to direct the issuance of new administrative documents to reflect those changes. (Health & Saf. Code § 103430.)
- 3) Requires the court to grant the above petition without a hearing if no written objection is timely filed. The relevant court order can include an order for a new birth certificate reflecting the petitioner's change in gender and name, where applicable. The law provides additional processes for a petitioner under 18 years of age. (Health & Saf. Code § 103430.)
- 4) Authorizes a single petition to be filed to change the petitioner's name and recognize the change to the petitioner's gender, and, if requested, to order the issuance of a new birth certificate. It further provides for the filing of such court orders with the Secretary of State and the State Registrar, as specified. (Health & Saf. Code §§ 103435, 103445, 103725.)
- 5) Provides the court procedures for effectuating the above changes. (Code of Civil Procedure (Civ. Proc.) § 1275 et seq.)
- 6) Provides that if a proceeding for a change of name to conform the petitioner's name to the petitioner's gender identity is commenced by the filing of a petition, the court shall thereupon make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. The order shall direct all persons interested in the matter to make known any objection to the change of name by filing a written objection, which includes any reasons for the objection, within six weeks of the making of the order, and shall state that if no objection showing good cause to oppose the name change is timely filed, the court shall, without hearing, enter the order that the change of name is granted. (Code Civ. Proc. § 1277.5(a)(1).)

- 7) Provides that if a petition is filed to change the name of a minor to conform to gender identity that does not include the signatures of both living parents, the petition and the order to show cause shall be served on the parent who did not sign the petition, within 30 days from the date on which the order is made by the court. If service cannot reasonably be accomplished, the court may order that service be accomplished in a manner that the court determines is reasonably calculated to give actual notice to the parent who did not sign the petition. (Code Civ. Proc. § 1277.5(a)(2).)
- 8) Exempts a proceeding for a change of name to conform the petitioner's name to the petitioner's gender identity from any requirement for publication. (Code Civ. Proc. § 1277.5(b).)
- 9) Prohibits a hearing date from being set in the proceeding unless an objection is timely filed and shows good cause for opposing the name change. Objections based solely on concerns that the proposed change is not the petitioner's actual gender identity or gender assigned at birth shall not constitute good cause. At the hearing, the court may examine under oath any of the petitioners, remonstrants, or other persons touching the petition or application, and may make an order changing the name or dismissing the petition or application as the court may deem right and proper. (Code Civ. Proc. § 1277.5(c).)

This bill:

- 1) Eliminates the process whereby a person may object to an adult's petition for a change of name for a period of six weeks after the petition is filed with the court.
- 2) Requires the court to enter an order without hearing approving of an adult's petition for a change of name within six weeks of receiving the petition.
- 3) Requires a court to enter an order without hearing approving of a minor's petition for a change of name within six weeks of receiving the petition if all of the minor's living parents have signed the petition.
- 4) Provides that a court may only deny a minor's petition for a change of name in the presence of good cause, which cannot be based solely on concerns that the proposed change is not the petitioner's actual gender identity or gender assigned at birth, and where all living parents have not signed the petition.

5) Expedites the timelines for the granting of petitions, as provided.

6) Delays implementation until July 1, 2026.

Background

In 2017, SB 179 (Atkins, Chapter 853, Statutes of 2017) restructured the processes for individuals to change their names and genders to conform with their gender identity and to have these changes reflected on their birth certificates. In addition, a streamlined process was established for changing one's name and gender and having an updated birth certificate issued as part of a single petition. Specific guidelines and required procedures were laid out for petitioners.

AB 218 (Ward, Chapter 577, Statutes of 2021) incorporated into those processes the ability to likewise change a petitioner's gender or sex identifier and name on their marriage certificate and their children's birth certificates. It subjected such updating to similar procedural requirements and included additional provisions to account for objecting spouses and children. It also extended recognition to underlying orders from foreign courts and provided eligibility to persons not born or residing in the state, as specified.

Comments

Code of Civil Procedure section 1277.5 provides the procedure for handling change of name petitions. Currently the court must make an order reciting the filing of the petition, the name of the person by whom it is filed, and the name proposed. The order shall direct all persons interested in the matter to make known any objection to the change of name by filing a written objection, which includes any reasons for the objection, within six weeks of the making of the order, and shall state that if no objection showing good cause to oppose the name change is timely filed, the court shall, without hearing, enter the order that the change of name is granted. Additional procedural requirements apply where the petitioner is a minor and all living parents have not signed the petition.

This bill streamlines the process for legally changing one's name, including a change of name to match the person's gender identity.

The bill is sponsored by Equality California and supported by a number of advocacy organizations, including the Ella Baker Center for Human Rights. It is opposed by the Lighthouse Baptist Church.

This bill expedites these processes considerably. It eliminates the ability to object to petitions brought by adults and for minors whose petitions are signed by all living parents. Furthermore, it converts the six-week period into a maximum waiting period, requiring courts to grant such petitions without hearing within six weeks of the filing. This bill also expedites various timelines for the court to enter related orders.

The author identifies another issue:

Current law requires a petitioner to file a judgment ordering a new birth certificate or marriage certificate with the State Registrar or county clerk, as applicable, within 30 days from the date of the judgment. However, in some counties, judgments are not available to the petitioner until seven to ten business days after the court grants it, and if a mailed request is made for copies of the court order, it can take three to six weeks for the copies to arrive. The 30-day statutory deadline is not feasible for many petitioners and is generally not enforced.

This bill removes this timeline from the relevant statutes.

According to the author:

Transgender and nonbinary people across the country are facing relentless attacks that are part of a coordinated effort to both make it more difficult for them to live safely and openly as their authentic selves and to erase transgender people from public life entirely. AB 1084 will help to ensure that transgender and nonbinary people do not experience unnecessary delays in obtaining accurate identification documents in California so that they can better protect themselves from growing legal threats to their safety and wellbeing and reduce their vulnerability to discrimination and harassment.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to fast track petitions to change a person's name. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of petitions filed and the factors

unique to each case. However, there could be cost savings to the extent that the court is not required to hold hearings on certain petitions. An eight-hour court day costs approximately \$10,500 in staff in workload. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

SUPPORT: (Verified 9/9/25)

Equality California (source)

APLA Health

Asian Americans Advancing Justice – Southern California

Bienestar Human Services

California Civil Liberties Advocacy

California Legislative LGBTQ Caucus

California LGBTQ Health and Human Services Network

CFT — A Union of Educators & Classified Professionals, AFT, AFL-CIO

City of San Jose

Courage California

East Bay Community Law Center

Ella Baker Center for Human Rights

Grace Institute - End Child Poverty in CA

LGBTQ+ Inclusivity, Visibility, and Empowerment

Los Angeles LGBT Center

PFLAG Sacramento

Public Counsel - Tay

Radiant Health Centers

Rainbow Families Action Bay Area

San Francisco Aids Foundation

OPPOSITION: (Verified 9/9/25)

California Baptist for Biblical Values

California Catholic Conference

California Family Council

Cause: Californians United for Sex-based Evidence in Policy and Law

Lighthouse Baptist Church

Real Impact.

ARGUMENTS IN SUPPORT: Equality California, the sponsor of this bill, writes:

Under existing law, an individual seeking a court order recognizing their gender change and changing their legal name must wait a minimum of six weeks for anyone who has an objection to file a written objection with the court. However, the six-week waiting period is burdensome and unnecessary as name and gender change petitions for minors are confidential, and for adults and minors who have consent from both of their parents, there is no notification or publication requirement. AB 1084 streamlines and expedites the process for transgender and nonbinary Californians to obtain a court-ordered name and gender change by eliminating the six-week mandatory waiting period for uncontested petitions and requiring court orders for uncontested petitions to be issued within six weeks.

The Transgender Records Act is crucial and timely legislation to ensure that transgender and nonbinary Californians can swiftly obtain accurate identification documents to protect themselves from growing legal threats and reduce their vulnerability to discrimination and harassment.

ARGUMENTS IN OPPOSITION: The Lighthouse Baptist Church writes in opposition:

While AB 1084 pretends to recognize parental involvement by requiring the consent of both parents for minors, it simultaneously undermines that authority by nullifying objections based on belief in biological sex. The bill states that a court must disregard any parental concern if it is based on the view that “the proposed change is not the petitioner’s actual gender identity or gender assigned at birth.”

ASSEMBLY FLOOR: 60-13, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff
Gonzalez, Hadwick, Macedo, Patterson, Sanchez

NO VOTE RECORDED: Alanis, Hoover, Lackey, Ramos, Ta, Tangipa

Prepared by: Christian Kurpiewski / JUD. / (916) 651-4113
9/9/25 17:11:19

****** END ******

THIRD READING

Bill No: AB 1108
Author: Hart (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 7/1/25
AYES: Arreguín, Caballero, Gonzalez, Pérez, Wiener
NOES: Seyarto

SENATE LOCAL GOVERNMENT COMMITTEE: 5-2, 7/16/25
AYES: Durazo, Arreguín, Cabaldon, Laird, Wiener
NOES: Choi, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 72-0, 6/3/25 - See last page for vote

SUBJECT: County officers: coroners: in-custody deaths

SOURCE: Author

DIGEST: This bill, commencing January 1, 2027, prohibits a sheriff-coroner, in any county where the offices of sheriff and coroner are combined, from determining the circumstances, manner, and cause of death for any in-custody death, as defined, and instead requires the sheriff-coroner to contract with another county or third-party medical examination provider to determine the manner, circumstances, and cause of the in-custody death, as specified.

Senate Floor Amendments of 9/5/25 name this bill the FACTS Act of 2025, clarify the applicable requirements for contracting, including to specify that a contracted medical examiner cannot provide medical examination services for any cases that do not involve in-custody deaths, and make other technical and clarifying changes.

ANALYSIS:

Existing law:

- 1) Provides that officers of a county include a sheriff and coroner, among others. (Government (Gov.) Code, § 24000 subd. (b) & (m).)
- 2) Authorizes the board of supervisors to abolish by ordinance the office of coroner and provide instead for the office of medical examiner, to be appointed by the board and to exercise the powers and perform the duties of the coroner. The medical examiner shall be a licensed physician and surgeon duly qualified as a specialist in pathology. (Gov. Code, § 24010.)
- 3) Authorizes county boards of supervisors to consolidate by ordinance the duties of certain county offices into one or more combinations, including the sheriff and the coroner. (Gov. Code, § 24300.)
- 4) Authorizes certain classifications of counties to additionally combine the duties of the sheriff, tax collector, and coroner. (Gov. Code, §§ 24304 & 24304.1.)
- 5) Requires coroners to determine the manner, circumstances, and cause of death in several specified circumstances. (Gov. Code, § 27491.)
- 6) Requires the coroner or a deputy to sign the certificate of death when they perform a mandatory inquiry. (Gov. Code, § 27491, subd. (a).)
- 7) Allows the coroner or medical examiner discretion when determining the extent of the inquiry required to determine the manner, circumstances and cause of death. (Gov. Code, § 27491, subd. (b).)
- 8) Provides that in all cases in which a person has died under circumstances that afford a reasonable ground to suspect that the person's death has been occasioned by the act of another by criminal means, the coroner, upon determining that those reasonable grounds exist, shall immediately notify the law enforcement agency having jurisdiction over the criminal investigation, as specified. (Gov. Code, § 27491.1)
- 9) Provides that the cause of death appearing on a certificate of death signed by the coroner shall be in conformity with facts ascertained from inquiry, autopsy and other scientific findings, and prohibits the coroner from finally excluding crime, suicide or accident as a cause of death because of lack of evidence. (Gov. Code, § 27491.5.)

- 10) Authorizes a coroner, in any case where a coroner is required to inquire into a death, to delegate their jurisdiction over the death to an agency of another county or the federal government when specified conditions have been met. (Gov. Code, § 27491.55.)
- 11) Provides that a forensic autopsy shall only be conducted by a licensed physician and surgeon, and that the results of a forensic autopsy shall only be determined by a licensed physician and surgeon. (Gov. Code, § 27522, subds. (a), (b).)
- 12) Provides that the manner of death shall be determined by the coroner or medical examiner of a county. If a forensic autopsy is conducted by a licensed physician and surgeon, the coroner shall consult with the physician in determining the cause of death. (Gov. Code, § 27522, subd. (d).)
- 13) Provides that only persons directly involved in the investigation of the death of the decedent shall be allowed into the autopsy suite. (Gov. Code, § 27522, subd. (f)(1).)
- 14) Provides that if an individual dies due to the involvement of law enforcement activity, law enforcement directly involved with the death of that individual shall not be involved with any portion of the post mortem examination, nor allowed into the autopsy suite during the performance of the autopsy. (Gov. Code, § 27522, subd. (f)(2).)
- 15) Requires that any police reports, crime scene or other information, videos, or laboratory test that are in the possession of law enforcement and are related to a death that is incident to law enforcement activity be made available to the forensic pathologist prior to the completion of the investigation of the death. (Gov. Code, § 27522, subd. (g).)
- 16) States that the content of a death certificate must include, among other things, personal data of the decedent, date of death, place of death, disease or conditions leading directly to death and antecedent causes, accident and injury information, and information regarding pregnancy. (Health & Saf. Code, § 102875.)
- 17) Requires a physician and surgeon, physician assistant, funeral director, or other person to notify the coroner when they have knowledge that a death occurred, or if they have charge of a body in which death occurred under any of several specified circumstances. (Health & Saf. Code, § 102850.)
- 18) Provides that when a person, including a juvenile, who is in custody dies, the agency with jurisdiction over the state or local correctional facility with

custodial responsibility for the person at the time of their death, shall post specified information on its website for the public to view within 10 days of the date of death. (Pen. Code, § 10008, subds. (a) & (b).)

- 19) Defines, for the purposes of the provision above, an “in-custody death” as the death of a person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, state prison, state-run boot camp prison, boot camp prison that is contracted out by the state, any state or local contract facility, or other local or state correctional facility, including any juvenile facility. “In-custody death” also includes deaths that occur in medical facilities while in law-enforcement custody. (Pen. Code, § 10008, subd. (c).)

This bill:

- 1) Enacts the Forensic Accountability, Custodial Transparency, and Safety (FACTS) Act of 2025, as follows:
- 2) Provides that in any county where the offices of the sheriff and the coroner are combined, the sheriff-coroner shall not determine the circumstances, manner, and cause of death for any in-custody death, but shall instead do one of the following:
 - a) Contract with one or more counties that have a coroner’s office that operates independently from the office of the sheriff or that have established an office of medical examiner to determine the circumstances, manner, and cause of death.
 - b) Contract with a one or more private third-party medical examination providers that are separate and independent from the office of the sheriff-coroner and meets specified physician qualification requirements to determine the circumstances, manner, and cause of death.
- 3) Requires the contracted coroners or medical examiners to operate independently from the office of the sheriff-coroner in conducting the medical examination process, including, but not limited to, exercising professional judgment to make determinations of the circumstances, manner, and cause of death.
- 4) Provides that the cause and manner of death listed on the death certificate shall match the cause and manner of death determined by the coroner, medical examiner, or third-party medical examination provider.

- 5) Requires for any county in which the offices of the sheriff and the coroner are combined, the county board of supervisors shall annually select and enter into a service agreement with medical examiners or independent coroner offices from other counties, or with one or more private third-party medical examination providers, or with any combination of those medical examiners, independent coroner offices, or private third-party medical examination providers.
- 6) Prohibits a private third-party medical examination provider that has entered into a service agreement with a county from being contracted by the county or the sheriff-coroner of that county to provide medical examination for any cases that do not involve in-custody deaths.
- 7) Provides that once the county board of supervisors has selected and entered into a service agreement, the sheriff-coroner shall contract only with that medical examiner, independent coroner, or third-party medical examination provider for the term of the service agreement.
- 8) Provides that, upon the determination of the circumstances, manner, and cause of death, the findings of the examination shall be delivered to the sheriff-coroner, district attorney, county health officer, and board of supervisors of the county in which the death occurred. The findings shall also be delivered to the decedent's next of kin.
- 9) Provides that for the purposes of this bill, "in-custody death" is defined as set forth in Section 10008 of the Penal Code or as a death of a person who is detained, under arrest, or is in the process of being detained or arrested, by a federal law enforcement officer, including for the purposes of immigration enforcement, or who is en route to be detained, or is detained, at a federal correctional facility or immigration detention facility, and for which the sheriff-coroner has jurisdiction or the federal government has requested an autopsy be performed by the sheriff-coroner's office.
- 10) Specifies that the existing requirement that the manner of death be determined by the coroner or medical examiner of a county does not apply to an examination conducted by an outside coroner, medical examiner or third-party medical examination provider pursuant to this bill.
- 11) Specifies that the provisions above do not take effect until January 1, 2027.

Comments

Under existing law, it is the duty of the county coroner to inquire into and determine the circumstances, manner and cause of deaths that occur within their

jurisdiction, including violent, sudden or unusual deaths, unattended deaths, known or suspected homicide, suicide or accidental poisoning, deaths from or related to injury or accident, and death in whole or in part occasioned by criminal means, among others. Existing law also authorizes the coroner to perform an autopsy upon any victim of sudden, unexpected, or unexplained death or any death known or suspected of resulting from an accident, suicide, or apparent criminal means. The coroner is required to perform an autopsy if the surviving spouse requests them to do so in writing. If there is no surviving spouse, that right devolves to a surviving parent or child, and subsequently, if there is no surviving parent or child, to the next of kin.

Coroners are also authorized to conduct inquests, or more formal investigations into the cause of a death, of their own volition, and are required to conduct them if requested to do so by the Attorney General, district attorney, sheriff, city prosecutor, city attorney or chief of police in their jurisdiction. Autopsies are usually, but not always, a central component of inquests, if they had not been conducted prior to the commencement of the inquest. Pursuant to their statutory duties, coroners are responsible for the production and completion of various records and documents regarding a particular death under investigation. Centrally, coroners are generally responsible for signing death certificates, which indicate the manner of death.

County sheriffs, by contrast, have three primary duties: keeping the peace (involving patrol and arrest), attending the courts (including providing courthouse security), and operating the county jails. While the sheriff is a constitutionally elected official in all counties, some counties have elected coroners and others have appointed coroners, or medical examiners who perform the duties of a coroner (discussed further below). Under existing law, counties have the authority to consolidate the offices of sheriff and coroner, and currently 48 counties have done so. This consolidation usually occurs for two reasons: (1) the maintenance and function of two separate officers is more expensive, especially for smaller counties, and (2) many of the deaths that a coroner investigates have criminal or other law enforcement components.

Critics of consolidated sheriff-coroners argue that the duality of these offices constitutes an inherent conflict of interest. For instance, in consolidated counties, even if a forensic pathologist or medical examiner determines that someone was beaten to death, the sheriff-coroner has the authority to officially declare it an accident. Such an incident occurred in San Joaquin County, where a lawsuit was filed in 2018 alleging the sheriff's department changed an autopsy report at the center of a police excessive-force case. The year before in that same county, two

pathologists resigned from the office and alleged that the sheriff changed the manner of death in autopsy reports without their knowledge. The pathologists called for a split of the offices so that the independence of the coroner could be guaranteed, and the county's board of supervisors ultimately voted to replace the coroner's office with a medical examiner.

As referenced above, and in contrast to sheriff-coroners, many counties utilize an office of the medical examiner that is independent from the Sheriff's Department. Existing law authorizes board of supervisors to abolish the office of coroner and provide instead for the office of medical examiner, to be appointed by the board and to exercise the powers and perform the duties of the coroner. County medical examiners must, under state law, be licensed physicians with a specialization in pathology. Given the lower costs associated with maintaining a single Sheriff-Coroner Office, this option is typically utilized by larger, better-resourced counties. A medical examiner functions as the medical doctor responsible for examining bodies post mortem to determine cause of death. Medical examiners responsibilities may include investigating sudden or unnatural deaths, performing forensic medicine and pathology consultations, counseling families regarding manners and causes of death, testifying in courts, conducting physical examinations and laboratory tests, conducting inquests, and serving subpoenas for witnesses.

This bill, which goes into effect January 1, 2027, prohibits sheriff-coroners, in any county where those offices are consolidated, from determining the circumstances, manner and cause of death for any in-custody death, and instead requires them to either contract with another county that has an independent coroner's office or office of the medical examiner, or to contract with a third-party medical examination provider that is "separate and independent" from the office of the sheriff-coroner to make that evaluation. Under this bill, if a sheriff-coroner elects the latter option, the provider must meet specified physician qualification requirements and must operate independently from the sheriff-coroner's office in conducting the medical examination process, including, but not limited to, exercising professional judgement to make determinations of the circumstances, manner and cause of death. This bill further requires county boards of supervisors in any sheriff-coroner county to annually select and enter into a service agreement with another county's medical examiner or independent coroner office, or with a third-party medical examination provider, as specified. Finally, for any death investigation conducted under its provisions, this bill requires the cause and manner of death listed on the death certificate to match the cause and manner of death determined by the contracted party.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriation Committee:

- Costs of an unknown but potentially significant amount to counties (local funds, General Fund). This bill requires a county sheriff-coroner to request an inquiry by another county's medical examiner or a third-party medical examination team for specified in-custody deaths. Making a request may not result in significant costs to the requesting sheriff-coroner. However, there are a number of open questions about the implementation of this bill that point to significant costs to counties. If a county conducts an inquiry on behalf of another county with a conflict of interest, both counties may incur significant costs, including workload costs for coordinating and conducting the inquiry, transportation costs, and costs for materials and testing during the inquiry. If a county with a conflict of interest must pay a third-party medical examination team, the county would likely incur significant costs. The state must reimburse these county costs from the General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.

SUPPORT: (Verified 9/8/25)

Buen Vecino

California Attorneys for Criminal Justice

California Civil Liberties Advocacy

California for Safety and Justice

California Medical Association

California Public Defenders Association

Carpinteria Children's Project

Central Coast Alliance United for a Sustainable Economy

Cofem

Committee for Social Justice

Drivers Listos, Immigration Legal Defense Center

Immigration Section of the Ventura County Bar Association

Indivisible Ventura

League of Women Voters of California

Mixteco/indígena Community Organizing Project

Northern Santa Barbara County United Way

Oakland Privacy

Rubicon Programs

Santa Barbara County Immigrant Legal Defense Center
Sister Warriors Freedom Coalition
Smart Justice California, a Project of Tides Advocacy
Voces Sin Fronteras Lompoc

OPPOSITION: (Verified 9/8/25)

California State Sheriffs' Association
Carceral Ecologies
County of Fresno
County of Kern
Courage California
Justice2jobs Coalition
Kern County Board of Supervisors
Lead Filipino
Riverside County Sheriff's Office
Starting Over INC.
Starting Over Strong

ASSEMBLY FLOOR: 72-0, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Caloza, Castillo, Ellis, Macedo, Patterson, Michelle Rodriguez, Tangipa

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
9/8/25 21:33:33

**** END ****

THIRD READING

Bill No: AB 1127
Author: Gabriel (D) and Stefani (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 4-1, 7/1/25

AYES: Arreguín, Gonzalez, Pérez, Wiener

NOES: Seyarto

NO VOTE RECORDED: Caballero

SENATE JUDICIARY COMMITTEE: 11-2, 7/15/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NOES: Niello, Valladares

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 58-17, 6/3/25 - See last page for vote

SUBJECT: Firearms: converter pistols

SOURCE: Everytown for Gun Safety; Moms Demand Action for Gun Sense in America; Students Demand Action for Gun Sense in America

DIGEST: This bill prohibits, commencing July 1, 2026 licensed firearm dealers from selling, offering for sale, exchanging, giving, transferring, or delivering any semiautomatic machinegun-convertible pistol, except as specified.

Senate Floor Amendments of 9/9/25 delay implementation to July 1, 2026, resolve chaptering conflicts, authorize DOJ to issue regulations, and exempt specified handguns that are modified to remove machinegun-convertability and meet other criteria from certain requirements regarding “not unsafe” handguns.

ANALYSIS:

Existing law:

- 1) Establishes the “Firearm Industry Responsibility Act” (hereinafter, “FIRA”) which allows for civil actions to be brought against firearm industry members who deal in abnormally dangerous firearm-related products. (Civil Code (Civ. Code), § 3273.50 et seq.)
- 2) Provides that a firearm industry member must comply with the firearm industry standard of conduct; and it shall be a violation of the firearm industry standard of conduct for a firearm industry member to fail to comply with any requirement below:
 - a) A firearm industry member shall do both of the following:
 - i. Establish, implement, and enforce reasonable controls.
 - ii. Take reasonable precautions to ensure that the firearm industry member does not sell, distribute, or provide a firearm-related product to a downstream distributor or retailer of firearm-related products who fails to establish, implement, and enforce reasonable controls.
 - b) A firearm industry member shall not manufacture, market, import, offer for wholesale, or offer for retail sale a firearm-related product that is likely to create an unreasonable risk of harm to public health and safety, as provided.
 - c) A firearm industry member shall not engage in any conduct related to the sale or marketing of firearm-related products, as specified. (Civ. Code, § 3273.51, subds. (a)-(d).)
- 3) Defines “reasonable controls” following for the purposes of FIRA, as reasonable procedures, acts, or practices that are designed, implemented, and enforced to do the following:
 - a) Prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or another or of possessing or using a firearm-related product unlawfully.

- b) Prevent the loss or theft of a firearm-related product from the firearm industry member.
 - c) Ensure that the firearm industry member complies with all provisions of California and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product. (Civ. Code, § 3273.50, subds. (c), (f), (g), (h).)
- 4) Generally prohibits the sale, lease or transfer of firearms by any person unless they have been issued a license by the Department of Justice (DOJ), and establishes various exceptions to this prohibition. (Penal Code (Pen. Code), §§ 26500 – 26625.)
 - 5) Provides that a license to sell firearms is subject to forfeiture for any violation of a number of specified prohibitions and requirements, with limited exceptions. (Pen. Code, § 26800, subd. (a).)
 - 6) Includes several exemptions from the requirement that transfers go through a licensed dealer, including for the transfer of a firearm by bequest or intestate succession, or to a surviving spouse, or transfers by a person acting pursuant to operation of law, a court order, or pursuant to other specified laws. (Pen. Code, §§ 26505, 26515.)
 - 7) Provides that where neither party to a firearms transaction holds a dealer's license (i.e. a "private party transaction"), the parties shall complete the transaction through a licensed firearms dealer. (Pen. Code, § 27545.)
 - 8) Requires that in connection with any sale, loan or transfer of a firearm, a licensed dealer must provide the DOJ with specified personal information about the seller and purchaser as well as the name and address of the dealer. This personal information of buyer and seller required to be provided includes: the name; address; phone number; date of birth; place of birth; occupation; eye color; hair color; height; weight; race; sex; citizenship status; and a driver's license number; California identification card number; or, military identification number. A copy of the Dealer's Record of Sale, containing the buyer and seller's personal information, must be provided to the buyer or seller upon request. (Pen. Code, §§ 28160, 28210, & 28215.)
 - 9) Establishes various crimes related to the sale, lease or transfer of firearms, including a prohibition on the sale or transfer of a firearm that is not serialized, as provided. (Pen. Code, §§ 27500 et. seq., 27530.)

- 10) Requires the DOJ to participate in the National Instant Criminal Background Check System, and specifies the process DOJ must follow in notifying various parties that a prospective firearm purchaser is prohibited from acquiring a firearm under state or federal law. (Pen. Code, § 28220.)
- 11) Provides that a person in this state who manufactures or causes to be manufactured, imports into the state for sale, keeps for sale, offers or exposes for sale, gives, or lends an unsafe handgun, as defined, shall be punished by imprisonment in a county jail not exceeding one year, and that other specified violations may be punished by specified civil penalties. (Pen. Code, § 32000, subd. (a).)
- 12) Defines “firearm” for most provisions of the Penal Code related to firearms as a device, designed to be used as a weapon, from which is expelled through a barrel, a projectile by the force of an explosion or other form of combustion. (Pen. Code, § 16520, subd. (a).)
- 13) Provides that for numerous specified provisions, the definition of “firearm” includes the frame or receiver of the weapon, including both a completed frame or receiver or firearm precursor part. (Pen. Code, § 16520, subd. (b).)
- 14) Establishes what firearms fall into the category of “assault weapons” and generally prohibits the purchase, sale, possession and transfer of such weapons. (Pen. Code, §§ 30500 et. seq.)
- 15) Defines “multiburst trigger activator” as either of the following:
 - a) A device designed or redesigned to be attached to, built into, or used in conjunction with, a semiautomatic firearm, which allows the firearm to discharge two or more shots in a burst by activating the device.
 - b) A manual or power-driven trigger activating device constructed and designed so that when attached to, built into, or used in conjunction with, a semiautomatic firearm it increases the rate of fire of that firearm. (Pen. Code, § 16930, subd. (a).)
- 16) Provides that any person who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives,

lends, or possesses any multiburst trigger activator is guilty of a misdemeanor or felony, as provided. (Pen. Code, § 32900.)

- 17) Defines “machinegun” as any weapon that shoots, is designed to shoot, or can readily be restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger, and specifies that the term also includes the following:
 - a) The frame or receiver of any weapon described immediately above, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if those parts are in the possession or under the control of a person.
 - b) Any weapon deemed by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives as readily convertible to a machinegun under specified provisions of federal law. (Pen. Code, § 16880.)
- 18) Provides that any person, firm, or corporation, who within this state possesses or knowingly transports a machinegun, except as authorized, is guilty of a felony, as specified. (Pen. Code, § 32625, subd. (a).)
- 19) Provides that any person, firm, or corporation who within this state intentionally converts a firearm into a machinegun, or who sells, or offers for sale, or knowingly manufactures a machinegun, except as authorized, is guilty of a felony, as specified. (Pen. Code, § 32625, subd. (b).)
- 20) Sets forth a definition of “unsafe handgun” for both revolvers and pistols, which applies to the provisions listed below:
 - a) A revolver meets the definition of “unsafe handgun” if it 1) does not have a safety device that causes the hammer to retract to a point where the firing pin does not rest upon the primer of the cartridge, 2) does not meet the firing requirements for handguns, as specified, or 3) does not meet the drop safety requirement for handguns.
 - b) A pistol meets the definition of “unsafe handgun” if 1) it does not have a positive manually operated safety device, as specified, 2) it does not meet the firing requirement for handguns, 3) it does not meet the drop safety requirement for handguns, 4) it does not have a chamber load indicator, 5) it does not have a magazine disconnect mechanism if it has a detachable

magazine, or 6) it is not designed and equipped with a microscopic array of characters used to identify the pistol, as specified (see more below). (Pen. Code § 31910, subds. (a), (b).)

- 21) Requires DOJ, on and after January 1, 2001, to compile, publish, and thereafter maintain a roster listing all of the pistols, revolvers, and other firearms capable of being concealed upon the person that have been tested by a certified testing laboratory, have been determined not to be unsafe handguns, and may be sold in this state, as specified. The roster shall list, for each firearm, the manufacturer, model number, and model name. (Pen. Code, § 32015, subd. (a).)
- 22) Requires that every handgun manufactured, imported, or offered for sale in this state shall be tested within a reasonable period of time by an independent laboratory certified by the DOJ prior to being deemed “not unsafe.” (Pen. Code, § 32010.)

This bill:

- 1) For the purposes of liability under FIRA, expands the definition of “reasonable controls” to include reasonable procedures, acts or practices that are designed, implemented and enforced to prevent the installation and use of a pistol converter with a firearm.
- 2) Defines the following terms:
 - a) “Machinegun-convertible pistol” means any semiautomatic pistol with a cruciform trigger bar that can be readily converted by hand or with common household tools, as defined, into a machinegun by the installation or attachment of a pistol converter as a replacement for the slide’s backplate without any additional engineering machining, or modification of the pistol’s trigger mechanism.
 - i. A machinegun convertible pistol does not include a hammer-fired semiautomatic pistol or striker-fired semiautomatic pistol lacking a cruciform trigger bar, which instead has a trigger bar that is shielded from interference by a pistol converter.
 - ii. A polymer notch or other piece of polymer molded into the rear of the pistol frame does not prevent ready conversion into a machinegun and will not prevent a pistol from qualifying under this definition.

- b) “Pistol converter” means any device or instrument that when installed in, or attached to, the rear of the slide of a semiautomatic pistol, replaces the backplate, and interferes with the trigger mechanism and thereby enables the pistol to shoot automatically more than one shot by a single function of the trigger. A pistol converter includes, but is not limited to, a pistol converter manufactured using a three-dimensional printer.
- 3) Expands the existing definition of “machinegun” to include any machinegun-convertible pistol equipped with a pistol converter.
- 4) Provides that commencing January 1, 2026, a licensed firearms dealer shall not sell, offer for sale, exchange, give, transfer, or deliver any semiautomatic machinegun-convertible pistol.
- 5) Imposes the following penalty schedule for a violation of the above prohibition:
 - a) A first offense is punishable by a fine of not more than \$1,000.
 - b) A second offense is punishable by a fine of not more than \$5,000 and may result in the suspension or revocation of the dealer’s license.
 - c) A third violation is a misdemeanor and shall result in the revocation of the dealer’s license.
- 6) Exempts the following from the prohibition against the transfer of machinegun-convertible pistols:
 - a) A machinegun-convertible pistol delivered to a firearms dealer prior to January 1, 2026.
 - b) The sale of a machinegun-convertible pistol to any of the following entities for lawful use in the discharge of their official duties:
 - i. A police department, sheriff’s office, probation department, marshal’s office, district attorney’s office, the California Highway Patrol, the Department of Justice, the Department of Corrections and Rehabilitation.
 - ii. Specified state agencies that are exempt from existing restrictions on the purchase of unsafe handguns.
 - iii. The military or naval forces of the United States.

- c) A private party to private party transaction conducted through a licensed firearms dealer.
 - d) A transfer of a machinegun-convertible pistol to a gunsmith or other qualified entity for service or repair.
 - e) The sale or transfer of a machinegun-convertible pistol to a firearms dealer or to federally licensed firearms manufacturers or dealers outside California.
 - f) A transfer of a machinegun-convertible pistol back to a private party after temporary safekeeping storage, as specified.
 - g) A transfer of a machinegun-convertible pistol back to a private party after a period of temporary prohibition.
 - h) A transfer of a machinegun-convertible pistol to any forensic laboratory or forensic laboratory employee, while on duty and acting within the scope and course of employment.
 - i) The sale of a machinegun-convertible pistol to an individual who is an active peace officer or a reserve peace officer who is employed or appointed by a law enforcement agency and is authorized to carry a firearm on duty.
- 7) Provides that a pistol may be added to the roster of “not unsafe” handguns without being subject to the chamber load indicator (CLI) and magazine disconnect mechanism (MDM) requirements if all of the following conditions are met:
- a) The pistol was listed on the roster as of January 1, 2026.
 - b) The pistol was “grandfathered” onto the roster and thus was not required to meet the CLI and MDM requirements.
 - c) The pistol was thereafter modified to change the design features which brought it within the definition of “machinegun convertible pistol.”
 - d) The new pistol is submitted for lab testing pursuant to existing law prior to January 1, 2027.

8) Authorizes DOJ to promulgate regulations to implement the bill.

9) Includes a severability clause.

Comments

For a more in-depth discussion of this bill's provisions, please see the analysis prepared by the Senate Committee on Public Safety.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the civil and criminal penalties in this bill. Defendants are constitutionally guaranteed certain rights during criminal proceedings, including the right to a jury trial and the right to counsel (at public expense if the defendants are unable to afford the costs of representation). Increasing penalties leads to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the numbers of people charged with an offense and the factors unique to each case.
- Unknown, potentially significant costs (local funds, General Fund) to the counties to incarcerate people for the crime created by this bill.
- The Department of Justice (DOJ) estimates a fiscal impact of \$40,000 or less (General Fund). DOJ notes that implementation of this bill will be dependent upon the appropriation of funds. The DOJ will be unable to absorb the costs to comply with or implement the requirements of the bill within existing budgeted resources.

SUPPORT: (Verified 9/8/25)

Everytown for Gun Safety (co-source)

Moms Demand Action for Gun Sense in America (co-source)

Students Demand Action for Gun Sense in America (co-source)

Brady California

Brady Campaign

California Democratic Party

California Department of Justice

California-Hawaii State Conference of the NAACP

California State Treasurer Fiona Ma
Chapman University Students Demand Action
City of Alameda
City of Goleta
City of Oakland
City of Perris, Mayor Michael Vargas
City of San Rafael
City of Santa Rosa
City of West Hollywood
City of West Sacramento
Consumer Protection Policy Center at the University of San Diego School of Law
County of San Diego
Equality California
Friends Committee on Legislation of California
Giffords Law Center to Prevent Gun Violence
Hispanic Federation
Monte Vista Students Demand Action
Newtown Action Alliance
North County San Diego Students Demand Action
Occidental College Students Demand Action
Prosecutors Alliance of California
San Diegans for Gun Violence Prevention
Santa Clara County District Attorney's Office
UCLA Students Demand Action
The Chamberlain Network
Vet Voice Foundation
40 faith leaders from across California
6 California mayors
50+ Individuals

OPPOSITION: (Verified 9/8/25)

Gun Owners of California, INC.
National Rifle Association
1 Individual

ASSEMBLY FLOOR: 58-17, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal,

McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Sanchez, Tangipa, Wallis

NO VOTE RECORDED: Alanis, Michelle Rodriguez, Soria, Ta

Prepared by: Alex Barnett / PUB. S. /
9/11/25 10:07:02

****** END ******

THIRD READING

Bill No: AB 1143
Author: Bennett (D)
Amended: 9/5/25 in Senate
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 6/24/25
AYES: Padilla, Archuleta, Ashby, Blakespear, Cervantes, Choi, Dahle, Hurtado,
Jones, Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber
Pierson

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 7/8/25
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/2/25 - See last page for vote

SUBJECT: State Fire Marshal: home hardening certification program

SOURCE: Author

DIGEST: This bill requires the State Fire Marshal's (SFM) Wildfire Mitigation Advisory Committee to develop a home hardening certification program, as specified.

Senate Amendments of 9/5/25 address a chaptering conflict with SB 514 (Cabaldon).

ANALYSIS:

Existing law:

- 1) Requires the SFM to develop and make available on its internet website a Wildland-Urban Interface (WUI) Fire Safety Building Standards Compliance

training intended for use in the training of local building officials, builders, and fire service personnel, as specified.

- 2) Requires the SFM to develop and update a WUI Products listing of products and construction assemblies that comply with prescribed regulations regarding building in a WUI area.

This bill:

- 1) Requires, on or before January 1, 2027, the SFM's Wildfire Mitigation Advisory Committee to develop a home hardening certification program that identifies home hardening measures, including defensible space, that can be implemented during renovation or property improvement projects, or both, to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with provisions adopted in the California Building Code, as specified.
- 2) Authorizes the SFM to expend funds from the Building Standards Administration Special Revolving Fund (BSA Fund), upon appropriation by the Legislature, for the purposes of developing the home hardening certification program.

Background

Author Statement. According to the Author's office, "California's wildfire destruction has reached a tipping point. As the wildfires in Southern California have shown fires are now sweeping into urban areas in new, more intense and uncontrollable ways. We must do more to ensure that homes are more than just superficially hardened, and take a holistic, science-based, approach. AB 1143 moves us towards an evidence based approach by directing the State Fire Marshal's Wildfire Mitigation Advisory Committee to develop a certification program that provides homeowners a voluntary option for a holistic home hardening approach."

California's Wildfire Mitigation Program. AB 38 (Wood, Chapter 391, Statutes of 2019) requires the Office of Emergency Services (OES) to enter into a joint powers agreement with the Department of Forestry and Fire Protection (CAL FIRE) to develop and administer a comprehensive wildfire mitigation program to encourage cost-effective structure hardening and retrofitting and to facilitate vegetation management, as specified. Known as the CWMP, this effort encourages cost-

effective wildfire resilience measures to create fire-resistant homes, businesses, public buildings, and public spaces. Mitigation measures such as home hardening, vegetation management, defensible space, and other fuel modification activities provide neighborhood and community-wide benefits against wildfire.

SFM's Wildfire Mitigation Advisory Committee. The SFM's Wildfire Mitigation Advisory Committee (WMAC) provides a means of communication between the SFM, representatives of industry, state agencies, the fire service, and other stakeholders. WMAC provides a forum for addressing wildfire preparedness and mitigation issues of statewide concern, share best practices, seek comments and specific input on programs and technical issues, and inform local agencies and the public of applicable new laws and regulations. WMAC acts in an advisory capacity on the programs and activities of the Community Wildfire Preparedness and Mitigation Division and is chaired by the SFM.

This bill requires the WMAC to develop a home hardening certification program that identifies home hardening measures, including defensible space, which can be implemented during renovation or property improvement projects, or both, to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with the provisions adopted in the California Building Code, as specified.

Defensible Space and Home Hardening. Defensible space is the front line for defending a property against wildfire. Creating and maintaining defensible space around your home can dramatically increase a home's chance of surviving a wildfire and improves the safety of firefighters defending a property. Defensible space, in combination with home hardening, will make a home ignition resistant from embers, radiant heat, and flame impingement. Existing law requires occupied structures within a high fire hazard severity zone to maintain a firebreak of at least 30 feet from the structure and additional vegetation management for fire protection for up to 100 feet from the structure.

Chapter 7A of the California Building Standards Code. Chapter 7A is California's WUI building code. As such, this chapter of the building code establishes the minimum standards applicable to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area for the protection of life and property. Chapter 7A was initially adopted in 2008 and has undergone multiple revisions as part of the iterative code development process, integrating the most recent insights and scientific advancements from technical experts in the field.

The SFM's Building Materials Listing (BML) Program. The BML Program started out as a way to make sure fire alarms were tested and approved before hitting the California market. But over the years, it's grown into a much broader safety check, now covering everything from roof coverings and wall assemblies to hardware and other building materials. To get listed, products must undergo rigorous testing in labs accredited by the SFM. The listings themselves are a vital resource for local building departments, architects, engineers, contractors, and fire professionals. To make things easier, the SFM also puts out a detailed handbook highlighting which products meet Chapter 7A's wildfire safety standards.

Safer From Wildfires. In 2022, the California Department of Insurance (CDI) rolled out its "Safer from Wildfires" framework, a first-of-its-kind regulation requiring insurance companies to offer discounts to homeowners and businesses that take specific wildfire mitigation steps. The framework was developed in coordination with Cal FIRE, OES, the Governor's Office of Planning and Research, and the California Public Utility Commission.

Insurance companies must update their rate filings to reflect these new safety standards and offer transparent risk information. That includes sharing a property's wildfire risk score with consumers and giving them the rights to appeal that score if they believe it is inaccurate. Under the regulation, the more "Safer from Wildfires" steps a consumer takes, the more likely they may be able to save on their insurance.

Once fully implemented, this approach should help shift the insurance market toward rewarding resilience, giving homeowners a clearer path to both lower premiums and safer homes. Some of the steps property owners can take under the "Safer from Wildfires" framework include:

- Class-A fire rated roof.
- Five-foot ember resistant zones.
- Ember- and fire-resistant vents.
- Non-combustible six inches at the bottom of exterior walls.
- Enclosed eaves.
- Upgraded windows.
- Cleared vegetation, weeds, and debris from under decks.
- Removal of combustible sheds and other buildings to a distance of 30 feet.
- Defensible space compliance.

Building Standards Administration Special Revolving Fund. The BSA Fund is intended for use by the Building Standards Commission, HCD, and/or the SFM – upon appropriation by the Legislature – in the development of building standards, with an emphasis on the development, adoption, publication, updating, and educational efforts associated with green building standards. Each city and county in the state is required to collect a fee on permit applicants, in the amount of \$4 per every \$100,000 in valuation to be deposited into the BSA Fund.

This bill authorizes the SFM to expend funds from the BSA Fund, upon appropriation by the Legislature, for the purposes of developing the home hardening certification program.

Related/Prior Legislation

SB 514 (Cabaldon, 2025) repeals the sunset provisions related to CAL FIRE’s statewide program to support its defensible space inspection and home hardening assessment and education efforts, including its training pilot program for qualified organizations and individual volunteers, as provided. This bill also requires the CAL FIRE to create a standardized framework to accredit local governments, fire safe councils, and neighborhoods for following wildfire prevention practices, and to publish certain information, including a list of all accredited entities, on its website. (Pending in the Assembly Appropriations Committee)

AB 1457 (Bryan, 2025) requires CAL FIRE’s defensible space and home hardening training program to additionally provide training consistent with the “Home Ignition Zone/Defensible Space Inspector” course plan, established by the SFM, and deletes the January 1, 2026, sunset date on that program. This bill is referred to the Assembly Appropriations Committee. (Pending on the Senate Floor)

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, CAL FIRE reports costs of approximately \$2.31 million in year one and \$2.22 million in year two and ongoing to develop and implement the certification program (Building Standards Administration Special Revolving (BSA) Fund and General Fund).

SUPPORT: (Verified 9/5/25)

American Wood Council
California Apartment Association
California Central Coast Caucus

California Fire Chiefs Association
California Legislative Central Coast Caucus
California Professional Firefighters
California Special Districts Association
City of Arcadia
City of Goleta
City of Los Alamitos
City of Thousand Oaks
City of Ventura
East Bay Wildfire Coalition of Governments
Fire Districts Association of California
Independent Insurance Agents & Brokers of California, INC.
James Hardie
League of California Cities
Marin County Council of Mayors and Councilmembers
NV5

OPPOSITION: (Verified 9/5/25)

None received

ARGUMENTS IN SUPPORT: In support of this bill, the California Professional Firefighters write that, “[d]efensible space and home hardening measures are critically important tools in wildfire preparedness for areas that are at high risk of fire. By keeping the areas immediately surrounding structures free of combustible materials such as dead plants, debris, wooden furniture, and other items, as well as keeping trees and shrubs separated both from each other and the structure, a fire can be significantly slowed or even stopped. Following major wildfires, it is often the case that homes that had properly implemented defensible space were left untouched by the fire while others around them had burned. This not only protects the property and the safety of the people living there, but also reduces the burden on firefighters who are responding to the disaster.”

Further, “AB 1143 would direct the State Fire Marshal’s Wildfire Mitigation Advisory Committee to create a home hardening certification program with defined home hardening measures, allowing homeowners and developers to implement approved techniques during construction or renovation. A set and recognized set of standards to follow would greatly streamline the process of implementing home hardening standards in home construction and renovation, encouraging their adoption at a much higher rate throughout the state.”

ASSEMBLY FLOOR: 79-0, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

Prepared by: Brian Duke / G.O. / (916) 651-1530

9/8/25 21:38:00

**** END ****

THIRD READING

Bill No: AB 1156
Author: Wicks (D)
Amended: 9/9/25 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 5-0, 7/9/25
AYES: Durazo, Arreguín, Laird, Seyarto, Wiener
NO VOTE RECORDED: Choi, Cabaldon

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-0, 7/16/25
AYES: Blakespear, Gonzalez, Menjivar, Padilla, Pérez
NO VOTE RECORDED: Valladares, Dahle, Hurtado

SENATE APPROPRIATIONS COMMITTEE: 5-1, 8/29/25
AYES: Caballero, Seyarto, Grayson, Richardson, Wahab
NOES: Dahle
NO VOTE RECORDED: Cabaldon

ASSEMBLY FLOOR: 66-5, 6/3/25 - See last page for vote

SUBJECT: Solar-use easements: suspension of Williamson Act contracts: terms
of easement: termination

SOURCE: Author

DIGEST: This bill makes a number of changes to law governing the conversion
of Williamson Act contracts into a solar-use easement (SUE).

Senate Floor Amendments of 9/9/25 address chaptering issues with the Resources
Trailer Bill, SB 149 (Committee on Budget and Fiscal Review) and AB 149
(Committee on Budget).

ANALYSIS:

Existing law:

- 1) Creates the Williamson Act also known as the California Land Conservation Act of 1965, which authorizes cities and counties to enter into agricultural land preservation contracts with landowners who agree to restrict the use of their land for a minimum of 10 years in exchange for lower assessed valuations for property tax purposes.
- 2) Creates Farmland Security Zones which authorizes cities and counties to allow agricultural land preservation contracts with landowners who agree to restrict the use of their land for a minimum of 20 years in exchange for lower-assessed valuations for property tax purposes
- 3) Provides three options for ending a Williamson Act contract:
 - a) Either the landowner or local officials give "notice of nonrenewal," which stops the automatic annual renewals and allows the contract to run down over the next 10 years.
 - b) Local officials can cancel a contract at the request of the landowner. To do so, local officials must make findings that cancellation is in the public interest and that cancellation is consistent with the purposes of the Williamson Act. The owner must pay a cancellation fee based on the "cancellation value" of the land. If the land under contract is covered by a Farmland Security Zone, the Department of Conservation (DOC) must approve the cancellation.
 - c) Local officials can cancel a Williamson Act contract, but the landowner simultaneously puts an agricultural conservation easement or open space easement on other land of equal or greater value.
- 4) Authorizes a city or county and a landowner to simultaneously rescind a Williamson Act contract on marginally productive or physically impaired lands and enter into a SUE that restricts the use of land to photovoltaic solar facilities, as specified.
- 5) Defines a SUE as a legal agreement, held by a city or county, which restricts land use to solar photovoltaic energy generation and related incidental uses, such as open space or agriculture. The easement may be permanent, fixed-term, or self-renewing, and applies only to parcels deemed eligible by the DOC. It prohibits any commercial, industrial, or residential uses and requires a recorded

covenant that limits future development to uses consistent with solar energy production.

- 6) Establishes the policy that all of the state's retail electricity be supplied with 100% clean energy resources by December 31, 2045, and 100% of electricity procured to serve all state agencies by December 31, 2035.

This bill:

- 1) Expands the permissible land uses of Solar Use Easements (SUEs) to include solar energy storage and appurtenant facilities.
- 2) Specifies that the provisions of any Williamson Act contract binding the land under the SUE would be inoperative (rather than rescinded pursuant to existing law) and the land would be enforceably restricted pursuant to law governing SUEs, as specified, and removes language allowing a SUE to exist in perpetuity.
- 3) Changes the process by which the DOC determines if a parcel under a Williamson Act contract is eligible for conversion into a SUE, including among other actions to:
 - a) Expand the eligibility criteria to convert land under a Williamson Act contract into an SUE to include instances where the land meets certain criteria related to grading, absence of a conservation easement, degraded soils or insufficient water, as defined based on specified surface and groundwater availability criteria, or status as prime farmland or farmland of statewide importance, as specified:
 - b) Require DOC to make a determination on whether land is eligible for an SUE within 120 days following submission of a completed application package, or else the application is deemed approved, following specified procedures for determining completeness of an application; and
 - c) Modify an existing exemption from CEQA for Williamson Act contracts to further exempt all department determinations of eligibility from CEQA, and specifies that this exemption shall not be interpreted to exempt photovoltaic solar facilities from CEQA.
- 4) Changes SUE deed requirements and decommissioning rules by eliminating mitigation measures on or beyond SUE land, removing the requirement for

performance bond or security requirements for land restoration for term easements or self-renewing easements, and allowing appurtenant facilities on SUE, among various other changes.

- 5) Modifies SUE enforcement and land use provisions by eliminating a private right of action if a city or county fails to seek injunctions for violations.
- 6) Requires a city or county to require, as a condition of entering into a SUE, that the solar facility enter into a community benefits agreement that includes financial contributions or job creation programs, as specified, with one or more local communities. The developer of the solar facility must conduct specified outreach provisions, and the community benefits agreement must ensure all of the following:
 - a) That community benefits provided pursuant to this section supplement, but do not supplant, resources the developer is required to provide pursuant to any other law;
 - b) That benefits begin to be provided to the local community no later than the start of construction of the solar and appurtenant facilities.
- 7) Narrows the circumstances under which a city or county may choose not to renew an annually self-renewing SUE to those in which the landowner has materially failed to comply with the terms and conditions of the SUE, the solar photovoltaic or appurtenant facilities have been operated in a manner that constitutes a continuing or repeated legal nuisance, or the photovoltaic solar facility's operating life has ended.
- 8) Repeals provisions of law governing termination or rescission of a SUE, including termination and rescission fees.
- 9) Requires the provisions of any Williamson Act contract affecting a parcel or parcels of land eligible and placed into a SUE to be inoperative for the SUE term, even if a notice of nonrenewal was served, as specified. Clarifies this process is in addition to other existing mechanisms under the WA, as specified.
- 10) Requires, at least 14 days prior to the meeting at which a city or county decides whether to enter into an agreement for the SUE, the landowner to notify any relevant workforce in writing of its intent to enter into a SUE, including the

time and location of the meeting for the city or county to take action on entering into an agreement.

- 11) Exempts the entry into and recordation of a SUE from CEQA review.
- 12) Makes numerous technical, clarifying, and conforming changes, including chaptering amendments.

Background

Solar use easements. In 2011, the Legislature enacted SB 618 (Wolk, Chapter 596, Statutes of 2011) to modify the Williamson Act to encourage the development of solar panels on marginally productive or physically impaired farmland by creating a method for terminating a Williamson Act contract to use for solar panel development.

Under this measure, the landowner of a parcel that the Department of Conservation (DOC) has determined to be eligible can restrict the use of that land to solar facilities to collect and distribute solar energy, and any subordinate agricultural, open-space, or renewable facilities. This solar use easement can be in perpetuity, for a set number of years, or subject to annual self-renewals. Once restricted, the landowner cannot use the land for other commercial, industrial, or residential uses. This means the landowner cannot construct improvements unless expressly

Upon request from the city or county, DOC, in consultation with the California Department of Food and Agriculture (CDFA), can, but is not required to, determine that a parcel is eligible for rescission of the existing Williamson Act contract and place the parcel into a solar-use easement. To assist DOC in assessing whether the land is eligible, the landowner must provide the specified information, and must also provide DOC with a proposed management plan describing soil management plans, how they plan to minimize impacts on adjacent agricultural operations, and how the landowner will restore the land to previous condition once the solar use easement terminates. If approved, the city or county must require implementation of the management plan including any recommendations from DOC.

Cities or counties can require any necessary or desirable restrictions, conditions, or covenants to restrict the land to solar facilities, which can include mitigation measures, or financial assurances to ensure the landowner restores the land to its original state when the easement terminates.

The author wants to make it easier for landowners to turn their agricultural parcels into solar facilities.

Comments

- 1) *Purpose of this bill.* According to the author, “AB 1156 updates California’s Solar-Use Easement statute to permit lands with water constraints to be eligible for an easement, while modernizing eligibility criteria and easement terms. The legislation maintains local discretion, incorporating Groundwater Sustainability Agencies in any review of water limitations, updates the compatibility of solar-use easements with existing permitting processes and provides that land under easement be assessed at its full value. Vitally, the bill provides a path for lands to enter back into a Williamson Act contract at the conclusion of the term of an easement.

“To achieve California’s goal of a net-zero economy by 2045, we must add at least 127 gigawatts of new zero-emitting resources to the grid by 2045, more than 48% of which will need to be utility-scale solar. A primary challenge to achieving this goal is land availability due to specific development criteria: projects must be relatively close to transmission infrastructure, have largely contiguous lands, and avoid sensitive environmental habitat.

“Parallel to California’s clean energy goals is the Sustainable Groundwater Management Act (SGMA), which mandates that local water management agencies bring groundwater use to sustainable levels by the early 2040s – a timeline aligned with state climate and energy targets. This unavoidably means that thousands of acres of existing farmland will have to transition to other beneficial uses.

“In addition to the state’s energy and groundwater goals, the California Land Conservation Act of 1965, known as the Williamson Act, helps protect farmland, enabling local governments to enter contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use in exchange for a tax benefit.

“In 2011, recognizing the opportunity for solar development on constrained agricultural land, the legislature passed a Solar-Use Easement statute (Chapter 596) to provide a path for solar development. The legislature authorized local governments and landowners to transition existing Williamson Act and Farmland Security Zone contracts while simultaneously entering solar-use easements. Though this authority sunset in 2020, it was revived by an omnibus

bill passed in 2022 (Senate Bill 1489). According to the Department of Conservation, solar-use easements were not widely pursued during the nine years before the authority lapsed in 2020, and it is unclear if any easements have been granted since the law has been reauthorized.

“AB 1156 responsibly updates California’s Solar-Use Easement law to consider water constrained farmland, providing a unique prospect to accomplish myriad state policy goals while providing farmers with an additional, voluntary economic opportunity.”

- 2) *Shot through the heart.* For decades, the Williamson Act has provided an incentive for landowners to preserve land for agricultural use instead of converting it for other purposes. The landowner benefits from reduced property taxes while it uses the land for agriculture, but has the opportunity to convert the land into other uses if it pays a fee. AB 1156 removes these fee provisions for solar use easements, meaning a landowner could convert their agricultural land into a solar farm without consequences. According to the opponents of the bill, like the California Farm Bureau, this could significantly impair the effectiveness of the Williamson Act and other agricultural restrictions, removing the incentive for continuing to use land for agricultural uses. Removing financial consequences for converting a Williamson Act easement into a solar use easement provides an incentive to landowners to take land that could still serve agricultural uses out of service.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- The Department of Conservation (DOC) would incur one-time costs, potentially over \$100,000, to develop and adopt revised program regulations to update current fees charged to landowners and to account for other changes to the process for considering proposals for converting contracted agricultural lands to SUEs. (Soil Conservation Fund)
- DOC indicates that ongoing administrative costs are unknown and would depend upon the number of applications received annually. Initially, DOC estimates it would contract out for services, at a cost of approximately \$100,000 annually, to review applications in order to meet timelines specified in the bill. To the extent there is ongoing landowner interest, DOC estimates that it could require the addition of 1.0 PY of new staff, at a cost of \$172,000 in the first year and \$158,000 ongoing, if it receives 10

applications annually. Staff notes that DOC is authorized to charge a fee on landowners to recover its administrative costs to coordinate with landowners and specified entities, and review applications to determine eligibility for conversion of an agricultural land conservation contract into an SUE. (Soil Conservation Fund)

- Unknown, potentially significant loss of state revenues (General Fund and Soil Conservation Fund) as a result of the bill deferring and preventing the collection of contract cancellation fees, and by repealing existing provisions that require payment of rescission fees when contracted agricultural land enters into an SUE. Staff notes that, under current law, the first \$5 million in Williamson Act cancellation fee revenue is deposited in the Soil Conservation Fund to pay for DOC's administrative costs, and amounts exceeding the initial \$5 million in a given year are deposited into the General Fund.

SUPPORT: (Verified 9/9/25)

Aes Clean Energy

Aes Corporation

Almond Alliance

American Clean Power Association

Arevon

Avantus

Aypa Power Development LLC

CA & Nv State Association of Electrical Workers (IBEW)

CA Assn of Winegrape Growers

California Environmental Voters (formerly Clcv)

California Solar Energy Industries Association

California State Association of Electrical Workers

California State Building and Construction Trades Council

California State Council of Laborers

Candela Renewables

Clearway Energy Group LLC

Coalition of California Utility Employees

Defenders of Wildlife

Edpr Na, LLC

Filoli

Forebay Farms

Independent Energy Producers Association

Intersect Power

Invenergy Renewables LLC
 Kern County Farm Bureau
 Large-scale Solar Association
 Leeward Renewable Energy
 Local Agency Formation Commission of Napa County
 Longroad Energy Management, LLC
 Materra
 New Leaf Energy
 Nextera Energy Resources
 Rural County Representatives of California (RCRC)
 Rwe
 Singh Farms
 Terra-gen Development Company, LLC
 The Nature Conservancy
 Union of Concerned Scientists
 Vf&b Farms

OPPOSITION: (Verified 9/9/25)

American Farmland Trust
 California Alliance With Family Farmers
 California Cattlemen's Association
 California Certified Organic Farmers (CCOF)
 California Climate & Agricultural Network (CALCAN)
 California Climate & Agriculture Network (CALCAN)
 California Farm Bureau Federation
 California Farmland Trust
 California Farmlink
 California Rangeland Trust
 Community Alliance With Family Farmers

ARGUMENTS IN SUPPORT:

ARGUMENTS IN OPPOSITION:

ASSEMBLY FLOOR: 66-5, 6/3/25

AYES: Addis, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-
 Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo,
 Chen, Connolly, Davies, Dixon, Elhawary, Flora, Fong, Gabriel, Garcia,
 Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin,
 Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco,

Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Celeste Rodriguez,
Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-
Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Zbur, Rivas
NOES: DeMaio, Ellis, Gallagher, Macedo, Tangipa
NO VOTE RECORDED: Aguiar-Curry, Castillo, Jeff Gonzalez, Jackson, Lackey,
Patterson, Ransom, Wilson

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
9/11/25 10:07:02

****** END ******

THIRD READING

Bill No: AB 1178
Author: Pacheco (D), et al.
Amended: 9/9/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-0, 6/10/25
AYES: Arreguín, Seyarto, Caballero, Cortese, Wiener
NO VOTE RECORDED: Pérez

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 60-2, 5/8/25 - See last page for vote

SUBJECT: Peace officers: confidentiality of records

SOURCE: Los Angeles County Sheriff's Department; Association of Los Angeles Deputy Sheriffs

DIGEST: This bill requires a court, in an action to compel disclosure under the California Public Records Act, to consider whether a particular peace officer is currently operating undercover and their duties demand anonymity when an agency redacts personnel records of peace officers and custodial officers, as specified, prior to their disclosure.

Senate Floor Amendments of 9/9/25 limit the scope of what a judge must consider when determining the appropriateness of a redaction to include only undercover officers whose duties demand anonymity.

ANALYSIS:

Existing law:

- 1) Establishes the people's right to transparency in government. ("The people have the right of access to information concerning the conduct of the people's

business, and therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny...” (California Constitution (Cal. Const.), art. I, Sec. 3.)

- 2) Establishes the California Public Records Act (CPRA), which generally provides that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state, and requires government agencies to disclose government records to the general public upon request, unless such records are exempted from disclosure. (Government (Gov.) Code, § 7920.000 et seq.)
- 3) Provides that public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as provided. (Gov. Code § 7922.525.)
- 4) Provides that the CPRA does not require the disclosure of records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the office of the Attorney General and the Department of Justice, the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. (Gov. Code, § 7923.600.)
- 5) Provides that the CPRA does not require the disclosure of peace officer personnel files and background investigation files gathered by law enforcement agencies pursuant to existing law that are in the custody of the Commission on Peace Officer Standards and Training (POST) in connection with the commission’s authority to verify eligibility for the issuance of certification and investigate grounds for decertification of a peace officer including any and all investigative files and records relating to complaints of, and investigations of, police misconduct, and all other investigative files and materials. (Gov. Code, § 7923.601.)
- 6) Specifies the particular circumstances under which an audio or video recording that relates to a “critical incident” may be withheld. (Gov. Code, § 7923.625.)
- 7) Requires each department or agency in this state that employs peace officers to make a record of any investigations of misconduct involving a peace officer in the officer’s general personnel file or a separate file designated by the department or agency. A peace officer seeking employment with a department or agency in this state that employs peace officers shall give written permission

for the hiring department or agency to view the officer's general personnel file and any separate file designated by a department or agency. (Penal (Pen.) Code, § 832.12.)

- 8) Generally provides that the personnel records of peace officers and custodial officers and records maintained by a state or local agency or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery. This provision does not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, the Attorney General's office, or POST. (Pen. Code, § 832.7, subd. (a).)
- 9) Specifies that notwithstanding the above provision or any other law, the following peace officer or custodial officer personnel records and records maintained by a state or local agency are not confidential and shall be made available for public inspection pursuant to the CPRA:
 - a) A record relating to the report, investigation, or findings of any of the following:
 - i. An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
 - ii. An incident involving the use of force against a person by a peace officer or custodial officer that resulted in death or in great bodily injury.
 - iii. A sustained finding involving a complaint that alleges unreasonable or excessive force.
 - iv. A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.
 - b) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public.
 - c) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency involving dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial

officer, including, but not limited to, any false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.

- d) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
 - e) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that the peace officer made an unlawful arrest or conducted an unlawful search. (Pen. Code, § 832.7, subd. (b)(1).)
- 10) Provides that an agency may withhold a record of an incident otherwise subject to disclosure if there is an active criminal or administrative investigation, as specified. (Pen. Code § 832.7, subd. (b)(8).)
- 11) Provides that an agency shall redact a disclosed record only for any of the following purposes:
- a) To remove personal data or information, such as a home address, telephone number, or identities of family members, other than the names and work-related information of peace and custodial officers.
 - b) To preserve the anonymity of whistleblowers, complainants, victims, and witnesses.
 - c) To protect confidential medical, financial, or other information of which disclosure is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct and use of force by peace officers and custodial officers.
 - d) Where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person. (Pen. Code § 832.7, subd. (b)(6).)

- 12) Provides that notwithstanding the above provision, an agency may redact a disclosed record, including personal identifying information, where, on the facts of a particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information. (Pen. Code § 832.7, subd. (b)(7).)

This bill provides that in an action to compel disclosure brought pursuant to the CPRA, in determining whether a redaction pursuant to the provision allowing redaction where there is a specific reason to believe that disclosure would pose a significant danger to the physical safety of the peace officer or another person is appropriate, a court shall consider whether a particular peace officer's duties demand anonymity.

Comments

In 2018, the Legislature passed SB 1421 (Skinner, Chapter 988, Statutes of 2018), which represented a paradigm shift in the public's ability to access previously confidential peace officer personnel records. SB 1421 removed Pitchess protection from records pertaining to officer-involved shootings, uses of force resulting in death or great bodily injury, and sustained findings of sexual assault or dishonesty. SB 1421 led to a surge in CPRA requests submitted to law enforcement agencies across the state, posing a logistical challenge of unprecedented proportions. Not only was universe of responsive records massive, but determining the responsiveness of a particular record could prove to be a lengthy process. Moreover, SB 1421 required agencies to redact specified personal information, information the release of which "would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct," and information that, if unredacted, would pose a significant danger to the physical safety of the peace officer or another person. This latter provision is the focus of this bill.

In 2021, the Legislature passed SB 16 (Skinner, Chapter 402, Statutes of 2021), building upon the transparency provisions enacted by SB 1421, and responding to widespread criticism that law enforcement agencies were flouting the law via litigation and other tactics to delay the release of records. SB 16 exempted four additional categories of peace officer records from the confidentiality requirement in Penal Code Section 832.7, including those pertaining to sustained findings of unreasonable or excessive use of force, sustained findings that an officer failed to intervene in another officer's unreasonable or excessive use of force, sustained findings that an officer engaged in prejudice or discrimination on the basis of a

protected characteristic, and sustained findings that an officer made an unlawful arrest or conducted an unlawful search.

To summarize the relevant portions of existing law outlined above, the following types of police officer records are now subject to disclosure under the CPRA: records relating to incidents involving an officer's discharge of a firearm at a person or an officer's use of force that results in great bodily injury or death, as well as records of sustained findings that an officer used excessive or unreasonable force, failed to intervene when another officer clearly used excessive or unreasonable force, sexually assaulted a member of the public, engaged in specified dishonesty, engaged in prejudicial or discriminatory conduct, or made an unlawful arrest or search. When such personnel records are subject to disclosure, existing law requires law enforcement agencies to redact those records under various specified circumstances, including "where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person." In addition to these redaction requirements, an agency may redact a record subject to disclosure where, on the facts of a particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information.

According to the Author, "a plain reading of the law does not recognize undercover status alone as grounds for a redacting an officer's identity. The current framework endangers officers working undercover on critical missions such as combating weapons trafficking, child exploitation and infiltrating organized crime rings. Disclosure of their identities not only compromises dangerous investigations, but may put officers and their families at risk of retaliation from criminal networks." As mentioned above, one of the circumstances in which a law enforcement agency must redact officer records is where there is a specific, articulable, and particularized reason to believe that disclosure of the record would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person. This bill provides that in an action to compel disclosure brought pursuant to the CPRA, in determining whether a redaction pursuant to that provision is appropriate, a court shall consider whether a particular peace officer is currently operating undercover and their duties demand anonymity.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

- Trial Courts: Unknown, potentially significant costs (General Fund, Trial Court Trust Fund) to the state funded trial courts. This bill includes the court

in a process that, under existing law, is typically a local agency determination, i.e., redactions of undercover peace officer personnel records. By requiring the court to consider the appropriateness of such redactions, this bill could result in significant workload cost pressures to the trial courts. Namely, this bill necessitates expanded evidentiary submissions (e.g., proof undercover assignments). Whenever a dispute arises, courts will be required to make individualized determinations about whether an officer's duties justify anonymity. This could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. [...]

- **State and Local Law Enforcement Agencies:** Unknown, potentially significant costs to state and local law enforcement agencies (local funds, General Fund) to defend agency decisions to redact peace officer records in court. This bill would require courts to consider whether a peace officer is currently operating undercover and whether their duties demand anonymity whenever there is a challenge to a record that was redacted. As a result, law enforcement agencies could face increased administrative and legal costs to meet this bill's additional evidentiary requirements to prove that their redactions, if challenged in court, are appropriate. Overall costs will vary based off the number of redactions made for specified safety reasons, and the frequency of legal challenges to those redactions. The Department of Justice (DOJ) notes that, while the impact of AB 1178 would not pose a significant impact to the DOJ, as numerous bills this session may result in no significant impact to the DOJ, should an aggregate of these bills chapter, the DOJ would submit a workload BCP for additional resources to process the increase to the DOJ workload.

SUPPORT: (Verified 9/9/25)

Association for Los Angeles Deputy Sheriffs (co-source)

Los Angeles Sheriff's Department (co-source)

Arcadia Police Officers' Association

Association for Los Angeles Deputy Sheriffs

Brea Police Association

Burbank Police Officers' Association

California Association of Highway Patrolmen

California Association of School Police Chiefs

California Coalition of School Safety Professionals

California District Attorneys Association

California Narcotic Officers' Association

California Police Chiefs Association

California Reserve Peace Officers Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles County Professional Peace Officers Association
Los Angeles County Sheriff's Department
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Public Risk Innovation, Solutions, and Management
Riverside Police Officers Association
Riverside Sheriffs' Association

OPPOSITION: (Verified 9/9/25)

ACLU California Action
American Community Media
California Broadcasters Association
California Attorneys for Criminal Justice
California News Publisher's Association
California Public Defenders Association
Californians United for a Responsible Budget
First Amendment Coalition
Freedom of the Press Foundation
Industrial Workers of the World Freelance Journalists Union
Initiate Justice
Initiate Justice Action
Justice2Jobs Coalition
La Defensa
League of Women Voters of California
Media Alliance
National Press Photographer's Association
Oakland Privacy
Orange County Press Club
Pacific Media Workers Guild

Radio Television Digital News Association
San Francisco Public Defender
Smart Justice California
Society of Professional Journalists, Northern California Chapter
Universidad Popular

ASSEMBLY FLOOR: 60-2, 5/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Calderon, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Fong, Gabriel, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Krell, Lackey, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wicks, Wilson, Zbur, Rivas

NOES: Bryan, Jackson

NO VOTE RECORDED: Arambula, Boerner, Bonta, Caloza, Carrillo, DeMaio, Flora, Gallagher, Jeff Gonzalez, Irwin, Kalra, Lee, Quirk-Silva, Celeste Rodriguez, Sharp-Collins, Wallis, Ward

Prepared by: Alex Barnett / PUB. S. /
9/11/25 10:07:03

**** END ****

THIRD READING

Bill No: AB 1231
Author: Elhawary (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 4-1, 7/15/25
AYES: Arreguín, Gonzalez, Pérez, Wiener
NOES: Seyarto
NO VOTE RECORDED: Caballero

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 42-25, 6/2/25 - See last page for vote

SUBJECT: Criminal procedure: Safer Communities Through Opportunities Act

SOURCE: Drug Policy Alliance
Immigrant Legal Resource Center
Los Angeles Regional Reentry Partnership
PICO
SEIU
Vera Institute of Justice

DIGEST: This bill authorizes a court to grant pretrial diversion for felony offenses, except as specified, for a period of up to 24 months, if the court determines that the defendant is suitable for diversion.

Senate Floor Amendments of 9/5/25 specify additional factors the court must consider in determining whether diversion is appropriate, require the diversion plan to be court-approved and individually tailored, require regular status reports, and state that unsatisfactory performance may be indicated by repeated or significant noncompliance with the diversion plan.

ANALYSIS:

Existing law:

- 1) Authorizes a city or county prosecuting attorney or county probation department to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses, as specified. (Penal (Pen.) Code, § 1001.81.)
- 2) Authorizes both misdemeanors and felonies to be diverted pretrial under the mental health diversion program for eligible defendants, except for the following offenses:
 - a) Murder or voluntary manslaughter;
 - b) An offense for which a person, if convicted, would be required to register as a sex offender, except indecent exposure;
 - c) Rape;
 - d) Lewd or lascivious act on a child under 14 years of age;
 - e) Assault with intent to commit rape, sodomy, or oral copulation, in violation of Section 220;
 - f) Commission of rape or sexual penetration in concert with another person;
 - g) Continuous sexual abuse of a child; and,
 - h) Use or deployment of a weapon of mass destruction. (Pen. Code, §1001.36.)
- 3) Provides that the period during which criminal proceedings against the defendant may be diverted under mental health diversion is limited to no longer than one year for a misdemeanor and no longer than two years for a felony. (Pen. Code, §1001.36, subd. (f)(1)(C).)
- 4) States that if any of the following circumstances exists, the court shall, after notice to the defendant, defense counsel, and the prosecution, hold a hearing to determine whether the criminal proceedings should be reinstated, whether the treatment should be modified, or whether the defendant should be conserved and referred to the conservatorship investigator of the county of commitment to initiate conservatorship proceedings for the defendant:

- a) The defendant is charged with an additional misdemeanor allegedly committed during the pretrial diversion and that reflects the defendant's propensity for violence;
 - b) The defendant is charged with an additional felony allegedly committed during the pretrial diversion;
 - c) The defendant is engaged in criminal conduct rendering the defendant unsuitable for diversion; or,
 - d) Based on the opinion of a qualified mental health expert whom the court may deem appropriate, either of the following circumstances exists:
 - i) The defendant is performing unsatisfactorily in the assigned program, or,
 - ii) The defendant is gravely disabled, as defined. (Pen. Code, §1001.36, subd. (g).)
- 5) States that if the defendant has performed satisfactorily in mental health diversion, at the end of the period of diversion, the court shall dismiss the defendant's criminal charges that were the subject of the criminal proceedings at the time of the initial diversion. (Pen. Code, §1001.36, subd. (h).)
- 6) Authorizes a judge of the superior court in which a misdemeanor case is being prosecuted, at the judge's discretion and over the objection of a prosecuting attorney, to offer diversion to a defendant except if the defendant is charged with any of the following offenses:
- a) Any offense for which the defendant, if convicted, would be required to register as a sex offender;
 - b) Any offense involving domestic violence; or,
 - c) An offense of stalking. (Pen. Code, § 1001.95, subd. (a) & (e).)
- 7) States that a judge may continue a diverted misdemeanor case for a period not to exceed 24 months and order the defendant to comply with terms, conditions, or programs that the judge deems appropriate based on the defendant's situation. (Pen. Code, § 1001.95, subd. (b).)
- 8) States that if the defendant has complied with the imposed terms and conditions, at the end of the period of diversion, the judge shall dismiss the action against the defendant. (Pen. Code, § 1001.95, subd. (c).)

- 9) States that if it appears that the defendant is not complying with the terms and conditions of misdemeanor diversion, after notice to the defendant, the court shall hold a hearing to determine whether the criminal proceedings should be reinstituted. If the court finds that the defendant has not complied with the terms and conditions of diversion, the court may end the diversion and order resumption of the criminal proceedings. (Pen. Code, § 1001.95, subd. (d).)
- 10) Mandates generally that relevant evidence, with limited exceptions, is admissible in criminal proceedings. This is known as the Truth-in-Evidence provision. (Cal. Const., Art. I, sec. 28, subd. (f)(2).)

This bill:

- 1) States that a defendant charged with a felony offense may request diversion at any time prior to the start of a trial and the court may, in its discretion, grant pretrial diversion to a defendant if the court determines that the defendant is suitable, as provided.
- 2) States that diversion may apply to any felony punishable either as a county-jail eligible felony or as an alternate state prison felony-misdemeanor, except if the felony offense is a "serious" felony or "violent" felony.
- 3) Excludes also from diversion eligibility:
 - a) Any offense alleged to have caused great bodily injury or serious bodily injury;
 - b) Any offense alleged to have involved the personal use of a firearm in the commission of an offense, as specified;
 - c) A felony driving under the influence offense;
 - d) Any offense for which a person, if convicted, would be required to register as a sex offender;
 - e) Any offense involving domestic violence;
 - f) A violation of stalking; or,
 - g) Use or deployment of a weapon of mass destruction.
- 4) States that in determining whether to grant felony diversion, the court may consider information provided by entities, including, but not limited to, the

defense, the prosecution, probation or pretrial services, family or close contacts of the defendant, and service providers.

- 5) Provides that in determining whether diversion is appropriate, applicable considerations may include the defendant's trauma, victimization, and youth or other mitigating factors listed in the California Rules of Court. The court may also consider the defendant's age and health conditions.
- 6) Requires the court to consider the following aggravating factors that indicate diversion is inappropriate: whether the manner of the offense or prior offenses indicates planning, sophistication, or professionalism and/or the defendant induced others to participate in the commission of the offense or occupied a position of leadership or dominance of other participants in the commission of the offense.
- 7) Specifies that a history of having survived human trafficking, domestic violence, or sexual assault shall be given great weight as mitigating factors that indicate diversion is appropriate.
- 8) Requires provision of the diversion plan programs or services only to the extent that existing resources are available.
- 9) States that a defendant's request for diversion may proceed on offers of proof, reliable hearsay, and arguments of counsel and shall proceed prior to any trial or plea of guilty or no contest.
- 10) States that if the court, in its discretion, opts to conduct a hearing on whether to grant diversion, a defendant shall submit to the court and serve on the prosecution a proposed diversion plan.
- 11) States that the court shall not grant diversion unless it finds that the diversion plan mitigates any unreasonable risk of danger to public safety and finds that the defendant is likely to benefit from the services provided in the diversion plan.
- 12) Authorizes a court to order the defendant to comply with a court-approved, individually tailored diversion plan that describes the terms, conditions, programs, or services that the court finds appropriate for the strengths and needs of the defendant and interests of the community. The court may also consider recommendations from entities, including, but not limited to, the defense, the prosecution, or pretrial services, victims, family or close contacts of the defendant, and service providers, including a social worker, behavioral worker, or health care professional.

- 13) States that the diversion plan ordered by the court shall include any conditions necessary to mitigate an unreasonable risk of danger to public safety.
- 14) Requires provision of the diversion plan programs or services only to the extent that existing resources are available.
- 15) States that the diversion plan shall describe the frequency of regular status reports on the defendant's progress in the diversion plan. At a minimum, a progress report shall be provided every three months. Those reports shall be submitted to the court, the defense, and the prosecution.
- 16) Provides that upon a court granting diversion, any bail, bond or undertaking, or deposit in lieu thereof on behalf of the defendant shall be exonerated.
- 17) Allows the court to continue the criminal proceedings for up to 24 months.
- 18) States that a defendant whose charges have been diverted shall be ordered to pay full restitution, however, a defendant's inability to pay restitution due to indigence shall not be grounds for denial of diversion or a finding that the defendant has failed to comply with the terms of diversion.
- 19) Requires a court, in determining that dismissal is warranted upon completion of the proposed diversion plan, to consider unpaid restitution only if nonpayment was willful and not due solely to indigency or inability to pay. If diversion is completed, but the defendant has an outstanding restitution order balance, a case may be dismissed and the restitution payment shall be enforceable as if the order were a civil judgment.
- 20) Provides that any statement, information, or progress reports concerning the defendant's diversion plan, including, but not limited to, health information, evaluations, clinical or treatment notes, or services provided, or any other records related to treatment that were provided for the purpose of facilitating, or as a result of participation in, or completion of, diversion or for use in determining the defendant's eligibility for diversion shall not be used in any other proceeding without the defendant's consent, unless that information is relevant evidence that is admissible under the Truth-in-Evidence standards of the California Constitution. This applies even if diversion is denied or subsequently revoked.
- 21) Authorizes a court to modify a felony diversion plan if it appears, following a hearing on the matter, that the defendant is not meeting the terms and conditions of the diversion program. Allows the court to modify the diversion

plan to provide for greater supervision or additional terms, conditions, programs, or services. A hearing shall not be held until after the defendant is given notice. The hearing shall follow the evidentiary rules applicable to a probation violation hearing.

- 22) States that a court may hold a hearing to determine whether criminal proceeding should be reinstated if any of the following circumstances exist:
 - a) The defendant is charged with a misdemeanor allegedly committed while the defendant is receiving pretrial diversion services that reflects the defendant's propensity for violence;
 - b) The defendant is charged with a felony allegedly committed while the defendant is receiving pretrial diversion services; or,
 - c) It appears to the court that the defendant is performing unsatisfactorily in the diversion plan. Unsatisfactory performance may be indicated by repeated or significant noncompliance with the diversion plan.
- 23) States that at a hearing to reinstitute criminal proceedings, the court shall consider whether a modified diversion plan with additional reasonably available terms, conditions, or services can address the unsatisfactory performance.
- 24) Provides that a hearing to reinstitute criminal proceedings may be initiated by the court or the prosecutor and may proceed only after notice to the defendant.
- 25) Provides that a hearing to reinstitute criminal proceedings shall not proceed until probable cause has been established in the subsequent felony allegations.
- 26) Requires the court to dismiss the criminal allegations if at the end of the period of diversion the defendant has complied with the imposed terms and conditions and the arrest upon which the diversion was based shall be deemed to have never occurred. The court shall order the record sealed and disclosed only as provided.
- 27) Specifies that an order to seal arrest records has no effect on a criminal justice agency's ability to access and use those sealed records and information, as described.
- 28) Specifies that the provisions of this bill shall be implemented only to the extent that it does not conflict with an initiative statute.

- 29) Provides that if the court has reduced a felony to a misdemeanor, the misdemeanor diversion provisions in existing law apply.
- 30) States that nothing in it is intended to conflict with Marsy's Law or a victim's right to participate in these proceedings.

Comments

Background on Diversion. Diversion is the suspension of criminal proceedings for a prescribed time period with certain conditions. A defendant may not be required to admit guilt as a prerequisite for placement in a pretrial diversion program. If diversion is successfully completed, the criminal charges are dismissed and the defendant may, with certain exceptions, legally answer that he or she has never been arrested or charged for the diverted offense. If diversion is not successfully completed, the criminal proceedings resume, however, a hearing to terminate diversion is required.

Diversion programs may be pre-plea or post-plea (often called deferred entry of judgement). Pre-plea programs allow a defendant to participate in the program without admitting guilt. In post-plea programs, the defendant must first admit guilt before participating in the program. The main difference between the two types of diversion is that in a pre-plea program, if the defendant does not successfully complete the program, criminal proceedings resume and the defendant has the option to plead guilty or pursue a defense against their case. In a post-plea diversion program, if a defendant does not successfully complete the program, the defendant having already plead guilty, would be sentenced.

In recent years, the Legislature has enacted several pre-plea diversion programs such as military diversion SB 1227 (Hancock, Chapter 658, Statutes of 2013), mental health diversion SB 215 (Beall, Chapter 1005, Statutes of 2017), diversion for primary caretakers SB 394 (Skinner, Chapter 593, Statutes of 2019), and court-initiated misdemeanor diversion AB 3234 (Ting, Chapter 334, Statutes of 2020). Drug diversion was enacted as a preplea program and changed to a postplea program in 1997 SB 1369 (Kopp, Chapter 1132, Statutes of 1996), then in 2017 changed back to a preplea program AB 208 (Eggman, Chapter 778, Statutes of 2017).

Existing law authorizes a city or county prosecuting attorney or county probation department, until January 1, 2031, to create a diversion or deferred entry of judgment program for persons who commit a theft offense or repeat theft offenses and specifies that the prosecuting attorney is to determine who to refer to the

program and who is appropriate for placement in the program. For purposes, of the program, “repeat theft offenses” means being cited or convicted for misdemeanor or felony theft from a store or vehicle two or more times in the previous 12 months and failing to appear in court when cited for these crimes or continuing to engage in these crimes after release or after conviction. (Pen. Code, § 1001.81.)

Misdemeanor Diversion. As referenced above, existing law authorizes a judge to suspend criminal proceedings and divert a misdemeanor defendant, over the objection of the prosecution, except in cases of stalking, domestic violence and any offense requiring sex offender registration. The judge has broad authority to order the defendant to comply with terms, conditions, or programs that the judge deems appropriate based on the specific situation. However, the case may not be diverted for a period exceeding 24 months. Similar to other existing diversion programs, if a defendant successfully completes diversion, the charges would be dismissed; if not, the judge is to hold a hearing to determine whether the defendant has not complied with the terms and conditions of diversion and whether the criminal proceedings should be reinstituted. Unlike some of the other existing pre-plea diversion programs such as mental health diversion or military diversion, court-initiated diversion contains no statutory requirements for the defendant to satisfy in order to be eligible other than the crimes that are specifically excluded. (Pen. Code, § 1001.95.)

Whether or not to divert a misdemeanor defendant is in the trial court's discretion. However, judicial discretion is not without limits. “[A]ll exercises of legal discretion must be grounded in reasoned judgment and guided by legal principles and policies appropriate to the particular matter at issue.” (*People v. Russel* (1968) 69 Cal.2d 187, 195.) A trial court abuses its discretion when it exceeds the bounds of reason, all of the circumstances before it being considered. (*Id.*, at p. 194.)

This bill creates a similar diversion program to the misdemeanor court-initiated diversion program but applied to felonies that are either punishable as county-jail eligible felonies or alternate felony-misdemeanors, also known as “wobblers.” It excludes any offenses on the “serious” or “violent” felonies list, offenses alleged to have caused great bodily injury or serious bodily injury, offenses where it is alleged defendant personally used a firearm in the commission of a felony, or alleged felony driving under the influence. The bill would also exclude offenses that are excluded in misdemeanor diversion, specifically any crime where a person would be required to register as a sex offender, any domestic violence offense, or any stalking offense. Additionally, the bill would exclude use or deployment of a weapon of mass destruction, which is excluded from mental health diversion.

This bill specifies that the criminal proceedings may be continued for a period not to exceed two years which is also the same period of time specified in misdemeanor diversion. Restitution would still be ordered in full, although inability to pay restitution due to indigence shall not be grounds for denial of diversion or a finding that the defendant has failed to comply with the terms of diversion.

In determining whether the defendant is suitable for diversion, the court is required to consider specified mitigating circumstances with great weight to be given to a history of having survived human trafficking, domestic violence, or sexual assault that would indicate that diversion would be appropriate. This bill requires that any diversion plan ordered by the court shall include any conditions necessary to mitigate an unreasonable risk of danger to public safety.

This bill provides that if the defendant is not meeting the terms and conditions of the diversion program, the court may modify the diversion to provide for greater supervision. A hearing to reinstitute criminal proceedings may be initiated by the court or the prosecutor and may proceed only after notice to the defendant. If any of the following circumstances exist, that would be cause to hold a hearing to determine whether to reinstate criminal proceedings: (1) the defendant is charged with a misdemeanor allegedly committed during diversion which reflects the defendant's propensity for violence; (2) the defendant is charged with a felony allegedly committed while the defendant is receiving pretrial diversion services; or, (3) unsatisfactory performance in the diversion plant that causes the court to believe that no reasonably available additional terms, conditions, or services can mitigate unreasonable risks to public safety. For a felony charge, this bill would require probable cause to be established prior to conducting a hearing on reinstituting criminal proceedings.

On the other hand, if the defendant successfully complies with the terms and conditions of diversion, at the end of the period of diversion, the court shall dismiss the criminal allegations. Any record of the arrest or charges shall be deemed to have never occurred.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Unknown, potential costs to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate the diversion hearings specified in this bill. The fiscal impact of this bill to the courts will depend on many

unknowns, including the numbers of people charged with an offense that request diversion and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.

However, diversion is a cost savings tool that could result in potential savings to the trial courts. By removing people from traditional prosecution before entering a formal plea, diversion programs have generally resulted in cost savings to the court through reduced costs associated with jury trials, hearings and other court appearances. For example, in San Francisco, for example, a traditional court case is estimated to cost \$16,379, but the cost of behavioral health court is \$12,101 and \$9,757 for drug court, with an average savings of about \$4,000 per case. In 2023–24, over 4.8 million cases were filed statewide including 179,821 felony cases. If diversion is successful in only 10% of these cases, the courts could save over \$70,000,000 per year.

- Unknown, potentially significant cost savings to county jails (local funds) to the extent people successfully complete diversion rather than serve terms in county jail. The average annual cost to incarcerate one person in county jail varies by county, but likely ranges from \$70,000 to \$90,000 per year. For example, in 2021, Los Angeles County budgeted \$1.3 billion for jail spending, including \$89,580 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence.
- Unknown, potentially significant cost savings to the California Department of Corrections and Rehabilitation (General Fund) to the extent people successfully complete diversion rather than serve terms in state prison. The Legislative Analyst's Office (LAO) estimates the average annual cost to incarcerate one person in state prison is \$133,000. The annual cost of operating a mental health crisis bed at CDCR is around \$400,000. Thus, if even if just one person does not get sentenced to state prison for one year under this bill, it will result in significant cost savings to CDCR

SUPPORT: (Verified 9/5/25)

Drug Policy Alliance (Co-source)
Immigrant Legal Resource Center (Co-source)
Los Angeles Regional Reentry Partnership (Co-source)
PICO (Co-source)
SEIU (Co-source)
Vera Institute of Justice (Co-source)
ACLU California Action
All of US or None (HQ)
Asian Americans Advancing Justice Southern California
Buen Vecino
California Alliance for Youth and Community Justice
California Coalition for Women Prisoners
California Community Foundation
California Immigrant Policy Center
California Public Defenders Association
Californians for Safety and Justice
Catalyst California
Coalition for Humane Immigrant Rights
Community Works
County of Los Angeles Board of Supervisors
Courage California
Ella Baker Center for Human Rights
Equal Rights Advocates
Friends Committee on Legislation of California
Initiate Justice
Initiate Justice Action
Justice2jobs Coalition
LA Defensa
League of Women Voters of California
Legal Services for Prisoners With Children
Local 148 LA County Public Defenders Union
Matlin Legal
Robert Enterprise Development Fund
Rubicon Programs
Smart Justice California
South Bay People Power
Southeast Asia Resource Action Center
The W. Haywood Burns Institute
Valor US

OPPOSITION: (Verified 9/5/25)

Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Association of School Police Chiefs
California Coalition of School Safety Professionals
California District Attorneys Association
California Narcotic Officers' Association
California Police Chiefs Association
California Reserve Peace Officers Association
California State Sheriffs' Association
Chief Probation Officers' of California
Chino Police Department
City of Glendora
City of Los Alamitos
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles School Police Management Association
Los Angeles School Police Officers Association
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Peace Officers Research Association of California
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside County District Attorney
Riverside Police Officers Association
Riverside Sheriffs' Association
San Bernardino County Sheriff's Department
San Diego County District Attorney's Office
Ventura County Sheriff's Office

ARGUMENTS IN SUPPORT: According to the Vera Institute of Justice, a sponsor of this bill:

...AB 1231 by Assemblymember Elhawary ...will grant judges additional tools to offer programs and services for people charged with non-violent, non-serious offenses. Court-supervised diversion programming expands opportunities for justice, creates pathways to

meaningful accountability, and reduces racial disparities and recidivism.

As both a recipient of diversion and a policy advocate informed by rigorous research, I know firsthand—and the evidence clearly demonstrates—that diversion works.

As a recipient of diversion, I cannot stress enough how life changing this type of relief is for people navigating the justice system. As a youth survivor of sexual assault, and as someone who lacked supportive resources, I developed a substance use disorder as an unhealthy coping mechanism. I soon found myself in jail. However, after speaking with my public defender and the judge overseeing my case, I was able to enroll in diversion instead of solely facing punishment and incarceration as a result of my trauma. I enrolled in an adult school office technology program, which became my foundation for higher education, meaningful employment, and deeper engagement in my community. I went on to attend community college, the University of California, Berkeley, and now advocate for criminal justice reform as a Senior Program Associate at Vera California. Diversion unequivocally saved my life.

The research also shows that community-based diversion programs have improved public safety for Californians statewide. Participants in California's diversion programs come into contact with the justice system at a significantly lower rate (15.3 percent) compared to similar people leaving state prisons (41.9 percent). Diversion programs that offer targeted, light-touch services such as job training, education, housing, treatment for substance use and mental health, empower people to address their underlying needs, which reduces future contact with the criminal legal system.

Moreover, evidence shows diversion programs are key to reducing racial disparities in the criminal legal system. To this day, Black and brown Californians are arrested at disproportionately higher rates than white people in nearly all of California's 58 counties. Expanded judicial discretion to grant diversion would likely decrease these racial disparities, helping even more Californians avoid the severe, long-term collateral consequences of incarceration—such as barriers to employment, housing, and education—that increase recidivism. As a

Native and Latina youth, receiving diversion gave me the opportunity to overcome the generational cycle of incarceration and educate myself.

Diversion programs, which tap into existing community services, are also much more cost-effective than prisons and traditional court processing. This is particularly true in rural areas like the Central Valley, where resources are historically limited, and expanded diversion programming provides crucial opportunities for people to achieve stability, thereby enhancing public safety. My experience demonstrates this potential: having access to local resources and counselors in the Central Valley, who believed in me, enabled me to avoid further incarceration and become the advocate I am today.

AB 1231 has three important parts. First, it expands judicial authority to offer pretrial diversion programs and services for people facing eligible non-serious, non-violent felony charges that typically result in county jail sentences of up to three years. This flexibility empowers judges to more effectively tailor pretrial decisions based on people's individualized circumstances.

Second, the bill requires people receiving diversion to develop detailed plans that clearly outline the services they need, including employment support, behavioral healthcare, and job training. The collaborative approach could involve social workers, rape crisis counselors, and community service providers. Judges must also review the plan in consultation with district attorneys, public defenders, or any other relevant agencies. Community safety is prioritized through diversion: judges are instructed to deny diversion if the diversion plan fails to "mitigate unreasonable risks to public safety."

Lastly, AB 1231 especially prioritizes sexual assault survivors like me, who are often arrested and punished for actions that are a result of their trauma and exploitation.

ARGUMENTS IN OPPOSITION: According to the Chief Probation Officers of California:

This bill would make significant changes to felony sentencing processes by creating diversion eligibility for a broad scope of felony offenses without a clear and commensurate benefit to public safety.

Several diversion and DEJ statutes and programs already exist around various offenses or collaborative court models. These collaborative court models are specific to categories of individuals charged with specified offenses. The Legislature has recognized that certain groups including those with substance use or mental health disorders, or veterans, may benefit from these collaborative court models. Concurrently, other judicial pathways have been retained for addressing the myriad of felony offenses where diversion or DEJ may not be deemed suitable or where eligibility criteria have not been met. This bill opens a path to a broad scope of felony offenses to be diverted from criminal justice system responses regardless of whether an individual meets specific factors.

ASSEMBLY FLOOR: 42-25, 6/2/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Elhawary, Fong, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Pellerin, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schultz, Sharp-Collins, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Ávila Farías, Bains, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Irwin, Lackey, Macedo, Pacheco, Patterson, Michelle Rodriguez, Blanca Rubio, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Calderon, Gabriel, Krell, Nguyen, Papan, Patel, Petrie-Norris, Ramos, Schiavo, Solache, Soria, Stefani

Prepared by: Cheryl Anderson / PUB. S. /
9/8/25 21:38:04

**** END ****

THIRD READING

Bill No: AB 1273
Author: Patterson (R)
Amended: 9/4/25 in Senate
Vote: 21

SENATE ENERGY, U. & C. COMMITTEE: 15-0, 7/15/25

AYES: Becker, Ochoa Bogh, Allen, Arreguín, Caballero, Dahle, Gonzalez, Grove, Hurtado, Limón, McNerney, Rubio, Stern, Strickland, Wahab

NO VOTE RECORDED: Archuleta, Ashby

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 69-0, 5/8/25 (Consent) - See last page for vote

SUBJECT: Public utilities: ratesetting proceedings: local publicly owned
electric utilities: California Renewables Portfolio Standard Program

SOURCE: Author

DIGEST: This bill includes two unrelated provisions: (1) makes changes to the California Public Utilities Commission (CPUC) rules regarding the treatment of rate-setting proceeding decisions at CPUC voting meetings; and (2) clarifies eligibility related to compliance with future compliance periods of the Renewables Portfolio Standard (RPS) for local publicly owned electric utilities (POUs) who have existing procurement of large hydroelectric resources.

Senate Floor Amendments of 9/4/25 to address administration requests to narrow the provisions of this bill related to items that can be placed on consent on the agenda of CPUC voting meetings and additional clarifying language.

ANALYSIS:

Existing law:

- 1) Establishes and vests the CPUC with regulatory authority over public utilities. (Article XII of the California Constitution)
- 2) Requires all charges demanded or received by a public utility for a product or commodity furnished or to be furnished or a service rendered or to be rendered to be just and reasonable. (Public Utilities Code §451)
- 3) Prohibits, except as provided, a public utility from changing a rate unless there is a showing before the CPUC and a finding by the CPUC that the new rate is justified. (Public Utilities Code §454)
- 4) Mandates that items on the CPUC public agenda will be made subject to public review and comment before the commissioners can vote on the matter. Mandates the CPUC to adopt rules that provide for the time and manner of public review and comment. (Public Utilities Code §311(e))
- 5) Requires that before voting on a case, the CPUC must provide the decision to the parties involved and must be subject to at least 30 days public review and comment. (Public Utilities Code §311(g))
- 6) Requires the CPUC to inform the Legislature whenever it reduces or waives the time for public review or comment. (Public Utilities Code §311(i))
- 7) Requires the CPUC to publish and maintain on its internet website particular documents regarding the agency's agendas, actions, decisions, resolutions, rules, and other information. (Public Utilities Code §311.5)
- 8) Establishes the office of the public advisor at the CPUC, which helps members of the public and ratepayers communicate with the CPUC during any hearing or proceeding, including opportunities to comment on proceedings. (Public Utilities Code §321)
- 9) Grants the CPUC authority to adopt rules of practice and procedure to be applied during CPUC hearings and proceedings. (Public Utilities Code §1701)
- 10) Requires the CPUC, where feasible and appropriate, to seek the participation of those who are likely to be affected by a proceeding prior to determining the

proceeding's scope. Sunset this requirement on January 1, 2020. (Public Utilities Code §1711)

- 11) Defines a “renewable electrical generation facility” as one that, among other requirements, uses biomass, solar thermal, photovoltaic, wind, geothermal, fuel cells using renewable fuels, small hydroelectric generation of 30 megawatts (MW) or less, digester gas, municipal solid waste conversion, landfill gas, ocean wave, ocean thermal, or tidal current, and any additions or enhancements to the facility using that technology. (Public Resources Code §25741)
- 12) Requires, the California RPS Program, retail sellers and local POUs to procure a minimum quantity of electricity products from eligible renewable energy resources during certain compliance periods up to December 31, 2030. (Public Utilities Code §§399.15 and 399.30(a)(b)(c))
- 13) Defines eligible renewable energy resources include small hydroelectric generation facilities of 30 MW or less, conduit hydroelectric facilities, and the incremental increase in electrical generation resulting from efficiency improvements of existing small hydroelectric facilities. (Public Utilities Code §§399.12, 399.12.5)
- 14) Provides that a local POU is not required to procure a certain amount of eligible renewable energy resources if, during a year within those compliance periods, the local POU receives more than 40% of its retail sales from large hydroelectric generation under an ownership agreement or contract in effect as of January 1, 2018. (Public Utilities Code §399.30(k)(2))
- 15) Authorizes the State Energy Resources Conservation and Development Commission (California Energy Commission (CEC)) to establish appropriate multiyear compliance periods for local POUs beyond December 31, 2030. (Public Utilities Code §399.30(c)(2))

This bill:

- 1) Relevant to rules regarding the treatment of ratesetting proceedings:
 - a) Prohibits the CPUC from placing the consideration of an electrical corporation ratesetting proceeding decisions on its consent calendar when the decision would result in a more than 5% rate increase for customers of electrical corporations with revenue requirements that exceed \$1 billion.

- b) Requires, except as provided, the CPUC to provide, at a meeting to vote on the above ratesetting proceeding decision, a public comment period for at least 30 minutes before a vote by the commissioners.
- 2) Relevant to the RPS: Provides that the provision related to the procurement of eligible renewable energy resources by POUs also applies to the compliance periods established by the CEC beyond 2030.

Background

CPUC monthly voting meetings. The CPUC meets monthly (often twice a month) to take up items that require a vote of the commissioners. These meetings are held throughout the state, with the majority held in San Francisco. The agendas for the meetings encompass four parts: the Public Comment Period, the Consent Agenda, the Regular Agenda, and the Closed Session Agenda. At the beginning of the meeting, the CPUC takes up public comment where members of the public can speak about items on the agenda (with some exceptions) and public members often use this time to raise issues that are not on the agenda but may become part of a future meeting agenda. Generally, the public is limited to one minute of comments. The CPUC accepts participation from members who joined in person and members who call in.

Consent Agenda. The CPUC's meeting agenda notes items on the "Consent Agenda" which are items can be taken up for a vote as a group. However, at the beginning of the meeting, usually the President (or the presiding commissioner), will announce if items are being removed from the Consent list to the Regular meeting agenda (generally at the request of a commissioner) or being held over for a future meeting. Members of the public are allowed to speak to the items on the Consent agenda. Items on the Regular Agenda are individually presented, discussed, allowed public comment, and voted on by the commissioners.

Relevant to the Renewable Portfolio Standard. The CEC administers the state's landmark RPS, ensures the state's utilities disclose electricity sources to consumers, supports renewable energy development, and tracks the state's progress toward its renewable energy goals. Enacted by SB 1078 (Sher, Chapter 516, Statutes of 2002) and accelerated and expanded by subsequent legislation, California's RPS establishes increasing renewable energy procurement targets spanning multiyear compliance periods for the state's electric load-serving entities (LSE). Originally applicable to retail sellers, the statewide mandatory RPS was expanded by SBX1-2 (Simitian, Chapter 1, Statutes of 2011, First Extraordinary Session) to include local POUs. As a result of SB 100 (DeLeón, Chapter 312,

Statutes of 2018), LSEs are required to increase their procurement of eligible renewable energy resources to 60% of retail sales by 2030. As part of its responsibilities, the CEC verifies the eligibility of renewable energy procured by retail sellers and POUs that are obligated to participate in California's RPS. The CEC is also responsible for certifying RPS-eligible renewable energy resources, designing and implementing an accounting system to track and report renewable energy procurement for all program participants, and overseeing compliance and enforcement of POUs. The CEC participated in the development of the Western Renewable Energy Generation Information System (WREGIS), an independently administered renewable energy tracking system to verify renewable energy procurement for all program participants. The CPUC is responsible for compliance and enforcement for retail sellers.

RPS and large hydroelectric generation. California's RPS program, and other energy programs predating RPS, have distinguished between smaller hydroelectric facilities and larger facilities, those that are over 30 MW. These distinctions have largely reflected the state policy to discourage more damming of rivers out of concern for the natural habitats rivers provide and the state's desire to encourage development of new renewable energy projects (including, but not limited to, solar and wind). The passage of SB 100 (De León, 2018) accelerated the RPS requirements by requiring all LSEs to meet a 60% RPS requirement by 2030 and requiring a planning goal of 100% zero-carbon resources by 2045.

Comments

Need for this bill. The author states:

Currently the CPUC uses a consent calendar to consolidate multiple agenda items into one. The issue is that electricity rate increases get put on the consent calendar causing electric utility users to be prohibited from commenting on the electricity rate hikes. The consent calendar has been misused to bypass public comment on several critical issues. For instance, the CPUC's February 20, 2025 agenda included 32 items on the consent calendar, compared to just 6 regular agenda items. These items have increasingly impacted consumers. According to KMPH, at least two rate increases were passed in 2024 using the consent calendar.

Desire to have CPUC commissioners hear public comment and vote on individual ratesetting cases. Consent agenda items are generally bundled as a group because all commissioners are voting in support and taking them up together can help speed

up a voting meeting. Members of the public are allowed to speak to the items on the Consent agenda, but they do not have the benefit of having the item be presented and discussed by commissioners individually as the case is for Regular agenda items. Given that the bulk of the proceedings the CPUC commissioners votes on at the voting meetings concern rate-setting proceedings it happens that some of these cases have been placed as consent items on the agenda. The author opposed this practice, particularly for recent ratesetting cases that resulted in rate increases for customers of Pacific Gas & Electric (PG&E). This bill would require the rate-cases for PG&E, San Diego Gas & Electric, and Southern California Edison, would be prohibited from being included as consent items in future voting meetings if the decisions would result in rate increase that are more than 5% and would require the CPUC to allot at least 30 minutes for these ratesetting case decisions, if the number of public commenters merits the need for 30 minutes.

RPS and POUs. SB 100 (De León, Chapter 312, Statutes of 2018), and previous RPS updates (SB 350, Chapter 547, Statutes of 2015), included an exemption for POUs that requires they procure renewable energy only up to the retail sales unserved by large hydroelectric generation. This applies to POUs that generate more than 40% of their electricity from existing large hydroelectric sources in a given year. The goal of this exemption is to prevent unnecessary over-procurement of renewable energy, while recognizing that hydroelectric generation is a flexible and zero carbon resource that complements intermittent renewables. The exemption applies only through the year 2030, while the RPS program itself extends indefinitely beyond 2030. This gap between the exemption timeline and expected lifetime of the RPS program affects a very small group of POUs who source much of their renewable energy from large hydroelectric generation. However, for these utilities the dollar impacts of aligning the large hydroelectric exemption with the duration of the RPS program are substantial.

The City of Palo Alto Utilities (CPAU) is one of the POUs negatively affected by expiration of this exemption; their analysis estimates it will cost CPAU roughly \$25 million from 2030 – 2045 in excess renewable energy procurement. The additional purchase of unneeded renewable energy will also increase electric rates for other utilities, particularly as the current energy market is very tight and has been characterized as a seller's market. From CPAU's perspective, this is an unacceptable prospect considering the affordability issues that California utility ratepayers face. Based on current resource portfolios, other potentially affected POUs include Biggs, Gridley, Healdsburg, and Silicon Valley. This bill would clarify that the current exemption continues beyond the 2030 date to include future compliance periods.

Related/Prior Legislation

AB 705 (Boerner) of 2025, would have established the Independent Office of Audits and Investigations at the CPUC, which would be led by the Inspector General. The new office would be responsible for assessing accounting practices, or any fraud or malfeasance among other responsibilities. The bill was held in the Senate Appropriations Committee.

AB 13 (Ransom) of 2025, establishes additional legislative oversight and proposes reform of the CPUC, to include, among other mandates, specific requirements for CPUC commissioner appointees and additional CPUC reporting requirements to the Legislature. The bill is pending in the Senate Appropriations Committee.

SB 386 (Caballero) of 2020, would have limited the RPS obligations for Turlock and Modesto Districts to the electricity demands that are unsatisfied by the Don Pedro Hydroelectric Project, and in exchange requires the districts to procure energy storage, as specified. The bill was held in the Senate, Energy, Utilities and Communications Committee.

SB 100 (De León, Chapter 312, Statutes of 2018) established the 100 Percent Clean Energy Act of 2017 which increased the RPS requirement from 50% by 2030 to 60%, and creates the policy of planning to meet all of the state's retail electricity supply with a mix of RPS-eligible and zero-carbon resources by December 31, 2045, for a total of 100% clean energy.

SB 350 (De León, Chapter 547, Statutes of 2015) established the goal of receiving 50 of California's electricity from eligible renewable energy resources.

SB 591 (Cannella, Chapter 520, Statutes of 2013) limited the Merced Irrigation District's RPS obligation to the electricity demands that are unsatisfied by the New Exchequer Dam.

SBX1 2 (Simitian, Chapter 1, Statutes of 2011-12 First Extraordinary Session) required retail sellers of electricity and POUs to procure at least 33% of their electricity from renewable resources by 2020.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee: the CPUC estimates ongoing costs of about \$700,000 annually (ratepayer funds) for three positions to support

the increased length of Commission agenda meetings and to otherwise implement the provisions of this bill.

SUPPORT: (Verified 9/3/25)

Media Alliance
Northern California Power Agency

OPPOSITION: (Verified 9/3/25)

None received

ARGUMENTS IN SUPPORT: Media Alliance states:

A fundamental public policy precept is the people most impacted by any action of a legislative or regulatory body need to have input into the policy. A consent calendar process robs both the taxpaying public of the opportunity to explain how the action will affect them and it robs regulators of necessary input prior to their vote. Obviously, no one likes rate increases and even if they are necessary, it can be a hard pill to swallow, but it is important that regulators and legislators of all kinds face the public, explain their rationale for the action they are taking and hear about how that affects the people. Using the consent process, which is intended for administrative efficiency, to short circuit that responsive process is undemocratic and angers the public. Moreover, it makes it extremely difficult for the public to understand why rates are going up, what the rate increase is going to be used for and what problems the regulatory agency is trying to address by agreeing to another rate increase.

ASSEMBLY FLOOR: 69-0, 5/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Caloza, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Fong, Gabriel, Garcia, Gipson, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Arambula, Boerner, Carrillo, Flora, Gallagher, Jeff
Gonzalez, Irwin, Celeste Rodriguez, Sanchez, Wallis

Prepared by: Nidia Bautista / E., U. & C. / (916) 651-4107
9/9/25 17:24:55

****** END ******

THIRD READING

Bill No: AB 1331
Author: Elhawary (D), et al.
Amended: 9/4/25 in Senate
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 4-1, 6/25/25
AYES: Smallwood-Cuevas, Cortese, Durazo, Laird
NOES: Strickland

SENATE JUDICIARY COMMITTEE: 9-2, 7/15/25
AYES: Umberg, Arreguín, Ashby, Caballero, Durazo, Laird, Wahab, Weber
Pierson, Wiener
NOES: Niello, Valladares
NO VOTE RECORDED: Allen, Stern

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 55-15, 6/5/25 - See last page for vote

SUBJECT: Workplace surveillance

SOURCE: California Federation of Labor Unions

DIGEST: This bill regulates and limits the use of workplace surveillance tools, by both public and private employers, as specified.

Senate Floor Amendments of 9/4/25 1) clarify that a worker cannot leave behind workplace surveillance tools if a worker is required to use them for communication purposes during off-duty hours; 2) authorize the use of specified artificial intelligence tools in employee-only breakrooms or cafeterias so long as they do not have monitoring or surveillance capacity, as specified; 3) expand the list of peace officers exempt from this bill; and 4) add co-authors.

ANALYSIS:

Existing law:

- 1) States that the “right to privacy is a personal and fundamental right protected by Section 1 of Article I of the Constitution of California and by the United States Constitution and that all individuals have a right of privacy in information pertaining to them.” Further states these findings of the Legislature:
 - a) The right to privacy is being threatened by the indiscriminate collection, maintenance, and dissemination of personal information and the lack of effective laws and legal remedies.
 - b) The increasing use of computers and other sophisticated information technology has greatly magnified the potential risk to individual privacy that can occur from the maintenance of personal information.
 - c) In order to protect the privacy of individuals, it is necessary that the maintenance and dissemination of personal information be subject to strict limits. (Civil Code §1798.1)
- 2) States that advances in science and technology have led to the development of new devices and techniques for the purpose of eavesdropping upon private communications and that the invasion of privacy resulting from the continual and increasing use of such devices and techniques has created a serious threat to the free exercise of personal liberties that cannot be tolerated in a free and civilized society. (Penal Code §630)
- 3) Prohibits a person from intentionally, and without the consent of all parties to a confidential communication, using an electronic amplifying or recording device to eavesdrop upon or record the confidential communication. For purposes of these provisions, defines a “person” to mean an individual, business association, partnership, corporation, limited liability company, or other legal entity. (Penal Code §632)
- 4) Establishes the California Consumer Privacy Act (CCPA), which grants consumers certain rights with regard to their personal information, including enhanced notice, access, and disclosure; the right to deletion; the right to restrict the sale of information; and protection from discrimination for exercising these rights. It places attendant obligations on businesses to respect those rights. (Civil Code §1798.100 et seq.)

- 5) Establishes the Consumer Privacy Rights Act (CPRA), which amends the CCPA and creates the California Privacy Protection Agency (PPA), which is charged with implementing these privacy laws, promulgating regulations, and carrying out enforcement actions. (Civil Code §1798.100 et seq.; Proposition 24 (2020))
- 6) Establishes within the Department of Industrial Relations (DIR), various entities including the Division of Labor Standards Enforcement (DLSE) under the direction of the Labor Commissioner (LC), and empowers the LC with ensuring a just day's pay in every workplace and promotes economic justice through robust enforcement of labor laws. (Labor Code §79-107)
- 7) Prohibits an employer from causing an audio or video recording to be made of an employee in a restroom, locker room, or room designated by an employer for changing clothes, unless authorized by court order. No recording made in violation of this prohibition may be used by an employer for any purpose. A violation of this section constitutes an infraction. (Labor Code §435)
- 8) Authorizes, until January 1, 2029, a public prosecutor to prosecute an action, either civil or criminal, for a violation of certain provisions of the labor code or to enforce those provisions independently. (Labor Code §181)

This bill:

- 1) Defines, among other terms, the following:
 - a) "Employer" means a person who directly or indirectly, or through an agent or any other person, employs or exercises control over the wages, benefits, other compensation, hours, working conditions, access to work or job opportunities, or other terms or conditions of employment, of any worker.
 - i) "Employer" includes an employer's labor contractor.
 - ii) "Employer" includes private entities and public entities, including, but not limited to, all branches of state government, or the several counties, cities and counties, and municipalities thereof, or any other political subdivision of the state, or a school district, or any special district, or any authority, commission, or board or any other agency or instrumentality thereof.

- b) “Worker” means an employee of, or an independent contractor providing service to, or through, a business or a state or local governmental entity in a workplace.
 - c) “Workplace surveillance tool” means a system, application, instrument, or device that collects or facilitates the collection of worker activities, communications, actions, biometrics, or behaviors, or those of the public that are capable of passively surveilling workers, by means other than direct observation by a person, including, but not limited to, video or audio surveillance, electronic workplace tracking, geolocation, electromagnetic tracking, photoelectronic tracking, or utilization of a photo-optical system or other means.
 - i) “Workplace surveillance tool” does not include smoke or carbon monoxide detectors or weapon detection systems that automatically screen a person’s body.
 - d) “Public prosecutor” means the Attorney General, a district attorney, a city attorney, a county counsel, or any other city or county prosecutor.
- 2) Prohibits an employer, unless directed by a court order, from using a workplace surveillance tool to monitor or surveil workers, including data collection on the frequency of a worker’s use of those areas, in the following employee-only, employer-designated areas:
- a) Bathrooms.
 - b) Locker rooms.
 - c) Changing areas.
 - d) Lactation spaces.
- 3) Except as specified below, authorizes a worker to leave behind workplace surveillance tools that are on their person or in their possession in both of the following circumstances:
- a) When entering an area listed in (2) above, employee-only breakrooms and cafeterias, and public bathrooms.
 - b) During off-duty hours, excluding rest periods.

- 4) Specifies that (3) above does not apply, and therefore a worker does not have the right to leave behind workplace surveillance tools that are on their person or possession, in both of the following circumstances:
 - a) A worker is required to remain available during meal or rest periods pursuant to federal law or existing state law.
 - b) A workers is required to use a workplace surveillance tool, such as a phone, for communication purposes for the job during off-duty hours.
- 5) Prohibits an employer from requiring a worker to physically implant a device that collects or transmits data, including a device that is installed subcutaneously in the body.
- 6) Prohibits an employer from using audio surveillance to record employee-only breakrooms or cafeterias.
- 7) If an employer uses a workplace surveillance tool in an employee-only breakroom or cafeteria, requires the employer to post signage in the area notifying workers that they are subject to surveillance that does not record audio.
 - a) Prohibits the workplace surveillance tool in an employee-only breakroom or cafeteria from using generative artificial intelligence enabled video surveillance.
 - b) Authorizes the workplace surveillance tool to use artificial intelligence photo or video correction tools that do not have monitoring or surveillance capacity.
- 8) Authorizes a worker or their authorized representative to request video surveillance that the worker is in.
- 9) Authorizes an employer to use workplace surveillance tools that passively surveil workers in an area not listed in (2) above and employee-only breakrooms and cafeterias, even if an off-duty worker may be present, as long as the worker is made aware in advance that a workplace surveillance tool is in use.
- 10) Notwithstanding the prohibitions specified, authorizes an employer to check workplace surveillance tools for the one-time entry and exit in the areas listed in (2) above and employee-only breakrooms and cafeterias for health and

safety purposes, as long as it is not used to monitor the frequency of a worker's use of those areas.

- 11) On a multiemployer jobsite, requires the controlling employer to post a notice at the jobsite providing a general description of the types of activities that may be monitored or surveilled and for what purposes. Specifies that such a notice satisfy the requirement for any employer whose employees perform work on that jobsite.
- 12) Specifies that an employer is not in violation of this bill's provisions in any of the following circumstances:
 - a) A worker brings a workplace surveillance tool into an area listed in (2) above or employee-only breakrooms or cafeterias because it is required to access a locked or secured area.
 - b) A worker uses a workplace surveillance tool to access a locked or secured area during off-duty hours.
 - c) A worker voluntarily chooses to bring a workplace surveillance tool into an area listed in (2) above or employee-only breakrooms or cafeterias.
 - d) A worker voluntarily keeps a workplace surveillance tool on their person during off-duty hours.
 - e) A worker brings, or keeps on their person during off-duty hours, a workplace surveillance tool, including a badge or personal alarm system, into an area listed in (2) above or employee-only breakrooms or cafeterias because the employer has a policy that requires that workplace surveillance tool to be in the worker's possession while on work premises for identification or safety purposes, if the workplace surveillance tool meets both of the following conditions:
 - i) Does not detect or record audio.
 - ii) Is not artificial intelligence enabled.
- 13) Prohibits a worker from removing or physically tampering with any component of a workplace surveillance tool that is part of or embedded in employer equipment or vehicles.
- 14) Prohibits an employer from discharging, threatening to discharge, demoting, suspending, or in any manner discriminating against an employee for using, or attempting to use, the employee's rights under this part, including the filing of a complaint, as specified.

- 15) Specifies that in addition to any other remedy, an employer who violates these provisions shall be subject to a civil penalty of \$500 per violation.
- 16) In addition to any other remedy, authorizes the Labor Commissioner to enforce these provisions, including investigating an alleged violation, and ordering appropriate temporary relief to mitigate a violation or maintain the status quo pending the completion of a full investigation or hearing including by issuing a citation and filing a civil action, as specified.
- 17) Authorizes these provisions to also be enforced by a public prosecutor, as specified.
- 18) Provides that the above provisions do not preempt any local law that provides equal or greater protection to workers.
- 19) Specifies that the above provisions are severable and if any provision is held invalid, that invalidity shall not affect other provisions or applications that can be given effect.
- 20) Provides that these provisions do not limit the authority of the Attorney General, a district attorney, or a city attorney, either upon their own complaint or the complaint of any person acting for themselves or the general public, to prosecute actions, either civil or criminal, for violations of these provisions, or to enforce the provisions independently and without specific direction of the LC or the Division of Labor Standards Enforcement.
- 21) Specifies that these provisions do not prohibit any employer from using workplace surveillance tools as required by federal law or existing state law.
- 22) Specifies that these provisions do not authorize any employer to use workplace surveillance tools as prohibited by federal law or existing state law.
- 23) Exempts from all these provisions, an employer that does either of the following:
 - a) Develops products for national security, military, space, or defense purposes.
 - b) Develops aircraft for operation in national airspace.

- 24) Specifies that this bill's provisions do not apply to a law enforcement agency that includes any employee who is a peace officer, as specified, when it acts as a law enforcement agency or as the employer of its own employees.
- a) For purposes of this provision, specifies that a law enforcement agency is not to be deemed the employer of any employees who are not directly employed by the law enforcement agency.

Background

Need for this bill? According to the author: "As technology's capabilities have increased, employer surveillance of workers has increased. Recent reports from ExpressVPN found that close to 80% of employers use monitoring software to track employee performance. With employer surveillance on the rise, workers have limited access to spaces in their workplace, that are not under constant surveillance. Employers use workplace surveillance to track, monitor, manage, and prevent workers from advocating for their rights. The new surveillance state at the workplace has proven to increase psychological distress, stress, and lower job satisfaction among workers."

Related/Prior Legislation

SB 7 (McNerney, 2025) would regulate the use of automated decision systems (ADS) in the employment setting. SB 7 is pending on the Assembly Floor.

AB 1018 (Bauer-Kahan, 2025) would, among other things, regulate the development and deployment of an ADS used to make consequential decisions, as defined. AB 1018 is pending on the Senate Floor.

[NOTE: Please see the Senate Labor, Public Employment and Retirement Committee analysis on this bill for more background information and information on additional prior and related legislation.]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- This bill would result in costs to the State as a direct employer to revise policies and ensure the use of any existing tools comply with its requirements (General Fund or special fund). The magnitude of such costs is unknown, and would be

driven by the use of workplace surveillance tools across the State's roughly 200 departments and agencies.

- The Department of Industrial Relations (DIR) indicates that it would incur first-year costs of \$1.23 million, and \$1.67 million annually thereafter, to enforce the provisions of the bill. (Labor Enforcement and Compliance Fund).
- By authorizing public prosecution to enforce worker privacy rights, this bill could result in potentially significant cost pressures to the courts; the magnitude is unknown (Trial Court Trust Fund (TCTF)). The specific number of new actions that could be filed under the bill also is unknown; however, it generally costs about \$10,500 to operate a courtroom for an eight-hour day. Courts are not funded on the basis of workload, and increased pressure on TCTF may create a need for increased funding for courts from the General Fund. The enacted 2025-26 budget includes \$38 million in ongoing support from the General Fund to continue to backfill TCTF for revenue declines.
- This bill could result in increased penalty revenue to the State; the magnitude is unknown, but probably minor.

SUPPORT: (Verified 9/4/25)

California Federation of Labor Unions (Source)

Air Line Pilots Association, International

AFSCME California

Association of Flight Attendants - CWA

California Alliance for Retired Americans

California Civil Liberties Advocacy

California Coalition for Worker Power

California Conference Board of the Amalgamated Transit Union

California Conference of Machinists

California Employment Lawyers Association

California Federation of Teachers AFL-CIO

California Immigrant Policy Center

California Nurses Association

California Professional Firefighters

California School Employees Association

California State Legislative Board of the SMART - Transportation Division

California State University Employees Union

California Teamsters Public Affairs Council

Center for Democracy and Technology

Center for Inclusive Change
Center on Policy Initiatives
Church State Council
Coalition for Humane Immigrant Rights
Coalition of Black Trade Unionists, San Diego County Chapter
Communications Workers of America, District 9
Community Agency for Resources, Advocacy and Services
Consumer Attorneys of California
Consumer Federation of California
Engineers and Scientists of California, IFPTE Local 20, AFL-CIO
Inland Empire Labor Council
International Cinematographers Guild, Local 600, IATSE
International Lawyers Assisting Workers Network
Los Angeles Alliance for a New Economy
Los Angeles County Democratic Party
National Employment Law Project
National Union of Healthcare Workers
Northern CA District Council of the Int. Longshore and Warehouse Union
Oakland Privacy
Omidyar Network
Pillars of the Community
PowerSwitch Action
Rise Economy
San Diego Black Workers Center
Secure Justice
SEIU California State Council
Surveillance Resistance Lab
Teamsters California
TechEquity Action
The Center for AI and Digital Policy
The Workers Lab
Transport Workers Union of America, AFL-CIO
UNITE HERE! International Union, AFL-CIO
UNITE HERE! Local 11
United Food and Commercial Workers, Western States Council
Utility Workers Union of America
Warehouse Worker Resource Center
Workers' Algorithm Observatory
Working Partnerships USA
Worksafe

OPPOSITION: (Verified 9/4/25)

Acclamation Insurance Management Services
ADT Security Services
Aerospace and Defense Alliance of California
Agricultural Council of California
Allied Managed Care
American Petroleum and Convenience Store Association
American Property Casualty Insurance Association
Anaheim Chamber of Commerce
Associated General Contractors of California
Associated General Contractors – San Diego Chapter
Association of California Healthcare Districts
Association of California School Administrators
Association of Orange County Deputy Sheriff's
Brea Chamber of Commerce
CalBroadband
Calforests
California Alarm Association
California Alliance of Family Owned Businesses
California Apartment Association
California Association of Health Facilities
California Association of Joint Powers Authorities
California Association of Licensed Security Agencies, Guards & Associates
California Association of Recreation and Park Districts
California Association of School Business Officials
California Association of Sheet Metal & Air Conditioning Contractors National
California Association of Winegrape Growers
California Attractions and Parks Association
California Automatic Vendors Council
California Bankers Association
California Beer and Beverage Distributors
California Cardroom Alliance
California Chamber of Commerce
California Cities for Self-reliance Joint Powers Authority
California Construction and Industrial Materials Association
California Credit Union League
California Farm Bureau
California Fitness Alliance
California Fraternal Order of Police
California Fuels and Convenience Alliance

California Gaming Association
California Grocers Association
California Hospital Association
California Hotel & Lodging Association
California Landscape Contractors Association
California League of Food Producers
California Manufacturers and Technology Association
California Moving and Storage Association
California Municipal Utilities Association
California Pawnbrokers Association
California Pest Management Association
California Restaurant Association
California Retailers Association
California School Boards Association
California Special Districts Association
California State Association of Counties
California State Council of SHRM
California Statewide Law Enforcement Association
California Travel Association
Carlsbad Chamber of Commerce
Chino Valley Chamber of Commerce
City of Concord
City of Orinda
Coalition of Small and Disabled Veteran Businesses
Colusa County Chamber of Commerce
Communities 4 California Cardrooms
Construction Employers' Association
Corona Chamber of Commerce
County of Fresno
County of Humboldt
County of Kern
County of Los Angeles Board of Supervisors
County of Mendocino
Dairy Institute of California
Dana Point Chamber of Commerce
El Dorado County Chamber of Commerce
El Dorado Hills Chamber of Commerce
Elk Grove Chamber of Commerce
Flasher Barricade Association

Folsom Chamber of Commerce
Garden Grove Chamber of Commerce
Greater Coachella Valley Chamber of Commerce
Greater Conejo Valley Chamber of Commerce
Greater High Desert Chamber of Commerce
Greater Riverside Chambers of Commerce
Housing Contractors of California
Insights Association
LA Cañada Flintridge Chamber of Commerce
Lake Elsinore Valley Chamber of Commerce
League of California Cities
Lincoln Area Chamber of Commerce
Livermore Valley Chamber of Commerce
Long Beach Area Chamber of Commerce
Long Beach Police Officers Association
Los Angeles Area Chamber of Commerce
Morgan Hill Chamber of Commerce
Murrieta Wildomar Chamber of Commerce
National Association of Theatre Owners of California
National Electrical Contractors Association
National Health and Fitness Association
Northern California Power Agency
Oceanside Chamber of Commerce
Orange County Business Council
Pacific Association of Building Service Contractors
Paso Robles and Templeton Chamber of Commerce
Public Risk Innovation, Solutions, and Management
Rancho Cordova Area Chamber of Commerce
Rancho Cucamonga Chamber of Commerce
Redondo Beach Chamber of Commerce
Resource Recovery Coalition of California
Rocklin Area Chamber of Commerce
Roseville Area Chamber of Commerce
Rural County Representatives of California
Sacramento County Deputy Sheriff's Association
San Diego Regional Chamber of Commerce
San Jose Chamber of Commerce
Santa Barbara South Coast Chamber of Commerce
Santa Clarita Valley Chamber of Commerce

Security Industry Association
Sheriff's Employee Benefits Association
Shingle Springs/Cameron Park Chamber of Commerce
SHRM
South Bay Association of Chambers of Commerce
Southwest California Legislative Council
TechNet
Torrance Area Chamber of Commerce
Tri County Chamber Alliance
Tulare Chamber of Commerce
United Chamber Advocacy Network
United Contractors
Urban Counties of California
Valley Industry and Commerce Association
Walnut Creek Chamber of Commerce & Visitors Bureau
Western Car Wash Association
Western Electrical Contractors Association
Western Growers Association
Wilmington Chamber of Commerce
Wine Institute
Yuba Sutter Chamber of Commerce

ARGUMENTS IN SUPPORT:

According to a coalition of proponents:

“Workplace surveillance is not a new phenomenon; employers have surveilled workers for decades with traditional cameras and microphones. However, today’s workplace surveillance capabilities differ in scale, speed, and invasiveness. Employers now have access to a plethora of military grade tools, such as wearable devices, to monitor worker biometrics, speech, and location, as well as heat and retina tracking technology. With the use of these powerful surveillance tools, workers have limited access to spaces in their workplace that are not under constant surveillance. A 2024 study found two-thirds (68%) of U.S. workers report at least one form of electronic monitoring. The study also found 88% of large companies (1000 or more workers) have some form of monitoring, compared to 43% in smaller organizations. Areas such as restrooms, lactation spaces, and worker lounges are not protected from being surveilled with advanced technology that does not rely solely on traditional audio or visual recordings. The new surveillance state at the workplace has proven to increase the likelihood of discrimination, harassment, and psychological distress of workers.

To protect worker privacy in sensitive areas and from developing implantable technology, AB 1331 will update and expand existing workplace privacy laws to address new powerful forms of surveillance technology.”

ARGUMENTS IN OPPOSITION:

A coalition of private employer organizations, including the California Chamber of Commerce, are opposed to the measure and write:

“AB 1331 jeopardizes safety and security in every workplace:

- AB 1331 applies to both public and private employers, including schools, hospitals, gambling establishments, cities, counties, correctional facilities, small businesses, and more.
- AB 1331 permanently bans any use of AI in security systems used in a break room or cafeteria. This means banning the following:
 - Technology that pinpoints where there is an ongoing emergency, including gunshot detection or detection of sounds over a specific decibel
 - Technology that can detect in video footage when and where violence or theft occurred
 - Technology used to help find lost children in theme parks
- AB 1331 permanently bans any recording of audio in break rooms or cafeterias, including during an ongoing emergency
- AB 1331 allows workers (including any contractor who ever sets foot on premises) to request copies of video footage they are in, regardless of who else or what else is in that footage.
- AB 1331 functionally prohibits even simple use of AI”

ASSEMBLY FLOOR: 55-15, 6/5/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Ávila Farías, DeMaio, Dixon, Ellis, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Macedo, Patterson, Ramos, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Alanis, Castillo, Chen, Davies, Flora, Lackey, Nguyen, Ortega, Pacheco

Prepared by: Alma Perez-Schwab / L., P.E. & R. / (916) 651-1556
9/8/25 21:40:15

****** END ******

THIRD READING

Bill No: AB 1376
Author: Bonta (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 4-1, 6/24/25
AYES: Arreguín, Gonzalez, Pérez, Wiener
NOES: Seyarto
NO VOTE RECORDED: Caballero

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 49-18, 5/27/25 - See last page for vote

SUBJECT: Wards: probation

SOURCE: Alliance for Boys and Men of Color
California Alliance for Youth and Community Justice
Communities United for Restorative Youth Justice
Fresh Lifelines for Youth
National Youth Center for Youth Law
Sister Warriors Freedom Coalition
The W. Haywood Burns Institute
Western Center on Law & Poverty

DIGEST: This bill limits the period of time for which a court may place a ward of the court on probation to twelve months, except that a court may extend probation upon proof by a preponderance of the evidence that it is in the best interest of the ward and the public; and requires that juvenile probation conditions are individually tailored, developmentally appropriate, and reasonable, as well as proportional to the legitimate interests served by the conditions.

Senate Floor Amendments of 9/5/25 authorize a court to continue a noticed hearing upon good cause, exclude foster youth from the bill, and add clarifying language.

ANALYSIS:

Existing law:

- 1) States that the purpose of the juvenile court law is to provide for the protection and safety of the public and each minor under the jurisdiction of the juvenile court and to preserve and strengthen the minor's family ties whenever possible, removing the minor from the custody of the minor's parents only when necessary for the minor's welfare or for the safety and protection of the public. Requires the juvenile court and other public agencies charged with enforcing, interpreting, and administering the juvenile court law to consider the safety and protection of the public, the importance of redressing injuries to victims, and the best interests of the minor in all deliberations. (Welfare and Institutions Code (Welf. & Inst. Code), § 202, subds. (a) & (d).)
- 2) Provides that a minor between 12 and 17 years of age, inclusive, who violates any law defining a crime, and a minor under 12 years of age who is alleged to have committed murder or a specified sex offense, is within the jurisdiction of the juvenile court, which may adjudge the minor to be a ward of the court. (Welf. & Inst. Code, § 602.)
- 3) Provides that the juvenile court may retain jurisdiction over a ward until the person attains 21 years of age, except that if the wardship is based on the commission of a specified serious offense, the juvenile court may retain jurisdiction until age 23, unless the ward would have faced an aggregate sentence of seven years or more in criminal court, in which case the juvenile court may retain jurisdiction until age 25. (Welf. & Inst. Code, § 607, subds. (a)-(c).)
- 4) Authorizes the juvenile court to place a ward of the court on supervised probation. Authorizes the court to make any reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the ward. (Welf. & Inst. Code, § 727.)
- 5) Authorizes the court, when a minor is adjudged a ward of the court, to order treatment, to commit the minor to a juvenile home, ranch, camp, forestry camp, or juvenile hall, and to make other orders, including ordering the ward to make

restitution, pay a fine of up to \$250, or to participate in uncompensated work programs. (Welf. & Inst. Code, § 730, subd. (a).)

- 6) Provides that when a ward is placed under the supervision of the probation officer or committed to the care, custody, and control of the officer, the court may make any and all reasonable orders for the conduct of the ward, and impose and require any and all reasonable conditions that it may determine fitting and proper to the end that justice may be done and the reformation and rehabilitation of the ward enhanced. (Welf. & Inst. Code, § 730, subd (b).)

This bill:

- 1) Prohibits a minor adjudged to be a ward of the court who is subject to an order of probation, with or without supervision of the probation officer, from remaining on probation for a period that exceeds twelve months from the disposition hearing, except as specified.
- 2) Provides that a court may extend the probation period after a noticed hearing and upon proof by a preponderance of the evidence that it is in the ward's and the public's best interest.
- 3) Requires the probation agency to submit a report to the court detailing the basis for any request to extend probation at the hearing.
- 4) Requires that the ward and the prosecuting attorney be given the opportunity to present relevant evidence. Provides that the court has discretion to receive evidence by testimony, declaration, and other documentary evidence.
- 5) Requires the court to state the reasons for the findings orally on the record in cases in which the court finds by a preponderance of the evidence a basis for extending probation. Requires the court to set forth the reasons in an order entered upon the minutes if requested by either party or when the proceedings are not being recorded electronically or reported by a court reporter.
- 6) Requires the court, if it extends probation, to schedule and hold subsequent noticed hearings for the ward not less frequently than every six months for the remainder of the wardship period.
- 7) Provides that its provisions do not preclude termination of a ward's probation before the end of the twelve-month period.

- 8) Requires the court, prior to terminating jurisdiction over a ward subject to an order for foster care placement, to comply with existing provisions of law related to terminating jurisdiction over those youth. Prohibits the requirement to comply with those provisions of law from being a basis for continuing an order imposing terms and conditions of probation. Prohibits the ward from being subject to a petition to remove the ward from the physical custody of their parent, guardian, relative, or friend, or a violation of probation if the court retains jurisdiction.
- 9) Provides that its provisions do not apply to any ward who is committed to a juvenile home, ranch, camp, or forestry camp.
- 10) Provides that its provisions do not apply to any ward who is discharged from a secure youth treatment facility or transferred from a secure youth treatment facility to a less restrictive program.
- 11) Requires that the conditions of probation ordered when a ward is placed on supervised or unsupervised probation meet all of the following requirements:
 - a) The conditions are individually tailored, developmentally appropriate, and reasonable.
 - b) The burden imposed by the conditions must be proportional to the legitimate interests served by the conditions.
 - c) The conditions are determined by the court to be fitting and proper to the end that justice may be done and the reformation and rehabilitation of the ward enhanced.
- 12) Amends existing law that authorizes the court to order the ward to make restitution, to pay a fine up to \$250 for deposit in the county treasury if the court finds that the minor has the financial ability to pay the fine, or to participate in uncompensated work programs, and instead limits the court's authority to only order restitution.
- 13) Amends several provisions of law requiring the juvenile court to impose specific conditions of probation on a ward of the court and instead makes all of those conditions of probation discretionary.

Background

There are a number of dispositional outcomes available to the juvenile court for minors who are before the court based on the commission of a crime, including diversion, informal probation, and wardship probation. For minors placed on wardship probation, the court may order probation with or without the supervision of a probation officer.

Juvenile probation does not have a statutory cap or required periodic review unlike adult probation which is generally limited to one year for misdemeanors and two years for felonies, except as specified in statute. Instead, juvenile probation can last as long as the juvenile court has jurisdiction over the ward. (Welf. & Inst. Code, § 602, subds. (a)-(c).)

The California Department of Justice reported that in 2023, over 10,000 youth in California were placed on wardship probation. (Office of the Attorney General, *Juvenile Justice in California* (2023), p. 40, available at <<https://data-openjustice.doj.ca.gov/sites/default/files/2024-07/Juvenile%20Justice%20In%20CA%202023f.pdf>>.)

This bill limits the period of time for which a court may place a ward of the court on probation to twelve months, except that a court may extend probation if it finds by a preponderance of the evidence that doing so is in the best interest of the ward and the public.

Probation Conditions. A juvenile court may impose on a minor on probation “any and all reasonable conditions that it may determine fitting and proper to the end that justice may be done and the reformation and rehabilitation of the ward enhanced.” (Welf. & Inst. Code, § 730, subd. (b).) Generally, the conditions imposed on juveniles may be broader than criminal probation conditions. (*In re Antonio R.* (2000) 78 Cal.App.4th 937, 941.) In fact, “[a] juvenile court enjoys broad discretion to fashion conditions of probation for the purpose of rehabilitation and may even impose a condition of probation that would be unconstitutional or otherwise improper so long as it is tailored to specifically meet the needs of the juvenile.” (*In re Binh L.* (1992) 5 Cal.App.4th 194, 203; *In re Josh W.* (1997) 55 Cal.App.4th 1, 5; *In re Sheena K.* (2007) 40 Cal.4th 875, 889; *In re Michael D.* (1989) 214 Cal.App.3d 1610, 1616.) In planning the conditions of a minor’s supervision, the juvenile court considers not only the circumstances of the crime, but also the minor’s entire social history. (*In re Binh L.*, *supra*, 5 Cal.App.4th 192, 203.)

Conditions of probation may include, among other things, electronic monitoring, drug testing, completion of education programs or other types of programs, or community service. The proponents of this bill argue that youth are “burdened with excessive and arbitrary probation conditions which, research has shown, harms their development and prospects for rehabilitation.” (National Center for Youth Law and W. Haywood Burns Institute, *Ending Endless Probation* (Mar. 2021), at p. 5, citing The Annie E. Casey Foundation, *Transforming Juvenile Probation: A Vision for Getting it Right* (2018) available at <<https://youthlaw.org/sites/default/files/attachments/2022-03/2021.03.02-End-Endless-Probation-v2.pdf>.)

This bill requires conditions of probation for a ward to be individually tailored, developmentally appropriate, and reasonable. This bill additionally requires that the burden imposed by those conditions is proportional to the legitimate interests served by the conditions. This bill also amends several provisions of existing law that require a court to impose certain conditions of probation and instead makes all of those conditions of probation discretionary.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

According to the Senate Appropriations Committee:

- Unknown, potentially significant costs to the state funded trial court system (Trial Court Trust Fund, General Fund), likely in the low millions, to adjudicate additional hearings required by this bill. Judicial Council indicates an estimated 10,000 individuals who would need the new evidentiary hearings required by this bill. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- Significant workload costs to county probation agencies (local funds, General Fund), likely in the millions to tens of millions annually. Chief Probation Officer’s note that, based on staff time to prepare the report required by this bill (which will include gathering information and which may include additional parties such as family, mental health, restitution, school progress, etc.), and time spent in court for the hearings, the impacts of this bill are likely to be in the millions to tens of millions annually, as these hearings apply to all wards of the court. Probation would have to prepare for and attend the initial hearing, which

sets a presumption for discharge, and likely multiple additional hearings. Based on current lengths of juvenile probation terms, per case, this could require probation to attend multiple hearings every six months. However, by encouraging earlier termination of probation, this bill could shorten supervision periods and reduce associated costs.

- It is not clear whether the county probation duties imposed by this bill constitute a reimbursable state mandate or whether they may be subject to Proposition 30 (2012). Proposition 30 provides that legislation enacted after September 30, 2012, that has an overall effect of increasing the costs already borne by a local agency for programs or levels of service mandated by realignment applies to local agencies only to the extent the state provides annual funding for the cost increase.

SUPPORT: (Verified 9/5/25)

Alliance for Boys and Men of Color (co-source)
California Alliance for Youth and Community Justice (co-source)
Communities United for Restorative Youth Justice (co-source)
Fresh Lifelines for Youth (co-source)
National Center for Youth Law (co-source)
Sister Warriors Freedom Coalition (co-source)
The W. Haywood Burns Institute (co-source)
Western Center on Law & Poverty (co-source)
ACLU California Action
All of Us or None
Asian Americans Advancing Justice Southern California
Back to the Start
Black Parallel School Board
Black Women for Wellness Action Project
California Attorneys for Criminal Justice
California Coalition for Youth
California Court Appointed Special Advocate Association
California League of United Latin American Citizens
California Native Vote Project
California Public Defenders Association
California Youth Defender Center
Californians for Safety and Justice
Californians United for a Responsible Budget
Center for Employment Opportunities
Children Now

Children's Defense Fund-California
Coalition for Humane Immigrant Rights
Community Works
Congregations Organized for Prophetic Engagement
Courage California
Debt Free Justice California
Drug Policy Alliance
East Bay Community Law Center
Ella Baker Center for Human Rights
Empowering Women Impacted by Incarceration
Fair Chance Project
Grace Institute-End Child Poverty in CA
Hoops 4 Justice
Human Rights Watch
Indigenous Justice
Initiate Justice
Initiate Justice Action
Justice2Jobs Coalition
Khmer Girls in Action
LA County Public Defenders Union, Local 148
La Defensa
League of Women Voters of California
Legal Services for Prisoner With Children
Mid-City Community Advocacy Network
MILPA Collective
National Institute for Criminal Justice Reform
Peace and Justice Law Center
Pillars of the Community
Rubicon Programs
San Francisco Public Defender
Secure Justice
Silicon Valley De-Bug
Smart Justice California
Starting Over
Starting Over Strong
Urban Peace Institute
Vera Institute of Justice
Youth Alliance
Youth Forward
Youth Law Center

1 Individual

OPPOSITION: (Verified 9/5/25)

Association of Orange County Deputy Sheriffs

California District Attorneys Association

California Police Chiefs Association

Chief Probation Officers' of California

County of Kern

Peace Officers Research Association of California

Riverside County District Attorney

Riverside Sheriffs' Association

Sacramento County Probation Association

Sacramento County Sheriff Jim Cooper

San Diego County Probation Officers Association

San Joaquin County Probation Officers Association

San Mateo County Probation Detention Association

State Coalition of Probation Organizations

Ventura County Professional Peace Officers Association

ASSEMBLY FLOOR: 49-18, 5/27/25

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Jackson, Kalra, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Celeste Rodriguez, Rogers, Schultz, Sharp-Collins, Solache, Stefani, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NOES: Alanis, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Hoover, Irwin, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Arambula, Bains, Flora, Jeff Gonzalez, Krell, Nguyen, Pacheco, Ramos, Michelle Rodriguez, Blanca Rubio, Schiavo, Soria

Prepared by: Stephanie Jordan / PUB. S. /

9/8/25 21:40:17

****** END ******

THIRD READING

Bill No: AB 1388
Author: Bryan (D)
Amended: 9/9/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 7/15/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 69-0, 6/3/25 - See last page for vote

SUBJECT: Law enforcement: settlement agreements

SOURCE: Author

DIGEST: This bill prohibits a law enforcement agency from entering into an agreement with a peace officer that requires the agency to destroy, remove or conceal a record of a misconduct investigation, to halt or make particular findings in such an investigation, or to otherwise restrict disclosure of information about an allegation or investigation of misconduct, renders such agreements void and unenforceable, and specifies that agreements violative of this prohibition are subject to disclosure under the California Public Records Act.

Senate Floor Amendments of 9/9/25 resolve chaptering conflicts with AB 847 (Sharp-Collins) and AB 1178 (Pacheco).

ANALYSIS:

Existing law:

- 1) Establishes the people’s right to transparency in government. (“The people have the right of access to information concerning the conduct of the people’s business, and therefore, the meetings of public bodies and the writings of

public officials and agencies shall be open to public scrutiny...” (California Constitution (Cal. Const.), art. I, Sec. 3.)

- 2) Establishes the California Public Records Act (CPRA), which generally provides that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state, and requires government agencies to disclose government records to the general public upon request, unless such records are exempted from disclosure. (Government Code (Gov. Code), § 7920.000 et seq.)
- 3) Provides that the CPRA does not require the disclosure of records of complaints to, or investigations conducted by, or records of intelligence information or security procedures of, the Office of the Attorney General and the Department of Justice (DOJ), the Office of Emergency Services and any state or local police agency, or any investigatory or security files compiled by any other state or local police agency, or any investigatory or security files compiled by any other state or local agency for correctional, law enforcement, or licensing purposes. (Gov. Code, § 7923.600.)
- 4) Provides that the CPRA does not require the disclosure of peace officer personnel files and background investigation files gathered by law enforcement agencies that are in the custody of the Commission on Peace Officer Standards and Training (POST) in connection with the commission’s authority to verify eligibility for the issuance of certification and investigate grounds for decertification of a peace officer including any and all investigative files and records relating to complaints of, and investigations of, police misconduct, and all other investigative files and materials. (Gov. Code, § 7923.601.)
- 5) States that any department or agency in this state that employs peace officers shall establish a procedure to investigate complaints by members of the public against the personnel of these departments or agencies, and shall make a written description of the procedure available to the public. (Penal Code (Pen. Code), § 832.5, subd. (a)(1).)
- 6) States that any department or agency that employs custodial officers, as specified, may establish a procedure to investigate complaints by members of the public against those custodial officers employed by these departments or agencies, provided, however, that any procedure so established shall comply with rules pertaining to confidentiality of personnel records for peace officers. (Pen. Code, § 832.5, subd. (a)(2).)

- 7) Requires each department or agency in this state that employs peace officers to make a record of any investigations of misconduct involving a peace officer in the officer's general personnel file or a separate file designated by the department or agency. A peace officer seeking employment with a department or agency in this state that employs peace officers shall give written permission for the hiring department or agency to view the officer's general personnel file and any separate file designated by a department or agency. (Pen. Code, § 832.12.)
- 8) Provides generally that the personnel records of peace officers and custodial officers and records maintained by a state or local agency or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery. This provision does not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, the Attorney General's office, or POST. (Pen. Code, § 832.7, subd. (a).)
- 9) Specifies that notwithstanding the above provision or any other law, the following peace officer or custodial officer personnel records and records maintained by a state or local agency are not confidential and shall be made available for public inspection pursuant to the CPRA:
 - a) A record relating to the report, investigation, or findings of any of the following:
 - i. An incident involving the discharge of a firearm at a person by a peace officer or custodial officer.
 - ii. An incident involving the use of force against a person by a peace officer or custodial officer that resulted in death or in great bodily injury.
 - iii. A sustained finding involving a complaint that alleges unreasonable or excessive force.
 - iv. A sustained finding that an officer failed to intervene against another officer using force that is clearly unreasonable or excessive.
 - b) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in sexual assault involving a member of the public.

- c) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency involving dishonesty by a peace officer or custodial officer directly relating to the reporting, investigation, or prosecution of a crime, or directly relating to the reporting of, or investigation of misconduct by, another peace officer or custodial officer, including, but not limited to, any false statements, filing false reports, destruction, falsifying, or concealing of evidence, or perjury.
 - d) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct including, but not limited to, verbal statements, writings, online posts, recordings, and gestures, involving prejudice or discrimination against a person on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or military and veteran status.
 - e) Any record relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that the peace officer made an unlawful arrest or conducted an unlawful search. (Pen. Code, § 832.7, subd. (b)(1).)
- 10) Provides that an agency may withhold a record of an incident otherwise subject to disclosure if there is an active criminal or administrative investigation, as specified. (Pen. Code § 832.7, subd. (b)(8).)
- 11) Requires, prior to employing any peace officer, each agency in this state that employs peace officers to request, and the hiring agency to review, any records made available pursuant to the above paragraph. (Pen. Code, § 13510.8, subd. (a).)
- 12) Authorizes POST to suspend or revoke the certification of a peace officer if the person has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct, as specified. (Pen. Code, § 13510.8, subd. (a).)
- 13) Requires each law enforcement agency to be responsible for the completion of investigations of allegations of serious misconduct by a peace officer, regardless of their employment status. (Pen. Code, § 13510.8, subd. (c).)

- 14) Authorizes the Peace Officer Standards Accountability Division to review any agency or other investigative authority file, as well as to conduct additional investigation for purposes of decertification. (Pen. Code, § 13510.8, subd. (c).)
- 15) Requires records of an investigation of any person by POST to be retained for 30 years following the date that the investigation is deemed concluded by POST. (Pen. Code, § 13510.8, subd. (e).)
- 16) Requires any agency employing peace officers to report to POST any of several specified events, including the employment, appointment or termination or separation of a peace officer, any complaint, charge, or allegation of misconduct against a peace officer, as specified, and any finding or recommendation by a civilian oversight entity that a peace officer engaged in misconduct, as specified, among others. (Pen. Code, § 13510.9, subd. (a).)
- 17) Provides that in a case of separation from employment or appointment as a peace officer, the employing agency shall execute and maintain an affidavit-of-separation form and shall include whether the separation is part of the resolution of any criminal, civil, or administration charge or investigation. (Pen. Code, § 13510.9, subd. (c).)

This bill:

- 1) Provides that an agency employing a peace officer shall not enter into an agreement with a peace officer that requires any of the following:
 - a) The agency to destroy, remove or conceal a record of a misconduct investigation.
 - b) The agency to halt or make particular findings in a misconduct investigation.
 - c) The agency to otherwise restrict the disclosure of information about an allegation or investigation of misconduct pursuant to any provision of law.
- 2) Provides that an agreement inconsistent with this prohibition is contrary to law and public policy and is void and unenforceable.
- 3) Provides that agreements prohibited under this bill are subject to disclosure under the CPRA.
- 4) Includes a severability clause.
- 5) Includes various legislative findings and declarations.

Comments

In 2018, the Legislature passed SB 1421 (Skinner, Chapter 988, Statutes of 2018), which represented a paradigm shift in the public's ability to access previously confidential peace officer personnel records. SB 1421 removed Pitchess protection from records pertaining to officer-involved shootings, uses of force resulting in death or great bodily injury, and sustained findings of sexual assault or dishonesty, and SB 1421 required agencies to redact specified personal information, information the release of which "would cause an unwarranted invasion of personal privacy that clearly outweighs the strong public interest in records about possible misconduct," and information that, if unredacted, would pose a significant danger to the physical safety of the peace officer or another person.

In 2021, the Legislature passed SB 16 (Skinner, Chapter 402, Statutes of 2021), building upon the transparency provisions enacted by SB 1421, and responding to widespread criticism that law enforcement agencies were flouting the law via litigation and other tactics to delay the release of records. SB 16 exempted four additional categories of peace officer records from the confidentiality requirement in Penal Code Section 832.7, including those pertaining to sustained findings of unreasonable or excessive use of force, sustained findings that an officer failed to intervene in another officer's unreasonable or excessive use of force, sustained findings that an officer engaged in prejudice or discrimination on the basis of a protected characteristic, and sustained findings that an officer made an unlawful arrest or conducted an unlawful search. Central to these provisions is the requirement that, to be subject to disclosure, these findings be "sustained," which is defined as a final determination by an investigating agency, commission, board, hearing officer, or arbitrator following an investigation and opportunity for an administrative appeal, as specified, that the actions of the peace officer or custodial officer were found to violate the law. SB 16 also added a provision to Section 832.7 requiring that disclosable records include any records related to an incident that falls within the exempted categories in which the peace officer resigned before the law enforcement agency or oversight agency concluded its investigation into the alleged incident.

Also in 2021, the Legislature passed sweeping legislation requiring POST to create a new, mandatory certification process for peace officers SB 2, (Bradford, Chapter 409, Statutes of 2021). SB 2 required POST to create a certification program for peace officers, who must receive a proof of eligibility and a basic certificate in order to serve in that capacity. Additionally, SB 2 provided a new mechanism by which POST may investigate and review allegations of "serious misconduct" against an officer, and defined "serious misconduct" to include a host of behaviors

unbecoming a peace officer, such as dishonesty, abuse of power, criminal behaviors, demonstration of bias, participation in a law enforcement gang, and others. The measure empowered POST to make a determination on whether, at the conclusion of that investigation, to suspend or revoke the officer's certification, thereby precluding them from obtaining employment as a peace officer in California. SB 2 also amended Penal Code Section 832.7 by making it inapplicable to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, the Attorney General's office, or the Commission on Peace Officer Standards and Training, rendering those records subject to disclosure under CPRA.

The impetus for this bill is a recent investigation by the San Francisco Chronicle in conjunction with UC Berkeley's Investigative Reporting Program revealing the prevalence of "clean record agreements," which are secret legal settlements used by law enforcement agencies to conceal allegations of misconduct. Under these agreements, which are effectively non-disclosure agreements (NDAs), officers agree to resign quietly in exchange for having disciplinary records destroyed, sealed, or amended to look like a simple resignation.

This bill seeks to prohibit clean record agreements by specifically prohibiting a law enforcement agency from entering into an agreement with a peace officer that requires the agency to destroy, remove or conceal a record of a misconduct investigation, to halt or make particular findings in such an investigation, or to otherwise restrict the disclosure of information about an allegation or investigation of misconduct. The bill goes further and states that a provision of an agreement inconsistent with this prohibition is contrary to law and public policy and is void and unenforceable. Additionally, the bill amends Penal Code Section 832.7, adding to the list of disclosable police personnel records established by SB 1421 and SB 16 any agreement prohibited by its provisions.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 9/9/25)

ACLU California Action

Afro Upris

Asian American Journalists Association, Los Angeles

California Broadcasters Association

California Coalition for Sheriff Oversight

California Innocence Coalition

California News Publishers Association

California Public Defenders Association
Californians for Safety and Justice
CCNMA: Latino Journalists of California
Center on Juvenile and Criminal Justice
Chispa
City of Pinole
Courage California
Debt Free Justice California
Ella Baker Center for Human Right
Felony Murder Elimination Project
First Amendment Coalition
Freedom of the Press Foundation
Friends Committee on Legislation of California
Initiate Justice
Initiate Justice Action
Justice2jobs Coalition
LA Defensa
League of Women Voters of California
Los Angeles Press Club
National Press Photographers Association
National Writers Union
Oakland Privacy
Orange County Press Club
Pacific Media Workers Guild (the Newsguild-communications Workers of America Local 39521)
Radio Television Digital News Association
Riverside County Democratic Party
Rubicon Programs
Sister Warriors Freedom Coalition
Starting Over Strong
Working Voices KPFK

OPPOSITION: (Verified 9/9/25)

Los Angeles County Professional Peace Officers Association
Peace Officers Research Association of California

ASSEMBLY FLOOR: 69-0, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher,

Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Celeste Rodriguez, Rogers, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
NO VOTE RECORDED: Bains, Calderon, Castillo, Chen, Ellis, Hadwick, Ramos, Ransom, Michelle Rodriguez, Blanca Rubio

Prepared by: Alex Barnett / PUB. S. /
9/11/25 10:07:04

****** END ******

THIRD READING

Bill No: AB 1448
Author: Hart (D), et al.
Amended: 9/5/25 in Senate
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 4-3, 7/8/25
AYES: Limón, Allen, Laird, Stern
NOES: Seyarto, Grove, Hurtado

SENATE APPROPRIATIONS COMMITTEE: 5-2, 8/29/25
AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

ASSEMBLY FLOOR: 42-26, 6/4/25 - See last page for vote

SUBJECT: Coastal resources: oil and gas development

SOURCE: Center for Biological Diversity
Environmental Defense Center

DIGEST: This bill expands upon existing requirements for the transfer or modification of leases for oil and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases to include lease assignments, and requires a new coastal development permit (CDP) be obtained for the repair, reactivation, or maintenance of an oil pipeline or oil and gas facility that has been idled, inactive, or out of service for five or more years, as provided, among other provisions.

Senate Floor Amendments of 9/5/25 clarify the definition of “expanded oil extraction,” and “facility” and make a technical change.

ANALYSIS:

Existing law:

- 1) Establishes the California Coastal Commission (Coastal Commission), pursuant to the California Coastal Act of 1976 (Coastal Act)(Public Resources Code (PRC) §§30000 *et seq.*), and the State Lands Commission in the California Natural Resources Agency. (Public Resources Code (PRC) §30300, §6101)
- 2) Defines, pursuant to the federal Outer Continental Shelf Lands Act, the outer continental shelf (OCS) as all submerged lands lying between the seaward extent of the state jurisdiction and the seaward extent of federal jurisdiction. (43 United States Code §§1331 *et seq.*)
- 3) Provides the State Lands Commission with exclusive jurisdiction over all ungranted tidelands and submerged lands owned by the state which have been or may be acquired by the state, as provided. All jurisdiction and authority remaining in the state as to tidelands and submerged lands as to which grants have been or may be made is vested in the State Lands Commission. (PRC §6301)
- 4) Prohibits the State Lands Commission or a local trustee from entering into any new lease or other conveyance authorizing new construction of oil- and gas-related infrastructure upon tidelands and submerged lands within state waters associated with OCS leases issued after January 1, 2018, with limited exceptions. (PRC §6245)
- 5) Requires the State Lands Commission or local trustee, prior to approving any lease renewal, extension, amendment, or modification to authorize new construction of oil- and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases issued after January 1, 2018, to consider whether the lease renewal, extension, amendment, or modification is necessary to protect the marine environment or to ensure human health and safety; and other factors, as provided. (PRC §6245)
- 6) Authorizes the State Lands Commission, in considering whether the approval of an assignment, transfer, or sublease of a lease or permit, to consider whether a proposed assignee is likely to comply with the terms of the lease or permit, as provided. (PRC §6804)
- 7) Prohibits new or expanded oil and gas development from being considered a coastal-dependent industrial facility, and may be permitted only if found to be consistent with all applicable provisions and if all of the specified following conditions are met. (PRC §30262)
- 8) Requires all oil produced offshore California to be transported onshore by pipeline only. Requires the pipelines used to transport this oil to use the best

achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems. (PRC §30262 (a)(5)(A))

This bill:

- 1) Adds an application for a lease assignment for oil and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases issued after January 1, 2018, to existing State Lands Commission or local trustee public notice requirements, as provided.
 - a) Removes the requirement that the application is to authorize only new construction of oil and gas-related infrastructure.
 - b) Requires the State Lands Commission or local trustee to take no further action to approve the requested lease assignment until 180 days after public notification, as provided.
- 2) Adds lease assignment to the existing process the State Lands Commission or local trustee undertake before approving a lease renewal, extension, amendment, or modification for oil- and gas-related infrastructure upon tidelands and submerged lands within state waters associated with Pacific Outer Continental Shelf leases issued after January 1, 2018. Removes the requirement that the application is to authorize new construction of oil and gas-related infrastructure. Requires the State Lands Commission or local trustee to additionally consider, at a minimum:
 - a) Whether the lease renewal, extension, amendment, assignment, or modification may impact public trust resources and values.
 - b) Whether the lease renewal, extension, amendment, assignment, or modification is for, or connected to, infrastructure that has experienced a reportable incident, such as an oil spill.
 - c) Whether the lease renewal, extension, amendment, assignment, or modification is related to the use of well stimulation treatments, extended reach drilling and production, horizontal drilling and production, or other unconventional drilling and production techniques for resource extraction.
 - d) Whether the operator has provided finalized certificates of financial responsibility obtained from OSPR and has provided financial assurances required for decommissioning, as specified.
- 3) Prohibits the approval of a lease renewal, extension, amendment, assignment, or modification that will increase the volume of oil and gas conveyed across state waters, including by commencing, increasing, intensifying, or restarting production from the Pacific Outer Continental Shelf at the same properly noticed public meeting it is first presented at. Requires the State Lands Commission or local trustee to accept public comments at the meeting it votes

to approve or disapprove the lease assignment. Requires that the approval of an assignment, transfer, or sublease of a lease or permit is in the best interest of the state, as provided.

- 4) Clarifies in the Coastal Act that oil onshore is transported by pipeline that uses the best available technology, as specified. Expands the Coastal Act definition of “expanded oil extraction” to include the reactivation of a facility idled, inactive, or out of service for more than five years, or an increase in oil extraction from the use of hydraulic fracturing, extended reach drilling, acidization, or other unconventional technologies, as provided. Prohibits the transport of oil over land by other methods, as provided.
- 5) Clarifies in the Coastal Act that the repair, reactivation, and maintenance of an oil and gas facility that has been idled, inactive, or out of service for five years or more is considered a new or expanded development requiring a new CDP. Clarifies in the Coastal Act that development associated with the repair, reactivation, or maintenance of an oil pipeline that has been idled, inactive, or out of service for five years or more requires a new CDP, as provided.
- 6) Requires the Coastal Commission or local government with a certified local coastal program to review and approve, modify, condition, or deny the CDP, as provided.
- 7) Makes various technical changes, and provides that no reimbursement is required to a local agency or school district, except in specified circumstances.

[NOTE: See the Senate Natural Resources and Water Committee analysis for additional information.]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- Potential loss in annual rental revenue of an unknown amount, potentially in excess of \$150,000, from offshore oil- and gas-related infrastructure leases to the extent the State Lands Commission (SLC) or a local trustee denies one or more applications for a lease renewal, extension, amendment, assignment, or modification, as a result of the bill’s requirements and conditions (General Fund). SLC collected approximately \$949,000 in rental revenue from its approximately one dozen pipeline right-of-way leases in fiscal year 2023-24.
- By imposing additional duties on local trustees in the consideration of a lease renewal, extension, amendment, assignment, or modification, and by imposing additional duties on a local government with a certified LCP in processing and

reviewing an application for a CDP, this bill imposes a state-mandated local program. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates (General Fund).

SUPPORT: (Verified 8/29/25)

Center for Biological Diversity (co-source)
Environmental Defense Center (co-source)
7th Generation Advisors
350 Bay Area Action
350 Humboldt
350 Santa Barbara
Azul
Ballona Wetlands Institute
Ban SUP (Single Use Plastics)
Business Alliance for Protecting the Pacific Coast
California Coastal Protection Network
California Environmental Voters
California Legislative Central Coast Caucus
Center on Race, Poverty, and the Environment
Central Coast Climate Justice Network
Citizens Planning Association
City of Goleta
CleanEarth4Kids.org
Clean Water Action
Climate Action California
Climate First: Replacing Oil and Gas
Climate Hawks Vote
Climate Reality Project, San Diego
CLUE-SB Environmental Justice Group
Coastal Band of the Chumash Nation
Coastal Lands Action Network
Defend Ballona Wetlands
Defenders of Wildlife
Elected Officials to Protect America Code Blue
Environmental Law Club at UCSB
Environmental Action Committee of West Marin
Food & Water Watch
Friends Committee on Legislation of California
Friends of the Earth
Get Oil Out!

Green Policy Initiative
Indivisible CA Green Team
International Marine Mammal Project, Earth Island Institute
Los Padres ForestWatch
Monterey Bay Aquarium
Natural Resources Defense Council
Ocean Conservation Research
Oceana
Oil and Gas Action Network
Patagonia
Pesticide Action and Agroecology Network
Physicians for Social Responsibility, San Francisco Bay Chapter
Progressive Democrats of America
Quabajai Coastal Chumash Keeper of the Western Gate
Sacred Places Institute for Indigenous Peoples
San Diego 350
San Francisco Baykeeper
Santa Barbara Channelkeeper
Santa Barbara County Action Network
Save Our Shores
Sierra Club California
Sierra Club, Santa Barbara Group
Sierra Club, Santa Lucia Chapter (San Luis Obispo County)
SoCal 350 Climate Action
Society of Fearless Grandmothers of Santa Barbara
Solano County Democratic Central Committee
Sunflower Alliance
Surfrider Foundation
Surfrider Foundation, Santa Barbara Chapter
Surfrider Foundation, San Luis Obispo
The Climate Center
UCSB Environmental Affairs Board
Ventura Coastkeeper
Vote Solar
WILDCOAST
Wishtoyo Chumash Foundation

OPPOSITION: (Verified 8/29/25)

California Independent Petroleum Association
Central Valley Business Federation

DCOR, LLC
IEEP
Kern Citizens of Energy
Kern County Economic Development Corporation
Kern County Taxpayers Association
Long Beach Area Chamber of Commerce
Los Angeles County Business Federation
Sable Offshore Corporation
SAGE Monterey
Santa Maria Valley Chamber
SBCTAC
SLO COLAB
South County Chamber
State Building and Construction Trades Council of California
Tri-County Chamber Alliance
VC Taxpayers Association
Western States Petroleum Association

ARGUMENTS IN SUPPORT: According to the author, “AB 1448 aims to enhance the California State Lands Commission’s authority to protect designated lands from the expansion of oil- and gas- related infrastructure. This bill requires additional environmental and safety factors to be considered by the Commission before making any changes to existing leases [...].”

“Furthermore, AB 1448 does not create new permitting requirements under the Coastal Act- the Coastal Commission has been regulating oil and gas development for 50 years. The bill simply confirms and clarifies which regulatory pathway applies to a previously idled oil and gas facility, including pipelines, under the Coastal Act.”

“Until 2023, the Coastal Commission authorized a wide variety of oil and gas-related development. Under PRC Section 30260, the Commission could make special allowances to allow coastal-dependent industrial uses (including offshore oil and gas facilities and pipelines) to go forward.”

“In 2023, SB 704 (Min, Ch. 292, Stats. 2023) amended PRC Section 30262 to require all new or expanded oil and gas development to fully comply with all Chapter 3 policies of the Coastal Act, while still allowing for some types of repair and maintenance to be considered under the more lenient PRC Section 30260. However, SB 704 did not consider which regulatory pathway would apply to repair, maintenance or reactivation of *previously idled* oil and gas facilities. AB 1448 clarifies that question by specifying that the repair, maintenance, and restart

of an idled oil and gas facility, including pipelines, and all associated development activities require a coastal development permit consistent with PRC Section 30262, as opposed to PRC Section 30260. AB 1448 builds on the policy established in SB 704 by eliminating confusion about what regulatory standards apply to the permitting of idled oil and gas facilities in the coastal zone.”

ARGUMENTS IN OPPOSITION: The Western States Petroleum Association (WSPA) in a joint sign-on letter writes, “We believe that AB 1448 would significantly expand regulatory barriers on offshore oil and gas operations, particularly within state waters associated with Pacific Outer Continental Shelf (OCS) leases. While we support reasonable environmental safeguards, this bill overreaches by broadening the scope of activities requiring new approvals, introducing operational uncertainty, and discouraging investment in California’s existing offshore infrastructure.”

WSPA continues that “A major concern is the bill’s extension to lease assignments,” and additionally expresses concern over the broader definition of “expanded oil and gas development,” and the fiscal implications of the potential loss of revenues to the state and local jurisdictions from offshore oil and gas production, among other concerns.”

The State Building and Construction Trades Council cites concerns that “this bill seeks to cut off yet another source of domestic crude oil to our in-state refineries,” and argue that this bill makes “it increasingly difficult and prohibitively expensive to operate refineries in-state.”

ASSEMBLY FLOOR: 42-26, 6/4/25

AYES: Addis, Ahrens, Arambula, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Connolly, Elhawary, Fong, Gabriel, Garcia, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Ortega, Papan, Pellerin, Celeste Rodriguez, Rogers, Schiavo, Schultz, Sharp-Collins, Solache, Stefani, Ward, Wicks, Zbur, Rivas

NOES: Alanis, Ávila Farías, Bains, Carrillo, Castillo, Chen, DeMaio, Dixon, Ellis, Flora, Gallagher, Gipson, Jeff Gonzalez, Hadwick, Hoover, Lackey, Macedo, Patterson, Ransom, Michelle Rodriguez, Blanca Rubio, Sanchez, Soria, Ta, Tangipa, Wallis

NO VOTE RECORDED: Aguiar-Curry, Alvarez, Davies, Nguyen, Pacheco, Patel,
Petrie-Norris, Quirk-Silva, Ramos, Valencia, Wilson

Prepared by: Katharine Moore / N.R. & W. / (916) 651-4116
9/8/25 21:44:05

****** END ******

THIRD READING

Bill No: AB 1454
Author: Rivas (D), Muratsuchi (D) and Blanca Rubio (D), et al.
Amended: 8/29/25 in Senate
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 7/9/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25
AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 78-0, 6/5/25 - See last page for vote

SUBJECT: Pupil literacy: credential program standards and professional
development: instructional materials

SOURCE: Author

DIGEST: This bill requires the Commission on Teacher Credentialing (CTC) to revise standards for literacy specialist and administrator preparation programs to ensure alignment with evidence-based literacy practices and the state's English Language Arts/English Language Development (ELA/ELD) Framework. It also requires the State Board of Education (SBE) to adopt new instructional materials for grades K-8 in ELA/ELD that meet specified criteria, and establishes related requirements for local adoptions of instructional materials.

ANALYSIS:

Existing law:

- 1) Requires candidates for multiple subject, single subject in English, and education specialist credentials to receive preparation in comprehensive, research-based literacy instruction. This includes evidence-based instruction in print concepts, phonological awareness, phonics and word recognition, fluency, oral language, vocabulary, and reading comprehension, with tiered supports for

students with reading difficulties, English learners, and students with exceptional needs. (Education Code (EC) § 44259)

- 2) Requires that literacy instruction in teacher preparation programs align to the ELA/ELD Framework, the CTC teaching performance expectations (TPEs), and the program guidelines for dyslexia. (EC § 44259)
- 3) Specifies that a preliminary services credential with a specialization in administrative services must include completion of a CTC-approved program or internship. Separately establishes requirements for the Reading and Literacy Leadership Specialist Credential and the Reading and Literacy Added Authorization. (EC §§ 44270, 44265)
- 4) Requires the SBE to adopt at least five basic instructional materials for each subject area, including ELA/ELD, that are aligned to the state frameworks and content standards and reflective of current research. (EC § 60200)
- 5) Authorizes local educational agencies (LEAs) to adopt instructional materials aligned to state content standards, even if not adopted by the SBE, provided that a majority of reviewers are classroom teachers and that LEAs engage teachers, parents, and community members in the selection process. (EC §§ 60210, 60002)
- 6) Provides for various state and federally funded literacy initiatives, including the California Comprehensive State Literacy Plan, the Reading Instruction and Intervention Grant Program, and grants for literacy coaches, dyslexia training, and educator credential incentives. These programs promote professional development aligned to state frameworks and targeted toward early literacy and equity goals. (Statutory and budget provisions)

This bill:

- 1) Requires the CTC, by January 1, 2028, to ensure that its program standards and TPEs for the Reading and Literacy Leadership Specialist Credential and the Reading and Literacy Added Authorization include preparation on how to deliver instruction and support teachers in delivering effective literacy instruction.
- 2) Requires this preparation to align with the ELA/ELD Framework, evidence-based practices for foundational reading skills, and the program guidelines for dyslexia.

- 3) Requires the CTC, by September 1, 2028, to ensure that its program standards for the Preliminary Administrative Services Credential include preparation on how to support teachers in delivering effective literacy instruction, aligned to the same frameworks and evidence-based practices as above. Also requires the CTC to confirm that administrator preparation programs implement the revised standards.
- 4) Requires adoption of new instructional materials in ELA/ELD, as specified.

Comments

- 1) *Need for this bill.* According to the author, “AB 1454 builds on California’s efforts to support teaching children to read by requiring the state to adopt instructional materials in English language arts/English language development and identify effective professional development programs that reinforce evidence-based instruction. This bill will also help principals support teachers in delivering effective literacy instruction by updating their preparation standards. AB 1454 provides a meaningful approach to addressing early literacy and ensures California educators have the tools they need to support our youngest readers.”
- 2) *Focus has narrowed to credentialing and instructional materials.* Previous versions of this bill included provisions directing the California Department of Education (CDE) to identify and post a list of professional development (PD) programs for evidence-based literacy instruction, primarily focused on transitional kindergarten (TK) through grade five. However, those provisions were removed following the enactment of AB 121 (Committee on Budget, Chapter 8, Statutes of 2025), the omnibus education budget trailer bill, which includes similar requirements and a \$200 million General Fund appropriation to support the development, identification, and delivery of such professional development statewide. With the passage of AB 121, this bill now focuses on ensuring alignment between credentialing standards and instructional materials with evidence-based literacy practices.
- 3) *Expands literacy alignment to administrator and specialist preparation.* While California has made recent updates to teacher preparation standards and TPEs to align with evidence-based reading instruction (pursuant to SB 488, Rubio, Chapter 678, Statutes of 2021), this bill extends that alignment to two related but distinct areas of educator preparation: (1) literacy specialists, and (2) school administrators. This bill requires the CTC to update standards and TPEs for the Reading and Literacy Leadership Specialist Credential and the Reading and Literacy Added Authorization by 2028. It also requires that administrator

preparation programs equip candidates with the knowledge and skills to support effective literacy instruction, recognizing the importance of site-level leadership in implementing instructional change.

4) *Revisits instructional materials adoption for foundational reading alignment.*

This bill requires the SBE to conduct a new K-8 ELA/ELD instructional materials adoption by January 2027. It specifies that adopted materials must align with the state ELA/ELD Framework, include explicit and systematic instruction in foundational reading skills, and reflect the state's dyslexia guidelines. These requirements reflect a consensus among literacy researchers that systematic instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension is particularly important for students at risk of reading difficulties. This bill also allows for local flexibility by permitting LEAs to adopt non-SBE materials, provided they certify alignment with the same criteria.

5) *Complements recent state efforts to build a coherent literacy strategy.*

This bill builds upon a sequence of recent state actions to strengthen early literacy outcomes. These include the creation of the California Comprehensive State Literacy Plan, the Literacy Roadmap, investments in literacy coaches and specialists, and the new literacy performance assessment (to replace the Reading Instruction Competence Assessment). By requiring parallel alignment in credentialing, curriculum, and school leadership preparation, this bill promotes coherence across major components of the instructional system. It also reflects recognition that effective literacy instruction is not limited to teacher practice alone but depends on systemic supports.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- The CTC estimates one-time General Fund costs of \$50,000 for the cost of the workgroup and to update its standards for the reading and literacy leadership specialist credential and the reading and literacy added authorization. The bill's requirement for CTC to update its program standards for the Preliminary Administrative Services Credential would contingent upon an appropriation. However, the CTC indicates that it received funding for this purpose in the 2025 Budget Act.
- The California Department of Education estimates General Fund costs of approximately \$324,000 each year for the SBE to conduct a new K-8 ELA/ELD instructional materials adoption by January 2027.

SUPPORT: (Verified 8/29/25)

21st Century Alliance
Alameda County Office of Education
Association of California School Administrators
Black Parallel School Board
California Association for Bilingual Education
California Catholic Conference
California County Superintendents
California Federation of Teachers
California Hawaii State Conference of the NAACP
California Reading Coalition
California School Library Association
California Teachers Association
California-Hawaii State Conference of the NAACP
Californians Together
CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO
Charles Armstrong School
Children Now
CleanEarth4Kids.org
Courage California
Decoding Dyslexia CA
Deep San Diego
Democrats for Education Reform
E Train Talks, Inc.
Edmentum
EdTrust-West
Educate. Advocate.
Educators for Excellence - Los Angeles
EdVoice
Elevate California
Equitable Literacy for All
Evidence Advocacy Center
Families in Action for Quality Education
Families in Schools
Fenton Charter Public Schools
Fresno Business Council
Fulcrum
Go Public Schools
Hawley Special Education Law Advocacy
Innovate Public Schools

International Dyslexia Association - Los Angeles
International Dyslexia Association - Northern California
Learnup Centers
Lifesteps
Lighthouse Community Public Schools
Los Angeles County Office of Education
Los Angeles County Superintendent of Schools, Dr. Debra Duardo
Los Angeles Unified School District
Luminous Minds
Monterey County Office of Education
Mt. Diablo Unified SELPA Community Advisory Committee
NAACP Butte County
NAACP Hayward South Alameda County Branch
NAACP Long Beach
NAACP North San Diego County
NAACP Oakland
NAACP Oxnard-Ventura County
NAACP Riverside
NAACP San Diego Branch
NAACP San Jose/Silicon Valley
NAACP Santa Monica/Venice
Napa County Office of Education
National Center for Learning Disabilities
North Region SELPA Community Advisory Committee
Oakland Literacy Coalition
Office of Los Angeles County Supervisor Lindsey P. Horvath
Our Voice: Communities for Quality Education
Palo Alto Special Education PTA
Para Los Ninos
Partnership for Los Angeles Schools
Placer County Office of Education
Professional Learning Coalition
Reading for Berkeley
Reading Is Fundamental of Southern California
Sacramento Literacy Foundation
San Diego Unified School District
San Francisco Parent Coalition
San Ramon Valley Council of PTAS
San Ramon Valley Unified School District SELPA Community Advisory Committee

San Ramon Valley USD Board of Education
Santa Barbara Reading Coalition
Second District SF PTA
SFUSD Community Advisory Committee for Special Education
Smart Justice California
So Cal Tri-Counties International Dyslexia Association
Taylor Farms
Teach for America – California Capital Valley
Teach Plus California
The Dyslexia Project
The Gary Payton II Foundation
The Read to Me Project
The Reading League California
Third District PTA
Unidosus
United Administrators of Southern California
United Way Monterey County
Westside Family Democratic Club of San Francisco

OPPOSITION: (Verified 8/29/25)

None received

ASSEMBLY FLOOR: 78-0, 6/5/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Ortega

Prepared by: Ian Johnson / ED. / (916) 651-4105
9/2/25 18:22:36

**** END ****

THIRD READING

Bill No: ACR 2
Author: Jackson (D), et al.
Introduced: 12/2/24
Vote: 21

SUBJECT: United Nations International Day for the Elimination of Racial Discrimination

SOURCE: Author

DIGEST: This resolution recognizes March 21, 2025, as the United Nations International Day for the Elimination of Racial Discrimination and declare racism as a public health crisis.

ANALYSIS: This resolution makes the following legislative findings:

- 1) The United Nations General Assembly proclaimed March 21 as the International Day for the Elimination of Racial Discrimination, marking the day when police in Sharpeville, South Africa, opened fire and killed 69 people at a peaceful protest against apartheid laws in 1960.
- 2) Racial discrimination remains a persistent challenge worldwide, undermining the dignity, rights, and potential of individuals and communities. This day serves as a reminder of the ongoing struggle against racial discrimination and the need to promote equality, justice, and human rights for all.
- 3) The 2025 observance of this day offers an opportunity to reflect on the progress made in combating racial discrimination, as well as the work that remains to be done to eliminate all forms of discrimination based on race, ethnicity, or color.

This resolution encourages individuals, communities, and nations to engage in dialogue, education, and action to foster a culture of respect and understanding.

Related/Prior Legislation

ACR 37 (Jackson, Resolution Chapter 165, Statutes of 2023)
SCR 17 (Leyva, Resolution Chapter 21, Statutes of 2021)

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 3/28/25)

None received

OPPOSITION: (Verified 3/28/25)

None received

Prepared by: Aizenia Randhawa / SFA / (916) 651-1520
4/2/25 15:47:03

****** END ******

THIRD READING

Bill No: ACR 32
Author: Carrillo (D), et al.
Introduced: 2/13/25
Vote: 21

SUBJECT: March4Water Month

SOURCE: Author

DIGEST: This resolution declares the month of March to be March4Water Month in California and encourages all Californians to participate in activities and programs during March4Water Month to promote awareness, education, and actions that prioritize water as a vital resource for the state's future.

ANALYSIS: This resolution makes the following legislative findings:

- 1) California has faced ongoing challenges related to water, including droughts, water scarcity, infrastructure needs, and water quality issues that require immediate and sustained attention.
- 2) An estimated 2.2 million Americans lack access to safe water and sanitation while 6 to 10 million lead service lines remain in use across the United States, many of which are in underserved communities.
- 3) The International Association of Plumbing and Mechanical Officials is headquartered in California, playing a critical role in addressing water-related challenges by advancing safe and sustainable water systems through the development of standards and codes, education, and advocacy.
- 4) March4Water Month will serve as a platform for communities, organizations, and governmental agencies to raise awareness about water conservation, equitable access to clean and safe drinking water, and the importance of investing in water infrastructure and sustainability efforts.
- 5) Community engagement and education are critical to fostering a culture of water stewardship and advancing innovative solutions to California's water challenges.

This resolution declares the month of March to be March4Water Month in California.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 4/1/25)

International Association of Plumbing and Mechanical Officials

OPPOSITION: (Verified 4/1/25)

None received

ASSEMBLY FLOOR: 67-0, 3/20/25

AYES: Addis, Aguiar-Curry, Alanis, Arambula, Ávila Farías, Bains, Bennett, Berman, Boerner, Bonta, Bryan, Caloza, Carrillo, Chen, Connolly, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Ahrens, Alvarez, Bauer-Kahan, Calderon, Castillo, Davies, Essayli, Gallagher, Hadwick, Krell, Macedo, Papan, Wallis

Prepared by: Sofia Pachon-Mendez / SFA / (916) 651-1520
4/2/25 15:50:15

**** END ****

THIRD READING

Bill No: ACR 40
Author: Fong (D) and Celeste Rodriguez (D), et al.
Introduced: 2/21/25
Vote: 21

SENATE EDUCATION COMMITTEE: 7-0, 6/25/25
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Gonzalez, Laird

SUBJECT: Student financial aid: Free Application for Federal Student Aid (FAFSA) data

SOURCE: Author

DIGEST: This resolution states the Legislature and the State of California's commitment to protecting, to the fullest extent of the law, all the data and information provided by students and their families to California's postsecondary education.

ANALYSIS:

Existing federal law:

- 1) The federal Privacy Act of 1974 (Public Law 93-579, as amended) prohibits the disclosure of an individual's data from a system of records without written or verbal consent, and the landmark 1982 United States Supreme Court decision, *Plyler v. Doe* (1982) 457 U.S. 202, held that states cannot constitutionally deny students a free public education based on immigration status.
- 2) The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. When a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student

(“eligible student”). (20 U.S.C. § 1232g and 34 Code of Federal Regulations Part 99)

Existing state law:

- 3) Declares that the attainment of education for the betterment of the individual and the community is paramount regardless of one’s immigration status, protects undocumented students from fear and discrimination in educational institutions, and prohibits police from providing or retaining personal information and immigration status for immigration enforcement purposes. (Education Code § 220-221)

This measure:

- 1) Resolves all of the following:
 - a) That the Legislature of the State of California denounces any deportation plans that would disrupt the education of students.
 - b) That the Legislature and the State of California maximize state resources and investments to ensure that all students, regardless of their immigration status or that of their parents or spouse, can access all forms of financial aid available to them, as well as enroll and succeed in postsecondary education.
 - c) That the Legislature and the State of California commit to protecting, to the fullest extent of the law, all the data and information provided by students and their families to California’s postsecondary education.
 - d) That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.
- 2) Makes several findings and declarations regarding the negative impacts that the Trump administration’s threat of mass deportation has had on the completion rates of student aid applications. This decline is attributed to the fear of sharing information with federal authorities.

Comments

- 1) *Need for this bill.* According to the author, “California’s higher education system and financial aid infrastructure serves millions throughout the state. The FAFSA is the primary form that millions of students use to apply for financial support and afford tuition for college. The FAFSA collects various data, including information on whether or not a student or parent is a U.S. citizen. Unfortunately, due to threats and concerns from actions emanating from the federal government, we have seen a decline in applications which directly threaten the ability of our students to access and complete their education. We must ensure all students have the opportunity to attend and receive a postsecondary education, especially those from underserved communities.”

The author further asserts, “ACR 40 reaffirms the state’s commitment towards ensuring access to higher education through all forms of financial aid and protecting student information.”

- 2) *FAFSA.* The United States Department of Education (USDE) administers the FAFSA. It is the core document used to determine eligibility for all major federal and state financial aid programs, including Cal Grant, Pell Grant, institutional aid at the University of California and the California State University, work-study awards, scholarships, and federal student loans. Because financial aid for college considers the cost of attendance and a family’s ability to pay in determining eligibility for financial aid, the FAFSA completion requires personal information such as income and tax information and a social security number. The FAFSA Simplification Act came into effect in 2020. According to the California Student Aid Commission (CSAC), “The new FAFSA for the 2024-25 academic year introduced significant changes to the way students and families apply for and submit a FAFSA, which introduced barriers for many students, but especially for those in mixed-status families who are now required to undergo a substantial burden of proof compared to their peers. A key change to the FAFSA includes a direct data exchange of federal tax information with the Internal Revenue Service (IRS) intended to simplify and shorten the historically lengthy application. For such direct data exchange to occur, federal law requires that individuals (referred to as “contributors”) whose information is required to determine students’ eligibility (the applicant themselves, as well as their parent(s) or spouse) consent to the disclosure of their individual IRS data. The U.S. Department of Education’s Office of Federal Student Aid (FSA) now requires all contributors to create their own StudentAid.gov account for purposes of providing individual consent to such

data sharing. The process for non-Social Security Number contributors to create a StudentAid.gov account requires such individuals to manually verify their identity with FSA by providing copies of documentation with their name and/or address. CSAC has seen a 32 percent decrease in FAFSA submissions among California high school seniors from mixed-status families compared to 2023-24.”

- 3) *Mixed-status families.* The vast majority of high school and college students qualify for FAFSA application completion and can access both federal and state financial aid programs, including US citizen students with undocumented contributors such as parents or spouses. With the new FAFSA application changes, concerns regarding arrests, detention, and deportations of undocumented individuals under the Trump administration have been raised about data collected for the FAFSA and whether it may be used for purposes other than determining financial aid. Mixed-status families may face a difficult decision regarding the FAFSA application. They may have to choose between disclosing personal information to USDE about vulnerable contributors, and forgoing federal student aid opportunities, which may potentially affect their ability to finance their student’s college education. It is vital for students and families to be well informed about each option and to have choices regarding those options. This measure aims to solidify this state’s commitment to safeguarding the data and information provided by students and their families to California’s postsecondary education.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 6/26/25)

California Community Colleges, Chancellor’s Office

California Student Aid Commission

CFT - A Union of Educators & Classified Professionals, AFT, AFL-CIO

Community College League of California

Faculty Association of California's Community Colleges

University of California Student Association

OPPOSITION: (Verified 6/26/25)

None received

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105
6/26/25 16:11:43

****** END ******

THIRD READING

Bill No: ACR 61
Author: Stefani (D), et al.
Introduced: 4/1/25
Vote: 21

SUBJECT: Filicide Awareness Week

SOURCE: Author

DIGEST: This resolution proclaims April 9, 2025, to April 15, 2025, inclusive, as Filicide Awareness Week.

ANALYSIS: This resolution makes the following legislative findings:

- 1) The month of April has been recognized as National Child Abuse Prevention Month since 1983.
- 2) Too many children are often targets of neglect and mental, physical, and sexual abuse that occur mainly within their household and, tragically, sometimes lead to filicide.
- 3) There are approximately 500 filicide cases in the United States every year that are made all too easy by limitless access to guns.
- 4) On average, one child per week is murdered by a parent or stepparent during divorce, separation, visitation, or custody negotiations.
- 5) Family law attorneys have the power to contribute their efforts to protect minor children during these proceedings.

This resolution proclaims the week of April 9, 2025, to April 15, 2025, inclusive, to be Filicide Awareness Week, supports the efforts of Pierce's Pledge, and encourages all family law attorneys to take Pierce's Pledge in an effort to keep all children safe.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 4/30/25)

None received

OPPOSITION: (Verified 4/30/25)

None received

Prepared by: Sofia Pachon-Mendez / SFA / (916) 651-1520
4/30/25 16:48:22

****** END ******

THIRD READING

Bill No: ACR 95
Author: Kalra (D), et al.
Introduced: 6/11/25
Vote: 21

ASSEMBLY FLOOR: 72-0, 6/19/25 (Consent) - See last page for vote

SUBJECT: The 2025 International Day of Yoga

SOURCE: Author

DIGEST: This resolution recognizes June 21, 2025, as the 2025 International Day of Yoga in California.

ANALYSIS: This resolution makes the following legislative findings:

- 1) While yoga originated from Hindu and Vedic traditions, yoga is currently practiced by people of different cultures, traditions, religions, and nationalities, demonstrating that all people have the shared goal to uplift the human experience.
- 2) Yoga can be more than a type of mental or physical exercise. Yoga may be used as a means to discover a sense of oneness and connection within oneself, other people, the world, nature, and the universe. A regular practice of yoga may help promote a healthy body, a violence-free society, a clear mind, an open intellect, peacefulness with past experiences, a joyful soul, and a strong breath.
- 3) California is home to many yoga teachers, students, studios, and classes that have collectively contributed to the significant growth of yoga throughout the United States. Yoga has become one of the fastest growing wellness practices in the past decade, with approximately 36 million Americans estimated to practice yoga regularly, and one in three Americans have at least tried yoga once.
- 4) This resolution recognizes June 21, 2025, as the 2025 International Day of Yoga in California to provide an opportunity to better understand the benefits of yoga as a path to uplift the human experience.

This resolution recognizes June 21, 2025, as the 2025 International Day of Yoga in California to provide an opportunity to better understand the benefits of yoga as a path to uplift the human experience.

Related/Prior Legislation

ACR 209 (Kalra, Resolution Chapter 168, Statutes of 2024)

ACR 78 (Kalra, Resolution Chapter 114, Statutes of 2023)

ACR 191 (Kalra, Resolution Chapter 99, Statutes of 2022)

ACR 85 (Kalra, Resolution Chapter 96, Statutes of 2021)

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/2/25)

None received

OPPOSITION: (Verified 7/2/25)

None received

ASSEMBLY FLOOR: 72-0, 6/19/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Elhawary, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Rivas

NO VOTE RECORDED: Bryan, Dixon, Flora, Kalra, Nguyen, Wicks, Zbur

Prepared by: Hunter Flynn / SFA / (916) 651-1520

7/2/25 16:25:05

**** END ****

THIRD READING

Bill No: ACR 100
Author: Kalra (D) and Patel (D), et al.
Introduced: 6/18/25
Vote: 21

SUBJECT: India's Independence Day

SOURCE: Author

DIGEST: This resolution recognizes August 15, 2025, as India's Independence Day and urge all Californians to join in celebrating India's independence.

ANALYSIS: This resolution makes the following legislative findings:

- 1) India's Independence Day is one of the most important national holidays in India. The biggest event of the day takes place in Delhi, where the Prime Minister hoists the national flag at the Red Fort, delivers a nationally televised speech that highlights the achievements of the government, discusses current issues and future plans for progress, and pays tribute to the leaders of India's struggle for freedom.
- 2) The local community of people in California who hail from India, or with ancestral ties to India, continually demonstrate the greatness and beauty of their homeland, and their contributions are notable and reflect success in many industries and community activism.
- 3) Ever since August 15, 1947, India's nonviolent struggle for freedom, its rejection of terrorism and extremism, and its belief in democracy, tolerance, and the rule of law have been an inspiration and beacon of hope for people around the world.
- 4) India's example has had a profound effect on many countries, including the United States. Leaders of our civil rights movement, including Dr. Martin Luther King, Jr., spoke about the debt they owed to Mahatma Gandhi. Ties between our two peoples have never been stronger. The over three million members of the Indian American community are living examples of the bonds

that bind our nations together, and their accomplishments have become well-known and admired in both countries.

This resolution recognizes August 15, 2025, as India's Independence Day and urges all Californians to join in celebrating India's independence.

Related/Prior Legislation

ACR 214 (Kalra, Resolution Chapter 170, Statutes of 2024).

ACR 90 (Kalra, Resolution Chapter 154, Statutes of 2023).

ACR 206 (Kalra, 2022) – In Senate without further action.

ACR 97 (Kalra, Resolution Chapter 140, Statutes of 2021).

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/27/25)

None received

OPPOSITION: (Verified 8/27/25)

None received

Prepared by: Sofia Pachon-Mendez / SFA / (916) 651-1520

8/27/25 16:47:22

**** END ****

THIRD READING

Bill No: ACR 106
Author: Kalra (D), et al.
Introduced: 7/10/25
Vote: 21

ASSEMBLY FLOOR: 75-0, 7/17/25 (Consent) - See last page for vote

SUBJECT: Court Adoption and Permanency Month

SOURCE: Author

DIGEST: This resolution declares November 2025 as Court Adoption and Permanency Month.

ANALYSIS: This resolution makes the following legislative findings:

- 1) Juvenile court judges are uniquely responsible for the care, supervision, custody, and support of the children under the court's jurisdiction and provide active leadership within the community to ensure that resources are available to serve families and children.
- 2) In order to reinforce the benefits of in-home care, the Judicial Council, courts, and justice partners have focused on a kin-first culture system where parents and their families help determine the safest place for the child within a family, community, or tribe.
- 3) As a result of these efforts, the number of children in welfare-supervised, out-of-home care went down by 29%—from 55,000 children in 2021 to 39,000 children in 2025.
- 4) Kinship care provides a protective effect that benefits youth mental health outcomes and is associated with higher placement stability and permanency compared to traditional foster care placements. Youth who were with a relative at the time of their exit from foster care are less likely to reenter care within 12 months.

- 5) California is a proponent of kinship care and provides financial and social supports to relative caregivers as a way to strengthen family connections and improve the well-being of foster youth.

This resolution declares November 2025 as Court Adoption and Permanency Month and encourages the courts and their communities to join in activities to promote permanency.

Related/Prior Legislation

SCR 91 (Ashby, Resolution Chapter 22, Statutes of 2024).

HR 71 (Patterson, 2021) – Adopted in Assembly.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/20/25)

None received

OPPOSITION: (Verified 8/20/25)

None received

ASSEMBLY FLOOR: 75-0, 7/17/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Alvarez, Bennett, Berman, Gallagher

Prepared by: Hunter Flynn / SFA / (916) 651-1520
8/20/25 23:35:49

**** END ****

THIRD READING

Bill No: AJR 6
Author: Aguiar-Curry (D), et al.
Introduced: 3/26/25
Vote: 21

SENATE AGRICULTURE COMMITTEE: 5-0, 7/1/25
AYES: Hurtado, Alvarado-Gil, Cortese, McNerney, Padilla

ASSEMBLY FLOOR: 77-0, 5/5/25 - See last page for vote

SUBJECT: Child nutrition: federal programs: funding cuts

SOURCE: Author

DIGEST: This resolution calls on the state's representatives in Congress to continue to support investments in the federal Local Food for Schools and Child Care (LFSCC) program and would call on the President of the United States to work with Congress to support family farmers who produce fresh, locally-sourced food for school meals.

ANALYSIS:

Existing federal law establishes the Agricultural Marketing Services Local Food for Schools and Child Care program (LFSCC) under the United States Department of Agriculture (USDA). USDA awards funds to states for food assistance purchases of domestic local foods for distribution to schools and child care institutions. The LFSCC program, among other things, helps states address supply chain disruptions and support local and regional food systems.

This resolution calls on the California Congressional Delegation to continue to support investments in the LFSCC program and work with President Trump and congress to support family farmers who produce fresh, locally-sourced food for school meals.

Background

In December, 2021, LFSCC was part of several COVID relief programs and provided \$200 million in non-competitive grant funding to state agencies through cooperative agreements for the purchase of local, unprocessed or minimally processed foods from farmers, ranchers, and small businesses to distribute to schools that participate in the National School Lunch and Breakfast programs.

In October, 2024, USDA announced it would provide \$660 million for LFSCC to continue providing these services and add childcare. However, in March 2025, USDA's Agricultural Marketing Service terminated this second round of funding with a 60-day notice that cooperative agreements would be ended because the program "no longer effectuates agency priorities."

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/1/25)

California School Boards Association
California School Employees Association

OPPOSITION: (Verified 7/1/25)

None received

ARGUMENTS IN SUPPORT: According to the author:

"AJR 6 calls on the Trump Administration to restore funding for the Local Food for Schools and Child Care (LFSCC) program. LFSCC provides healthy, locally sourced meals to students while supporting small farmers and food producers. School meal programs play a vital role in ensuring California schoolchildren receive the nutrition needed to thrive academically and physically. Additionally, the LFSCC program strengthens local economies by creating opportunities for California's farmers, their workers, and California's agricultural industry as a whole. Cutting this funding threatens students' well-being, weakens local food systems, and could cause California to lose over \$150 million in economic impact. Restoring these investments is essential to protecting California's most vulnerable children, supporting family farmers, and maintaining a strong California economy. Our Congressional Delegation and the Trump Administration should do everything possible to prevent the damage from cutting this program."

The California School Employees Association wrote in support of the resolution stating:

“The LFSCC program provides federal funding to school food authorities to help increase local food purchases in schools and expand economic opportunities for local farmers and ranchers. The California Department of Education has received over \$23 million through this program and distributed that money to schools to purchase local foods. Eliminating this program will hurt both kids and small family farmers, forcing school food authorities to spend limited nutrition funds on cheaper alternatives that are less likely to be locally sourced.”

ASSEMBLY FLOOR: 77-0, 5/5/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Bains, Ellis

Prepared by: Reichel Everhart / AGRI. / (916) 651-1508
7/1/25 16:32:15

**** END ****

THIRD READING

Bill No: AJR 9
Author: Wallis (R), et al.
Amended: 6/12/25 in Assembly
Vote: 21

SENATE NATURAL RES. & WATER COMMITTEE: 7-0, 7/16/25
AYES: Limón, Seyarto, Allen, Grove, Hurtado, Laird, Stern

ASSEMBLY FLOOR: 76-0, 6/30/25 - See last page for vote

SUBJECT: National parks: federal funding

SOURCE: Author

DIGEST: This resolution urges the President and Congress to immediately restore full and consistent funding and staffing for the National Park Service and makes findings regarding the iconic nature of the state's national parks, the popularity of these parks, and the impact of reducing the National Park Service workforce on the local economy, National Park Service employees, and park visitors.

ANALYSIS:

Existing law:

- 1) Provides that the purpose of national parks is to conserve and to provide for the enjoyment of the scenery, natural and historic objects, and wildlife in the National Park System (System) in such manner and by such means as will leave them unimpaired for the enjoyment of future generations (54 United States Code § 100101).
- a) Declares that national parks, though distinct in character, are united through their interrelated purposes and resources into one System as cumulative expressions of a single national heritage.

- b) Declares that individually and collectively, national parks derive increased national dignity and recognition of their superb environmental quality through their inclusion, in one System, preserved and managed for the benefit and inspiration of all the people of the United States.
 - c) Reaffirms that the protection, management, and administration of the System shall be conducted in light of the high public value and integrity of the System and shall not be exercised in derogation of the values and purposes for which the System has been established, except as directly and specifically provided by Congress.
- 2) Declares that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States (54 United States Code §320101).

This resolution:

- 1) Resolves that the Legislature urges the President of the United States and Congress of the United States to immediately restore full and consistent funding and staffing for the National Park Service, including the restoration of positions to protect and enhance the nation's irreplaceable natural and cultural heritage;
- 2) Resolves that the Legislature supports the rehiring of park rangers and staff, enhancement of visitor services, and the continued preservation and protection of California's and the nation's treasured landscapes; and
- 3) Resolves that the Chief Clerk of the Assembly transmit copies of the resolution to the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

Background

National Parks. In 1916, President Woodrow Wilson signed the National Park System Organic Act (Organic Act) which established National Park Service (NPS) under the Department of the Interior in law. The Organic Act provided leadership and organization to operate the 14 national parks and 21 national monuments already under the supervision of the Department of Interior. Notably, the Organic Act declares that national parks be “preserved and managed for the benefit and inspiration of all the people of the United States.”

The mission of NPS is “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

Ten years earlier, President Theodore Roosevelt had signed the Antiquities Act, which grants the president the authority to proclaim and reserve historic landmarks and structures as “national monuments.” Nearly a quarter of NPS park units originated in whole or in part from the Antiquities Act.

National parks in California. California is home to more national parks and more park units (e.g., National Monuments, National Historic Sites, National Recreation Areas, National Preserves, National Seashores) than any other state, and includes some of the nation’s most iconic national parks: Channel Islands, Death Valley, Joshua Tree, Lassen Volcanic, Pinnacles, Redwood, Sequoia and Kings Canyon, and Yosemite. Yosemite and Joshua Tree are consistently some of the most visited national parks nationwide. Although not a national park, Golden Gate National Recreation Area is one of the most visited NPS properties; in 2024, it received 17,187,508 visitors—more than any other NPS property in the nation. Because of the bounty of natural beauty, national parks in California also generate more economic output, across all categories (i.e., visitor spending, jobs, labor income, and value added) than any other state, according to the 2023 NPS Visitor Spending Effects Report.

The first 100 days and beyond. On January 20, 2025, President Trump ordered a freeze on hiring federal employees (which has recently been extended through October 15, 2025). Although this hiring freeze later exempted 5,000 seasonal employees (which was later extended by memo to 7,700 employees), 1,000 NPS employees were fired. Although federal judges in California and Maryland ordered the administration to reinstate more than 16,000 probationary employees across six agencies, including the Department of the Interior, the U.S. Supreme Court blocked the ruling.

Despite this uncertainty, the Secretary of the Interior, Doug Burgum, ordered on April 3, 2025, that “to ensure visitor access and satisfaction, any closures or reductions to operating hours, seasons, or any visitor services (including trails and campgrounds), in whole or in part, must be reviewed by the NPS Director and the Assistant Secretary for Fish and Wildlife and Parks prior to any reduction action by the individual park units.” On April 4, 2025 (one day after the order to remain

open), employees across the Department of the Interior were offered buyouts or early retirement. In addition, the Trump Administration has reportedly asked the NPS, among other agencies, to develop a plan for a 30% reduction in payroll.

All of this is expected to leave national parks understaffed. The National Park Conservation Association notes that, “In just over three months, the Trump administration has pushed out nearly 13% of the National Park Service’s workforce, triggering a full-blown staffing crisis.” National parks across the country have already altered available programming and reduced park unit accessibility in response to this hiring whiplash. Additionally, there are concerns that the lack of NPS staffing will result in degraded natural resources. National park units have already implemented many staff-saving measures, including: the delay of Yosemite’s entrance reservation system, the discontinuation of all ranger tours at Sequoia and Kings Canyon National Parks, and the cancellation of guided cave tours at Carlsbad Caverns, just to name a few.

On July 3, 2025, the House of Representatives approved H.R. 1, which includes a rescission of \$267 million of previously committed funding to support conservation and resilience in parks and on federal lands and to hire NPS employees.

That same day, President Trump signed an Executive Order increasing fees for foreign tourists visiting national parks.

Comments

Need for this bill. According to the author, “Assembly Joint Resolution 9 calls for the urgent restoration of full and consistent funding for the National Park Service by the federal government. California’s national parks are more than scenic landscapes; they are vital economic engines, historical treasures, and environmental sanctuaries that enrich the lives of millions. From Joshua Tree National Park to Yosemite, these parks contribute billions to our economy, support thousands of jobs, and promote conservation, recreation, and education.

“Yet, recent federal funding cuts, staffing reductions, and hiring freezes have severely undermined park operations, limiting access, endangering visitor safety, and delaying critical maintenance. These challenges threaten not only the integrity of our parks but also the communities that rely on them for economic stability.

“By urging federal action, AJR 9 reaffirms California’s commitment to safeguarding these cherished natural spaces. It calls upon Congress and the President to make national park funding a priority, ensuring that these public lands remain accessible, well-maintained, and properly staffed. Protecting our parks is an investment in our future—one that upholds environmental stewardship, supports local economies, and preserves the legacy of America’s great outdoors for generations to come.”

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 7/16/25)

None received

OPPOSITION: (Verified 7/16/25)

None received

ASSEMBLY FLOOR: 76-0, 6/30/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Ellis, Ortega, Quirk-Silva

Prepared by: Genevieve Wong / N.R. & W. / (916) 651-4116
7/16/25 16:22:54

**** END ****