

# SENATE PUBLIC SAFETY COMMITTEE

# 2024 Legislative Bill Summary

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## Editor's Notes

- ***Categorization of Bills.*** Many of the bills in this summary could fall under several different subject headings, but may have been limited to one category in the interest of brevity. Readers may wish to skim the Contents section to identify any new laws of particular interest. In addition, those who focus on specific code areas may skim the Table of Sections Affected information, described below.
- ***Previous Votes not Relevant.*** The legislative history for some measures contained in this summary note where the committee/floor votes of a prior version of a measure are not included. The votes that are shown in each bill summary refer to the committee/floor votes of the signed or vetoed measure. Where measures well into the legislative process have been substantially amended (gutted) and replaced with new language, earlier votes do not provide relevant information in determining the action of the Legislature on the enacted or vetoed version of the measure.
- ***Effective Date of Bills – Effect of Urgency Clause.*** Article IV, Section 8(c) of the California Constitution provides, “. . . a statute enacted at a regular session shall go into effect on January 1 next following a 90-day period from the date of enactment of the statute,” and “urgency statutes shall go into effect immediately upon their enactment.” Regardless of the date a bill takes effect, some measures may contain a delayed “operative” date for all or part of the measure; that is most common when a start-up period may be useful to prepare for the measure’s impact.
- ***Contingent Measures.*** A bill may have language added which makes it operative, if enacted, only if another measure (or measures) also is enacted.
- ***Sunset Dates.*** Some measures have “sunset” dates that make them inoperative unless a later enacted statute becomes effective on or before the sunset date.
- ***Conflicts and “Double-Jointing” Language.*** If two or more measures both amend the same statutory section in the same year, then whichever measure is chaptered/enacted last will “chapter out” any changes made by the earlier measure(s) unless the last enacted bill contains double-jointing language that provides both the changes to the section made by the earlier measure(s) and the last enacted bill are to take effect. It generally may be assumed that measures in this summary which amend the same statutory section have the requisite double-jointing language so that all of the changes made by all of the measures will take effect.
- ***Jurisdiction of the Committee.*** The Senate Committee on Public Safety jurisdiction does not always include measures that involve misdemeanor and infraction criminal penalties. There are some bills, however, included in this summary which were not heard by this Committee but are included because they concern related subjects that may be of interest.

- **Table of Sections Affected.** This summary does not contain a Table of Sections Affected (TOSA). However, the TOSA prepared by the Legislative Counsel is available online at the Legislative Counsel’s “Official California Legislative Information” site at: <http://www.leginfo.legislature.ca.gov/>.
- **Only “Final” Votes Included in this Summary.** There may be more than one vote on a bill in a given legislative location. For example, hostile amendments (not offered by the author) may be proposed on the Senate Floor and those amendments may be defeated or “tabled”; a bill may first fail in a committee or on the Senate or Assembly Floor, reconsideration may be granted, and the bill may be amended and subsequently approved; or a bill may pass the Legislature and be returned at the Governor’s request with amendments then adopted before the bill is sent again to the Governor. This summary reflects only the final votes on a bill in each legislative location.
- **Full Legislative History.** The text of measures included in this summary, as well as analyses and vote records, are available online through the Office of Legislative Counsel, at; <http://www.leginfo.legislature.ca.gov/>.
- **Online availability.** The text of this summary is also available online under the Committee’s publications tab at <http://www.spsf.senate.ca.gov/>.

# Alerts

## [AB-1863 \(Ramos\) - California Emergency Services Act: notification systems: Feather Alert.](#)

(Amends Section 8594.13 of the Government Code, and to amend Section 1 of Chapter 476 of the Statutes of 2022)

This bill requires the department, in consultation with specified groups including tribal nations, to develop policies and procedures providing instruction specifying how a law enforcement agency and certain entities involved in emergency warnings are required to proceed after a missing person has been reported to a law enforcement agency, as defined, and prescribed conditions are met.

This bill requires the department to respond to a law enforcement agency's or tribe's request to activate a Feather Alert within 48 hours of receiving the request. The bill requires the department to take reasonable steps to confirm that a report from a missing person's family members is not an attempt to locate an indigenous person who is intentionally avoiding or evading abuse, as specified. If the department declines to activate a Feather Alert, the bill requires it to provide written notice to the requesting law enforcement agency or tribe, as specified.

This bill revises the conditions under which a law enforcement agency may request the department to activate a Feather Alert. In this regard, the bill authorizes the agency to make that request if it determines a Feather Alert would be an effective tool in the investigation of missing and murdered indigenous persons. To make that determination, the bill requires a law enforcement agency to consider prescribed factors, including, among other things, that the agency or tribe believes that the person is in danger and is missing under specified circumstances.

This bill revises the reporting requirement described above to require the department to work with law enforcement agencies and tribal nations to create the report and to submit the report no later than January 1, 2027. The bill requires the report to include information on the efficacy and advantages of the Feather Alert, including, but not limited to, statistical data on the number of cases closed and the number of cases that remain open, and the impact of the Feather Alert on other alert programs.

**Status:** Chapter 659, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)	Senate Floor - (38 - 0)
Assembly Appropriations - (11 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	
Assembly Emergency Management - (7 - 0)	

**AB-2348 (Ramos) - California Emergency Services Act: notification systems: Feather Alert.**

(Amends Section 8594.13 of the Government Code, and amends Section 1 of Chapter 659 of the Statutes of 2024)

Existing law, the California Emergency Services Act, authorizes use of the Emergency Alert System to inform the public of local, state, and national emergencies. Existing law authorizes a law enforcement agency to request the Department of the California Highway Patrol to activate a “Feather Alert,” as defined, if the law enforcement agency determines that specified criteria are satisfied with respect to an endangered indigenous person who has been reported missing under unexplained or suspicious circumstances. Existing law requires the department, if it concurs that those specified requirements are met, to activate a Feather Alert within the appropriate geographical area requested by the investigating law enforcement agency and to assist the agency by disseminating specified alert messages and signs. Existing law requires the department to create and submit a report to the Governor’s office and the Legislature that includes an evaluation of the Feather Alert, as specified.

This bill makes changes to AB 1863 (Chapter 659, Statutes of 2024). These changes require a law enforcement agency to make that determination within 24 hours following the initial report being made to the agency and would authorize a tribe to directly request the department to activate a Feather Alert if the law enforcement agency does not make a determination within 24 hours.

**Status:** Chapter 661, Statutes of 2024

**Legislative History:**

Assembly Floor - (69 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (71 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Public Safety - (5 - 0)
Assembly Health - (16 - 0)	Senate Appropriations - (7 - 0)
Assembly Emergency Management - (7 - 0)	Senate Health - (10 - 0)

**AB-2645 (Lackey) - Electronic toll collection systems: information sharing: law enforcement.**

(Amend Section 31490 of the Streets and Highways Code.)

Existing law prohibits a transportation agency, as defined, from selling or otherwise providing to any other person or entity, with certain exceptions, personally identifiable information of a person who subscribes to an electronic toll collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system. Under existing law, a transportation agency is authorized to make personally identifiable information of a person available to a law enforcement agency only pursuant to a search warrant, except under certain circumstances. Existing law defines “personally identifiable information” for these purposes and provides that it includes, among other things, a license plate number. Existing law authorizes a law enforcement agency to request the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Existing law also authorizes the CHP, upon the request of a law enforcement agency, to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality.

This bill authorizes a transportation agency that employs an electronic toll collection system to provide the date, time, and location of a vehicle license plate read captured by the system to a peace officer in response to one of these alerts.

**Status:** Chapter 730, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (68 - 0)

Assembly Appropriations - (15 - 0)

Assembly Transportation - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Transportation - (15 - 0)

Senate Public Safety - (5 - 0)

# **Animals**

## **[SB-902 \(Roth\) - Firearms: public safety.](#)**

(Amends Section 29805 of the Penal Code.)

Existing law, subject to exceptions, provides that any person who has been convicted of certain misdemeanors may not, within 10 years of the conviction, own, purchase, receive, possess or have under their custody or control, any firearm and makes a violation of that prohibition punishable as a misdemeanor or a felony. Additionally, existing law, with certain exceptions, makes it a crime to maliciously and intentionally maim, mutilate, torture, wound, or kill a living animal.

This bill provides that any person convicted of a misdemeanor violation of the above-described crimes, on or after January 1, 2025, may not, within 10 years of the conviction, access a firearm as described above, and makes a violation of that prohibition a misdemeanor.

**Status:** Chapter 545, Statutes of 2024

### **Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (37 - 3)

Senate Floor - (36 - 1)

Senate Appropriations - (6 - 1)

Senate Public Safety - (5 - 0)

# **Assault and Battery**

## **[AB-977 \(Rodriguez\) - Emergency departments: assault and battery.](#)**

(Adds Section 1317.5a to the Health and Safety Code, and amends Sections 241 and 243 of the Penal Code.)

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury on the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment.

This bill also makes an assault or battery committed against a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. The bill authorizes a health facility that maintains and operates an emergency department to post a notice in the emergency department stating that an assault or battery against staff is a crime, and may result in a criminal conviction, as provided.

**Status:** Chapter 937, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Senate Floor - (39 - 0)

Assembly Floor - (68 - 0)

Senate Appropriations - (7 - 0)

Assembly Appropriations - (15 - 0)

Senate Public Safety - (3 - 1)

Assembly Public Safety - (8 - 0)

## **Background Checks**

### **[AB-3235 \(Bryan\) - Fingerprint rollers and custodians of records.](#)**

(Amends Sections 11102.1 and 11102.2 of the Penal Code.)

Existing law requires the Department of Justice to maintain a certification or confirmation program for persons who roll fingerprint impressions for non-law-enforcement purposes and persons who are designated by agencies as custodians of records. Existing law requires them, except as exempt, to be certified or confirmed by the department, as specified. Existing law requires the department to refuse to certify or confirm a fingerprint roller or custodian of records, or revoke their certification or confirmation, upon, among other things, their conviction for a felony offense or their arrest or conviction for an offense that involves moral turpitude, dishonesty, or fraud, and that bears on the person's ability to perform their duties or responsibilities, as specified. Existing law also requires the department to refuse to certify an individual as a fingerprint roller, or to suspend or revoke that certification, upon the revocation, suspension, restriction, or denial of a professional license, if the denial was for misconduct, dishonesty, or any cause substantially related to the duties or responsibilities of their profession.



This bill instead gives the department discretion to refuse to certify or confirm a fingerprint roller or custodian of records, or to revoke their certification or confirmation, based upon, among other things, a felony conviction or an arrest pending conviction or conviction for an offense that is substantially related to the qualifications, functions, or duties of that profession. The bill makes the same change with relation to the revocation, suspension, restriction, or denial of a professional license for fingerprint rollers. The bill requires the department to develop criteria for determining whether an offense is substantially related to the qualifications, functions, or duties of that profession, including, among other factors, the nature and gravity of the offense and whether the applicant has offered credible evidence of rehabilitation, as specified. The bill prohibits the department from denying certification or confirmation based in whole or in part on a conviction without considering evidence of rehabilitation, as specified. The bill also prohibits the department from denying certification or confirmation if the applicant has been granted clemency or a pardon by a state or federal executive.

**Status:** Chapter 254, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Senate Floor - (38 - 0)

Assembly Floor - (71 - 0)

Senate Public Safety - (5 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

## **Child Abuse and Neglect**

### **[SB-1381 \(Wahab\) - Crimes: child pornography.](#)**

(Amends Sections 311.1, 311.3, 311.4 and, 312.3 of the Penal Code.)

Existing law prohibits the production, development, duplication, distribution, or possession, as specified, of matter, in specified formats, that depicts a person under 18 years of age engaging in or simulating sexual conduct, as defined. Existing law separately prohibits this conduct where it is done for consideration or where such matter is shared with a minor.

Existing law also prohibits the employment or use of a minor, or the permitting by a parent or guardian of the employment or use of a minor for the production of such matter.

Existing law authorizes the forfeiture and destruction of such matter regardless of whether a conviction is sought or obtained.

This bill expands existing provisions of law related to child pornography and obscene matter depicting a minor engaged in sexual conduct to include matter that is digitally altered or generated by the use of artificial intelligence (AI).

**Status:** Chapter 929, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 1)	Senate Floor - (38 - 0)
Assembly Public Safety - (5 - 2)	Senate Floor - (38 - 0)
Assembly Floor - (36 - 16)	Sen Public Safety - (5 - 0)
Assembly Floor - (63 - 0)	
Assembly Public Safety - (7 - 0)	

**AB-1831 (Berman) - Crimes: child pornography.**

(Amends Sections 311, 311.2, 311.11, and 311.12 of the Penal Code.)

Existing law prohibits the production, development, duplication, distribution, or possession, as specified, of matter, in specified formats, that depicts a person under 18 years of age engaging in or simulating sexual conduct, as defined. Existing law separately prohibits this conduct where it is done for consideration or where such matter is shared with a minor.

Existing law provides an enhanced punishment when these offenses are committed using government property.

This bill expands the scope of certain of these provisions to include matter that is digitally altered or generated by the use of artificial intelligence, as such matter is defined.

**Status:** Chapter 926, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (71 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Public Safety - (5 - 0)
Assembly Privacy and Consumer Protection - (11 - 0)	
Assembly Public Safety - (8 - 0)	

## **AB-1874 (Sanchez) - Crimes: disorderly conduct.**

(Amends Section 647 of the Penal Code.)

Existing law defines specified behavior as disorderly conduct and prohibits that behavior. Under existing law, disorderly conduct includes, among other things, soliciting prostitution, prowling, peeping, surreptitious photographing or filming of an identifiable person, and the distribution of certain images of another person taken under circumstances in which the person understands that the image shall remain private, the distribution of which causes serious emotional distress. Under existing law, a person who, as a 2nd or subsequent violation, or if the victim is a minor at the time of the offense, of the prohibition on filming, photographing, or recording an identifiable person who may be in a state of full or partial undress, as specified, may be sentenced to imprisonment in a county jail for up to one year or a fine not exceeding \$2,000 dollars, or both that fine and imprisonment.

This bill increases the punishment for a 2nd or subsequent offense of that prohibition, if the victim was a minor at the time of the offense, to also be punishable as a felony. The bill specifies that this punishment does not apply to a person who was under 18 years of age at the time they committed the offense.

**Status:** Chapter 554, Statutes of 2024

### **Legislative History:**

Assembly Floor - (73 - 0)

Assembly Floor - (68 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (4 - 0)

## **Controlled Substances**

### **AB-1859 (Alanis) - Coroners: duties.**

(Adds Section 27523 to the Government Code.)

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, and either requires or authorizes a county coroner, under certain circumstances, to perform, or cause to be performed, an autopsy on a decedent. Existing law also imposes certain requirements on a coroner conducting a postmortem examination or autopsy on an unidentified body or human remains, and requires a coroner to investigate deaths that occurred under specified conditions, including without medical attendance, to ascertain as many of the facts as possible.

This bill authorizes a coroner to test the bodily fluid of a deceased person for the presence of xylazine if the coroner reasonably suspects the person died from an accidental or intentional opioid overdose or if the person was administered an overdose intervention drug prior to death and was unresponsive to the drug. If the testing is conducted, the bill requires the coroner to report a positive result to the Overdose Detection Mapping Application Program and provide the State Department of Public Health with a quarterly report on positive results, as specified. The bill further requires the department to post specified information, including, among other things, the total number of xylazine-positive results reported to the department, on the California Overdose Surveillance Dashboard located on the department's internet website.

**Status:** Chapter 684, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (72 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Health - (11 - 0)

Senate Public Safety - (5 - 0)

**AB-2018 (Rodriguez) - Controlled substances: fenfluramine.**

(Amends Sections 11057 and 11375 of the Health and Safety Code.)

Existing law, the California Uniform Controlled Substances Act, categorizes controlled substances into 5 schedules and places the greatest restrictions on those substances contained in Schedule I. Under existing law, the substances in Schedule I are deemed to have a high potential for abuse and no accepted medical use while substances in Schedules II through V are substances that have an accepted medical use, but have the potential for abuse. Existing law categorizes fenfluramine as a Schedule IV controlled substance. Existing law makes it a crime to possess, possess for sale, or to sell materials, compounds, mixtures, or preparations containing specified controlled substances, including fenfluramine, as specified.

This bill removes fenfluramine from the list of Schedule IV controlled substances under the California Uniform Controlled Substances Act and removes it from the list of controlled substances that are a crime to possess or sell, as specified.

**Status:** Chapter 98, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Assembly Appropriations - (12 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (36 - 0)

Senate Public Safety - (5 - 0)

**AB-2136 (Jones-Sawyer) - Controlled substances: analyzing and testing.**

(Amends Sections 11014.5, 11364, 11364.5, and 11364.7 of, and adds Article 5 (commencing with Section 11300) to Chapter 5 of Division 10 of, the Health and Safety Code.)

Existing law, the California Uniform Controlled Substances Act, categorizes controlled substances into 5 schedules and places the greatest restrictions on those substances contained in Schedule I. Existing law also defines drug paraphernalia and prohibits, among other things, the manufacture, sale, and possession, as specified, of drug paraphernalia. Existing law excludes from these prohibitions any testing equipment that is designed, marketed, used, or intended to be used to analyze a substance for the presence of fentanyl, ketamine, gamma hydroxybutyric acid, or any analog of fentanyl.

This bill additionally excludes from the definition of drug paraphernalia equipment, any equipment for testing a substance for the presence of contaminants, toxic substances, hazardous compounds, or other adulterants, as specified. The bill excludes from the criminal liability of possessing drug paraphernalia those individuals obtaining controlled substance checking services and would state that it is lawful to use, possess, or distribute equipment intended for use or designed for use in identifying, or in analyzing the strength, effectiveness, or purity of a controlled substance. The bill authorizes specified entities to provide controlled substance checking services and would define those services as the process of identifying or analyzing a substance to determine its chemical composition. The bill provides a person engaged in providing or using those services immunity from detention, arrest, criminal prosecution, and civil liability, among other things. The bill also requires a controlled substance service provider, as defined, to destroy personally identifiable information from service users and would prohibit them from providing that information to law enforcement, as specified.

**Status:** Chapter 701, Statutes of 2024

**Legislative History:**

Assembly Floor - (59 - 5)

Assembly Floor - (46 - 5)

Assembly Appropriations - (10 - 3)

Assembly Public Safety - (7 - 0)

Senate Floor - (30 - 10)

Senate Judiciary - (9 - 2)

Senate Public Safety - (4 - 1)

**AB-2871 (Maienschein) - Overdose fatality review teams.**

(Adds Division 10.1 (commencing with Section 11675) to the Health and Safety Code.)

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths. Existing law either requires or authorizes a county coroner, under certain circumstances, to perform, or cause to be performed, an autopsy on a decedent. Existing law requires a coroner or medical examiner who evaluates an individual who died, in the coroner’s or medical examiner’s expert opinion, as the result of an overdose as a contributing factor, to report the incident to the Overdose Detection Mapping Application Program, as specified.

This bill authorizes a county or regional group of counties to establish an interagency overdose fatality review team to assist local agencies in identifying and reviewing overdose fatalities, facilitate communication among the various persons and agencies involved in overdose fatalities, and integrate local overdose prevention efforts through strategic planning, data dissemination, and community collaboration. The overdose fatality review team may be comprised of, among other persons, experts in the field of forensic pathology, coroners and medical examiners, county, local, state, and federal law enforcement, and public health staff, as specified. The bill makes confidential, among other things, an oral or written communication or a document shared within or produced by an overdose fatality review team related to an overdose fatality review, as specified. The bill authorizes an organization represented on an overdose fatality review team to share information in its possession concerning the decedent who is the subject of the review, information received from a person who was in contact with the decedent, or other information deemed by the organization to be pertinent to the review with other members of the team. The bill requires information gathered and recommendations made by an overdose fatality review team to be used by the county to develop education, prevention, and intervention strategies that will lead to improved coordination of treatment services and prevent future overdose deaths

**Status:** Chapter 639, Statutes of 2024

**Legislative History:**

- |   |                                |
|---|--------------------------------|
| Assembly Floor - (77 - 0)                           | Senate Floor - (40 - 0)        |
| Assembly Floor - (71 - 0)                           | Senate Health - (11 - 0)       |
| Assembly Appropriations - (15 - 0)                  | Senate Public Safety - (5 - 0) |
| Assembly Privacy and Consumer Protection - (11 - 0) |                                |
| Assembly Health - (16 - 0)                          |                                |

# **Corrections**

## **SB-254 (Skinner) - Correctional facilities: media access.**

(Adds Sections 6357 and 6357.1 to the Penal Code.)

Existing law grants certain rights to individuals incarcerated in state prisons. Existing regulation allows media representatives access to state prisons with prior approval, and allows unscheduled interviews with incarcerated individuals.

This bill would have required, beginning January 1, 2027, the Department of Corrections and Rehabilitation to permit representatives of the news media to tour a facility or interview incarcerated persons in person, as specified. The bill would have prohibited retaliation against an incarcerated person for participating in a visit by, or communicating with, a representative of the news media.

The bill would have required all Department of Corrections and Rehabilitation facilities to allow state officials, as specified, to visit those facilities at any time and meet with incarcerated people upon request, beginning January 1, 2027.

**Status: VETOED**

### **Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (11 - 1)

Assembly Public Safety - (7 - 0)

Senate Floor - (30 - 10)

Senate Floor - (29 - 8)

Senate Appropriations - (4 - 2)

Senate Public Safety - (4 - 1)

### **Governor's Veto Message:**

I am returning Senate Bill 254 without my signature.

Beginning January 1, 2027, this bill would require the California Department of Corrections and Rehabilitation (CDCR) to permit representatives of the news media to interview incarcerated people in person, including both pre-arranged interviews with specified incarcerated people and individuals encountered by a representative of the news media while covering a facility tour, activity, event, or program.

While I appreciate the author's intent to provide greater media access to the state prison system, this bill's expansive provisions risk significant unintended consequences for public safety and victims of crime. Existing CDCR regulations already enable access by the media and

state officials to tour facilities and take photos and video. Regulations also allow incarcerated persons to participate in media interviews under appropriate conditions. By removing nearly all discretion to limit media interviews of specific incarcerated individuals, this bill could have the unintended consequence of creating or elevating the celebrity status of certain incarcerated individuals through repeated media appearances, including on television and social media, which could glorify their actions and hurt victims and their families.

Further, this bill would require significant, ongoing resources for CDCR to manage the influx of media requests, ensure the safety of media representatives and incarcerated people while interviews are conducted, prevent the introduction of contraband into facilities, and secure an area in which these interviews would be conducted.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

### **[SB-1069 \(Menjivar\) - State prisons: Office of the Inspector General.](#)**

(Amends Section 6133 of the Penal Code.)

Existing law establishes the Office of the Inspector General that is responsible for, among other things, contemporaneous public oversight of internal affairs investigations and staff grievance inquiries conducted by the Department of Corrections and Rehabilitation's Office of Internal Affairs. Existing law requires the Office of the Inspector General to issue regular reports, no less than annually, to the Governor and the Legislature summarizing its recommendations concerning its oversight of the department allegations of internal misconduct and use of force and, no less than semiannually, summarizing its oversight of Office of Internal Affairs investigations. Existing law requires these reports to be posted on the Inspector General's internet website and otherwise made available to the public upon release to the Governor and Legislature.

This bill gives the Office of the Inspector General investigatory authority over all staff misconduct cases that involve sexual misconduct with an incarcerated person and would authorize the Office of the Inspector General to monitor and investigate a complaint that involves sexual misconduct with an incarcerated person, as provided. The bill requires the Office of the Inspector General to, upon the completion of an investigation, compile and submit a report to the appropriate hiring authority, as specified.



**Status:** Chapter 1012, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (40 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**[SB-1254 \(Becker\) - CalFresh: enrollment of incarcerated individuals.](#)**

(Adds Section 18901.36 to the Welfare and Institutions Code.)

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing federal law generally prohibits a resident of an institution from receiving supplemental nutrition assistance benefits.

Existing law requires the State Department of Social Services, if the department deems it necessary to maximize CalFresh enrollment outcomes or employment placement success rates for individuals reentering the community from the state prison or a county jail, to submit to the United States Department of Agriculture's Food and Nutrition Service a request to waive that prohibition to allow for preenrollment of applicants prior to their release.

Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Under existing law, subject to implementation of the California Advancing and Innovating Medi-Cal (CalAIM) initiative, a qualifying inmate of a public institution is eligible to receive targeted Medi-Cal services for 90 days, or the number of days approved in the CalAIM Terms and Conditions, before the date they are released from the institution, if otherwise eligible for Medi-Cal services.

This bill requires the State Department of Social Services to establish a CalFresh workgroup by February 1, 2026, composed of members with specified backgrounds, to meet no less than quarterly. The bill requires the workgroup to create and submit a report to the department and to the Legislature by August 31, 2027, and by August 31 annually thereafter, through 2030, with its recommendations for a state reentry process incorporating the necessary resources for transition from state prison or county jail to obtaining CalFresh benefits upon reentry into the community.

The bill also requires the department to seek a certain federal waiver to allow for preenrollment of applicants prior to their release from the state prison or county jail by January 1, 2026.

The bill additionally requires the department to partner with the Department of Corrections and Rehabilitation and county jails to allow for preenrollment of otherwise eligible applicants for the CalFresh program to ensure that an applicant's benefits may begin as soon as possible upon reentry of the applicant into the community from the state prison or county jail. The bill conditions implementation of that partnership in a given county on notification to the State Department of Health Care Services that the corresponding county has implemented the Justice-Involved Initiative that is developed pursuant to the above-described CalAIM provisions.

The bill makes the provisions above operative on the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement those provisions.

**Status:** Chapter 465, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (11 - 1)

Assembly Public Safety - (8 - 0)

Assembly Human Services - (6 - 0)

Senate Floor - (30 - 9)

Senate Floor - (33 - 5)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

Senate Human Services - (4 - 0)

**[AB-628 \(Wilson\) - Prisons: employment of inmates.](#)**

(Amends Section 2700 of the Penal Code.)

The California Constitution prohibits involuntary servitude, but exempts from this provision any servitude that is a punishment for a crime. Existing law requires the Department of Corrections and Rehabilitation (CDCR) to require each able-bodied incarcerated individual, including a condemned incarcerated individual, to work as prescribed by CDCR regulations. Existing CDCR regulations require each incarcerated individual to participate in 8 hours a day of programming, including labor, education, counseling, physical fitness, and other programs, 5 days per week. Under existing CDCR regulations, an incarcerated individual who fails to participate as required is subject to a loss of privileges, including the earning of good conduct credit.

Existing law also authorizes a board of supervisors or city council, through an order, to require all persons confined in a county or city jail, industrial farm, or road camp, as specified, to perform labor on the public works or ways in the county or city, respectively, and to engage in the prevention and suppression of forest, brush, and grass fires upon lands within the county or city, respectively.

This bill, contingent upon the passage and approval by the voters of a constitutional amendment that prohibits all involuntary servitude, requires CDCR to develop a voluntary work program and to prescribe rules and regulations regarding work and programming assignments for individuals incarcerated in state prisons, including the wages for work assignments. This bill requires wages for work assignments in county and city jail programs to be set by local ordinance.

**Status:** Chapter 54, Statutes of 2024

**Legislative History:**

Assembly Floor - (67 - 0)

Assembly Floor - (74 - 0)

Assembly Appropriations - (14 - 0)

Assembly Jobs, Economic Development,  
and the Economy - (7 - 0)

Senate Floor - (33 - 2)

Senate Appropriations - (5 - 1)

Senate Public Safety - (4 - 1)

Senate Business, Professions and Economic  
Development - (12 - 0)

**[AB-1810 \(Bryan\) - Incarcerated persons: menstrual products.](#)**

(Amends Sections 3409 and 4023.5 of the Penal Code, and amends Section 221 of the Welfare and Institutions Code.)

Existing law requires a person who is incarcerated in state prison or confined in a local detention facility, or a state or local juvenile facility, and who menstruates or experiences uterine or vaginal bleeding to, upon request, have access to, be allowed to use, and continue to use materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system, including, but not limited to, sanitary pads and tampons.

This bill requires the person to have ready access to these menstrual products without having to request them.

**Status:** Chapter 939, Statutes of 2024

**Legislative History:**

Assembly Floor - (60 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (71 - 0)

Senate Public Safety - (5 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

**AB-1875 (McKinnor) - Prisons: canteens.**

(Amends Sections 4025 and 5005 of the Penal Code.)

Existing law, until January 1, 2028, requires the Department of Corrections and Rehabilitation to maintain canteens at its facilities, and limits the sale price of items to 35% markup above the amount paid to the vendor. Commencing January 1, 2028, existing law requires the sale prices in the canteen to be set by the Secretary of the Department of Corrections and Rehabilitation so the canteen will be self-supporting. Existing law requires the department to sell, among other things, toilet articles, candy, notions, and other sundries at the canteens. Existing law authorizes the sheriff of each county to establish, maintain, and operate a store within a jail where inmates may purchase certain goods, articles, and supplies.

This bill requires the department, and local jail and detention facilities if they have a store, to additionally provide sulfate-free shampoos and conditioners, curl creams, and gel commencing January 1, 2028.

**Status:** Chapter 56, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Senate Floor - (37 - 0)

Assembly Appropriations - (12 - 0)

Senate Public Safety - (4 - 0)

Assembly Public Safety - (8 - 0)

**AB-1986 (Bryan) - State prisons: banned books.**

(Amends Section 6132 of, and adds Section 6130 to, the Penal Code.)

Existing law grants a person sentenced to imprisonment the right to purchase, receive, and read any and all newspapers, periodicals, and books, as specified, subject to restrictions reasonably related to legitimate penological interests. Existing law authorizes the Department of Corrections and Rehabilitation to prescribe and amend rules and regulations for the administration of state prisons, including determining which materials are a threat to legitimate penological interests. Existing law created the Office of the Inspector General and grants the Inspector General responsibility for oversight of the department, as specified.

This bill requires the Office of the Inspector General to post the Centralized List of Disapproved Publications maintained by the department on the office's internet website and would require the department to notify the office each time a change is made to that list. The bill authorizes the office, upon request, to review publications on the list to determine if it concurs with the department's determination that the publication violates department regulations and requires the office to notify the department if it does not concur with the department's determination. The bill also requires the office to include information relating to those notifications in an annual report the Inspector General provides to the Governor and Legislature.

**Status:** Chapter 620, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (71 - 0)

Senate Public Safety - (4 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

**[AB-2178 \(Ting\) - Prisons: bed thresholds.](#)**

(Adds Section 2069 to the Penal Code.)

Existing law requires the Department of Corrections and Rehabilitation to reduce the population of private in-state male contract correctional facilities. Existing law requires the department, to the extent that the adult offender population continues to decline, to reduce the capacity of state-owned and state-operated prisons or in-state leased or contract correctional facilities. In reducing prison capacity, existing law requires the department to take into consideration, among other things, the cost to operate at the facility, the impact on its workforce, and public safety and rehabilitation.

This bill would have required the Secretary of the Department of Corrections and Rehabilitation to ensure that state prisons maintain average daily empty bed thresholds, as specified. The bill would have required the secretary, no later than April 1 of every year, to report to the Joint Legislative Budget Committee specified information, including, among other things, whether the department exceeded the specified thresholds for the current fiscal year.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (47 - 17)

Senate Floor - (22 - 14)

Assembly Floor - (46 - 17)

Senate Appropriations - (5 - 2)

Assembly Appropriations - (11 - 4)

Senate Public Safety - (4 - 1)

Assembly Public Safety - (6 - 1)

### **Governor's Veto Message:**

I am returning Assembly Bill 2178 without my signature.

This bill would define the number of "empty beds" at institutions operated by the California Department of Corrections and Rehabilitation based on the population cap imposed by a federal court in 2014 to remedy constitutional violations it identified from prison overcrowding, and would require CDCR, by 2029-30, to maintain no more than 2,500 "empty beds" under the court-imposed capacity limit.

I support efforts to find efficiencies in prison operations. In 2006, California's incarcerated population peaked at 173,479, and exceeded the design capacity of its institutions by more than 200%. Incarcerated people were housed in triple bunk beds in gymnasiums converted to dormitories. This resulted in a federal court finding that the overcrowding violated the Eighth Amendment rights of the incarcerated population. The court prohibited CDCR's prison population exceeding 137.5% of design capacity.

Since that court order, California has reduced its prison population to roughly 92,200. We have closed 2 prisons, eliminating 15,000 beds from design capacity and 2,400 from the closed contracted prison. This year, my Administration announced the accelerated closure of a third prison, as well as the deactivation of over 40 housing units, resulting in a reduction of more than 5,000 additional prison beds. Today, CDCR's population continues to exceed design capacity, remaining at just over 115% system wide, with some institutions considerably higher, above 160% design capacity.

This bill assumes that CDCR should operate its prisons with a population just shy of the number identified by a federal court as violating the Eighth Amendment rights of the incarcerated population. This effectively prohibits CDCR from moving more of the incarcerated population to single cells.

I fundamentally disagree that the population cap set by the federal court to avoid constitutional violations is the appropriate yardstick by which CDCR should determine the appropriate, as opposed to the maximum, capacity of its correctional institutions. To the contrary, CDCR should evaluate, at an institution level, the appropriate capacity of each institution based on the population it can support with medical and mental health care, as well as programming, educational and vocational opportunities to help our incarcerated population return safely and successfully to their families and communities when they complete their sentences.

In 2011-12, with a population of more than 135,000, CDCR offered fewer than 41,000 rehabilitative programming slots in its prisons. As of June 2023, the department offers more than 116,000 assignments to its population of under 100,000 individuals. Even with a significantly decreased population, the demand for programming space has dramatically increased. Therefore, in assessing the operational capacity needed, we must have the flexibility to place significant emphasis on programming space.

My Administration is working to implement the California Model - a transformational change to the state prison system to improve public safety by prioritizing rehabilitation, access to health care, and normalizing living conditions for incarcerated people. A transformed system should include eliminating the practice of having two adults share 66 square feet of living space.

As we continue to transition to the California Model, and invest even more in rehabilitation through educational and vocational opportunities, maximal flexibility for the use of existing space in facilities is critical. We must leave the practice of warehousing incarcerated people in the past and instead focus on a future that provides humane and dignified housing that facilitates rehabilitation. Codifying this prescriptive approach to "empty beds" will undermine this effort.

### **[AB-2527 \(Bauer-Kahan\) - Incarceration: pregnant persons.](#)**

(Amends Section 3408 of the Penal Code.)

Existing law requires an incarcerated person in a state prison or county jail who is identified as possibly pregnant or capable of becoming pregnant during an intake health examination or at any time during incarceration to be offered a pregnancy test upon intake or request. Existing law requires an incarcerated person who is confirmed to be pregnant to be scheduled for pregnancy examination with a physician, nurse practitioner, certified nurse-midwife, or physician assistant within 7 days. Existing law requires incarcerated pregnant persons to be provided with access to, among other things, prenatal vitamins. Existing law prohibits incarcerated pregnant persons from being tased, pepper sprayed, or exposed to other chemical weapons.

This bill additionally requires incarcerated pregnant persons in the state prison to be provided with free and clean bottled water and daily high-quality and high caloric nutritional meals, as specified. The bill prohibits incarcerated pregnant persons in the state prison from being placed in solitary confinement or restrictive housing units during their pregnancy, if known to be pregnant, or for 12 weeks postpartum, as specified.

Existing law requires a pregnant person incarcerated in the state prison to be provided access to community-based programs serving pregnant, birthing, or lactating incarcerated persons, and authorizes that person to elect to have a support person present during labor, childbirth, and during postpartum recovery while hospitalized. Existing law requires a denial for a request for access to community-based programs or a support person to include the reason for the denial in writing and to be provided to the incarcerated person within 15 working days of receipt of the request.

This bill requires the reasons for that denial to be provided in writing to the incarcerated person within 5 working days of receipt of the request.

**Status:** Chapter 722, Statutes of 2024

**Legislative History:**

Assembly Floor - (67 - 0)	Senate Floor - (38 - 0)
Assembly Floor - (63 - 2)	Senate Appropriations - (6 - 0)
Assembly Appropriations - (11 - 2)	Senate Public Safety - (4 - 0)
Assembly Public Safety - (7 - 0)	

**[AB-2531 \(Bryan\) - Deaths while in law enforcement custody: reporting.](#)**

(Amends Section 10008 of the Penal Code.)

Under existing law, when a person 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 is required to post specified information, including the date on which the death occurred and the decedent's age, race, and gender, on its internet website within 10 days of the death. Existing law requires the agency to update the posting within 30 days if any information regarding the death changes.

The bill requires the agency to post this specified information on its internet website when a juvenile who is in custody dies. The bill would require the agency to also update the posting if the date on which the death occurred changes, once determined by a medical examiner or similar entity. The bill defines in-custody death for these purposes.

**Status:** Chapter 968, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (39 - 0)
Assembly Floor - (73 - 0)	Senate Floor - (40 - 0)
Assembly Appropriations - (14 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	



**[AB-2624 \(Waldron\) - Prisoners: employment: bereavement.](#)**

(Adds Section 2710 to the Penal Code.)

Existing law requires every able-bodied incarcerated individual imprisoned in a state prison to work as many hours of faithful labor in each day and every day during their term of imprisonment as prescribed by the Secretary of the Department of Corrections and Rehabilitation in departmental rules and regulations.

This bill requires a person incarcerated in the state prison to be allowed relief with pay from prison employment after the death of an immediate family member of the incarcerated person, as specified, unless the incarcerated person is employed in a position requiring emergency response and there is an exigent circumstance requiring their employment during the requested period, and if so, would require the warden or prison administrator to grant the requested relief as soon as practicable after the exigent circumstance has ended.

**Status:** Chapter 727, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Senate Floor - (39 - 0)

Assembly Floor - (65 - 0)

Senate Public Safety - (5 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

**[AB-2740 \(Waldron\) - Incarcerated persons: prenatal and postpartum care.](#)**

(Adds Sections 3408.4, 3408.5, and 6404.5 to the Penal Code.)

Existing law requires a person incarcerated in a state prison who is identified as possibly pregnant or capable of becoming pregnant during an intake health examination or at any time during incarceration to be offered a pregnancy test upon intake or request. Existing law requires an incarcerated person who is confirmed to be pregnant to be scheduled for pregnancy examination with a physician, nurse practitioner, certified nurse midwife, or physician assistant within 7 days. Existing law requires incarcerated pregnant persons to be provided specified prenatal services and a referral to a social worker. Existing law requires incarcerated pregnant persons be given access to community-based programs serving pregnancy, birthing, or lactating inmates. Existing law allows an incarcerated pregnant person to be provided with a postpartum examination within one week, and as needed up to 12 weeks, postpartum.

This bill requires each incarcerated pregnant person to be referred to a social worker to discuss options for parenting classes and other classes relevant to caring for newborns and options for placement and visiting the newborn within 7 days of arriving at a prison. The bill requires a prenatal plan of care to include additional meals and beverages. The bill also requires that the incarcerated mother and newborn child remain at a medical facility after delivery for as long as the medical provider determines is necessary for recovery and postpartum medical care. The bill requires the mother and child to be provided with bonding time, as specified. The bill also requires that the incarcerated mother be permitted to breastfeed the newborn at the medical facility, and pump breast milk to be stored and provided to the child.

Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to prescribe and amend rules and regulations for the administration of prisons, and requires regulations, which are adopted by the Department of Corrections and Rehabilitation, that may impact the visitation of incarcerated individuals to recognize and consider the value of visitation as a means of increasing safety in prisons, maintaining family and community connections, and preparing incarcerated individuals for successful release and rehabilitation. Existing regulations establish the framework for establishing a visiting process in prisons that is conducted in as accommodating a manner as possible, subject to the need to maintain order, the safety of persons, the security of institutions and facilities, and required prison activities and operations.

This bill requires the department to expedite a family visitation application process for incarcerated pregnant persons in order to prevent delays for visitation for the incarcerated mother and newborn child following delivery. The bill also requires family visitation for the incarcerated mother to see their newborn child to be allowed as available, unless the department has made a case-by-case determination that the incarcerated mother would pose a threat of harm to their newborn child.

**Status:** Chapter 738, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (72 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-3092 (Ortega) - Attorney General: law enforcement agencies: reporting requirements: deaths.**

(Amends Section 12525 of the Government Code.)

Existing law requires a law enforcement agency or agency in charge of a correctional facility, if a person dies while in the custody of that law enforcement agency or agency in charge of the correctional facility, to report in writing to the Attorney General, within 10 days after the death, all the facts in the agency's possession concerning the death. Existing law provides that these writings are public records and open to public inspection, except with respect to confidential medical information, as specified.

This bill requires the law enforcement agency or agency in charge of the correctional facility, if any of the information changes or new information becomes available regarding the death, to update its written report to the Attorney General within 10 days of the date of the change or the date the new information becomes available. By imposing new duties on local government agencies, the bill would impose a state-mandated local program.

**Status:** Chapter 69, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)

Senate Floor - (37 - 0)

Assembly Appropriations - (14 - 0)

Senate Public Safety - (4 - 0)

Assembly Judiciary - (12 - 0)

Assembly Public Safety - (8 - 0)

**ACA-8 (Wilson) - Slavery.**

(Proposes to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article I thereof, relating to slavery.)

The California Constitution prohibits slavery and prohibits involuntary servitude, except as punishment to a crime.

This measure prohibits slavery in any form. This measure prohibits the Department of Corrections and Rehabilitation from disciplining any incarcerated person for refusing a work assignment. The measure also clarifies that its provisions do not prohibit the Department of Corrections and Rehabilitation from awarding credits to an incarcerated person who voluntarily accepts a work assignment.

**Status:** Chapter 133, Statutes of 2024

**Legislative History:**

Assembly Floor - (68 - 0)

Assembly Floor - (68 - 4)

Assembly Appropriations - (11 - 2)

Assembly Public Safety - (7 - 0)

Senate Floor - (33 - 3)

Senate Appropriations - (5 - 1)

Senate Elections and Constitutional

Amendments - (6 - 0)

Senate Public Safety - (4 - 1)

**Criminal Procedure**

**[SB-1025 \(Eggman\) - Pretrial diversion for veterans.](#)**

(Amends Section 1001.80 of the Penal Code, and amends Section 8103 of the Welfare and Institutions Code.)

Existing law provides for the diversion of specified criminal offenders in alternate sentencing and treatment programs. Existing law provides for a pretrial diversion program for a defendant who was, or currently is, a member of the Armed Forces of the United States, who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the defendant's military service. Existing law authorizes the court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution, either temporarily or permanently, of a criminal offense and place the defendant in a pretrial diversion program.

This bill adds felony offenses, as specified, to the pretrial diversion program for a defendant who was, or currently is, a member of the Armed Forces of the United States and when the defendant's condition was a significant factor in the commission of the charged offense. The bill requires the court to find that the defendant's condition was a significant factor in the commission of the offense unless there is clear and convincing evidence otherwise and would authorize the court to consider any relevant and credible evidence in making this determination.

Existing law specifically authorizes a defendant who has been convicted of certain misdemeanor offenses related to driving under the influence to be placed in that diversion program.

This bill prohibits a defendant who has been convicted of any other offense related to driving under the influence from being placed in that diversion program.

Existing law prohibits a person, who has been found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others and has been granted pretrial mental health diversion, from owning or possessing a firearm until the person successfully completes diversion or their firearm rights are restored, as specified. A violation of this prohibition is punishable as a crime.

This bill authorizes the prosecution to request an order from the court, as specified, to prohibit a veteran defendant in diversion from controlling, owning, purchasing, possessing, or receiving a firearm because they are a danger to themselves or others until they successfully complete diversion or their firearm rights are restored, as specified.

**Status:** Chapter 924, Statutes of 2024

**Legislative History:**

Assembly Floor - (74 - 0)

Assembly Appropriations - (12 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (35 - 0)

Senate Floor - (33 - 0)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 0)

**[SB-1133 \(Becker\) - Bail.](#)**

(Amends Section 1001.80 of the Penal Code, and amends Section 8103 of the Welfare and Institutions Code.)

Existing law entitles a person detained in custody on a criminal charge for want of bail to an automatic review of the order fixing the amount of bail by the judge or magistrate.

This bill would have required the court at that review to also review, among other things, whether there exists clear and convincing evidence of a risk to public safety or the victim, or a risk of flight, and that no less restrictive alternative can address that risk.

Existing law authorizes a court, after the defendant has been admitted to bail, to, upon good cause shown, either increase or reduce the amount of bail. Existing law authorizes the court, if the amount of bail is increased, to order the defendant be committed to actual custody unless the defendant gives bail in the increased amount.

The bill would have made a defendant who has a nonmonetary condition of release, other than a protective order or statutorily mandated condition, entitled to an automatic review of those conditions at the next regularly scheduled court date after the defendant has been in

compliance with those conditions for 60 full days. The bill would have created a rebuttable presumption at that review that the conditions are no longer necessary and shall be removed if the person has remained in compliance with the condition or conditions for 60 days, and would make that presumption rebuttable by clear and convincing evidence that the conditions remain necessary to mitigate risk to public safety or to the victim, or to mitigate risk of flight, and that no less restrictive alternative can address that risk.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (43 - 25)

Assembly Public Safety - (5 - 2)

Senate Floor - (28 - 9)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

**Governor's Veto Message:**

I am returning Senate Bill 1133 without my signature.

This bill would require courts to automatically review nonmonetary conditions of release at each regularly scheduled court hearing after a defendant has complied with the conditions for 60 days. It would also establish a rebuttable presumption, to be overcome only through clear and convincing evidence, that the conditions are no longer necessary and must be removed.

I commend the author for seeking to ensure judicial review of the ongoing necessity for nonmonetary conditions of pretrial release. But a rebuttable presumption that these conditions are no longer necessary deprives judges of vital discretion to balance the removal of these conditions against other constitutional and statutory considerations.

Moreover, as a practical matter, this bill would require courts to devote significant additional time to review during thousands of hearings, clogging dockets and imposing delays throughout the court system. As a result, this bill would create millions in ongoing costs to the state General Fund for the Judicial Council to implement.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

**SB-1323 (Menjivar) - Criminal procedure: competence to stand trial.**

(Amends Sections 1001.36, 1368, 1369, 1370, and 1370.1 of the Penal Code, and amends Section 4361 of the Welfare and Institutions Code.)

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated and if the defendant is found incompetent to stand trial, the proceedings are suspended while the defendant receives treatment, with the goal of restoring the defendant to competency.

Existing law, if a doubt is raised as to the mental competence of a defendant, requires the court, either on the request of counsel or on its own motion, to hold a hearing, as specified, to determine the mental competence of the defendant.

This bill, in lieu of a hearing, allows an evaluation of the defendant by one or 2 licensed psychologists or psychiatrists and would require them to submit a report, as specified, to the court. The bill allows the court, if neither party objects to the reports of these experts, to make a determination based upon these reports. The bill also requires the court to make a determination regarding the defendant's capacity to make decisions regarding the administration of antipsychotic medication.

This bill, if either party objects to the court making a determination based on the reports, requires a hearing to be held to determine the competence of the defendant. The bill would apply a presumption of competence to the defendant and would place the burden of proof upon the party seeking a finding of incompetence. The bill requires the hearing to be held by jury trial or bench trial, as specified.

Existing law, in the case of a defendant charged with a felony, requires that, upon a finding of mental incompetence, the proceedings be suspended until the defendant regains competence. Existing law prescribes a program of pretrial diversion for defendants with a diagnosed mental disorder whose disorder was a significant factor in the commission of their offense. Under existing law, persons charged with certain offenses, including murder, rape, sexual abuse of a child, and possession of a weapon of mass destruction, are ineligible for diversion.

This bill requires the court, upon a finding of mental incompetence of a defendant charged with a felony that is not ineligible for diversion, to determine if it is in the interests of justice to restore the defendant to competence. The bill requires the court, if the restoration of the defendant's mental competence is not in the interests of justice, to hold a hearing to consider granting mental health diversion or other programs to the defendant, as specified.

If a defendant is returned to court having not been restored to mental competence, this bill requires the defendant to be presumed incompetent and be returned to treatment, as specified.

**Status:** Chapter 646, Statutes of 2024

**Legislative History:**

Assembly Floor - (56 - 15)

Assembly Appropriations - (10 - 3)

Assembly Public Safety - (5 - 1)

Senate Floor - (29 - 9)

Senate Floor - (24 - 10)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

**[SB-1400 \(Stern\) - Criminal procedure: competence to stand trial.](#)**

(Amends Sections 1001.36 and 1370.01 of the Penal Code, and to amend Section 5985 of the Welfare and Institutions Code.)

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated and if the defendant is found incompetent to stand trial, the proceedings are suspended while the defendant receives treatment, with the goal of restoring the defendant to competency.

Existing law, in the case of a misdemeanor charge in which the defendant is found incompetent, requires the court to either dismiss the case or hold a hearing to determine if the defendant is eligible for diversion. Under existing law, if the defendant is not eligible for diversion, the court may hold another hearing to decide if the defendant should be referred for outpatient treatment, conservatorship, or the CARE program, or if the defendant's treatment plan should be modified. Existing law requires that the charges be dismissed if a defendant is accepted into outpatient treatment or the CARE program. Existing law also requires the court, if the defendant is already on a grant of diversion for a misdemeanor case, to dismiss the current case and return the defendant to supervision.

This bill removed the option for the court to dismiss the case and would instead require the court to hold a hearing to determine if the defendant is eligible for diversion. If the defendant is not eligible for diversion, the bill required the court to hold a hearing to determine whether the defendant will be referred to outpatient treatment, conservatorship, or the CARE program, or if the defendant's treatment plan will be modified. If the defendant is accepted into assisted outpatient treatment, has a petition for the establishment of a conservatorship filed, or is



accepted into CARE, the bill requires the court to dismiss the charges at specified timeframes, except as specified. The bill requires the court to dismiss the case if a defendant does not qualify for the above-described services.

This bill removes the requirement that the court dismiss the case if the defendant is already on a grant of diversion for a misdemeanor case.

Existing law prohibits a court from suspending proceedings of a prosecution on a charge of driving under the influence of an alcoholic beverage for the purpose of allowing the defendant to participate in education, training, or treatment programs.

This bill allowed for a mentally incompetent defendant who is charged with misdemeanor driving under the influence to be placed in a mental health diversion program, as specified.

Existing law requires the State Department of Health Care Services, in consultation with the Judicial Council, to develop an annual reporting schedule for the submission of CARE Act data from the trial courts and requires the Judicial Council to aggregate the data and submit it to the department. Existing law requires the department, in consultation with various other entities, to develop an annual CARE Act report and requires county behavioral health agencies and other local governmental entities to provide the department with specified information for that report. Existing law requires the annual report to be posted on the department's internet website.

This bill expands the data to be compiled and reported to the Judicial Council to include the total number of CARE plans ordered and CARE agreements approved, among other information, and would expand the information compiled from county behavioral health departments to include information on all active and former participants for a period of time after the conclusion of CARE program services, to be determined by the State Department of Health Care Services, in consultation with county behavioral health agencies and courts. The bill also expands the information collected by county behavioral health departments and courts to include outreach and engagement activities provided by county behavioral health agencies, the number of days between a petition and its disposition, and, in consultation with the department and county behavioral health departments, the number, rates, and trends of contacts made to a county behavioral health agency about individuals eligible or likely to be eligible for the CARE process, among others. The bill would require the measures and reporting requirements to be developed by the department, in consultation with county behavioral health agencies. By increasing the duties of a local agency, this bill would impose a state-mandated local program. The bill, beginning in 2026, requires the department to include in its annual CARE Act report quantitative deidentified information to include specified information aggregated by county, such as demographic information of each CARE Act participant and the number of CARE petitions filed with the superior court, among others.

**Status:** Chapter 647, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 1)	Senate Floor - (38 - 0)
Assembly Appropriations - (11 - 1)	Senate Floor - (39 - 0)
Assembly Public Safety - (5 - 0)	Senate Appropriations - (5 - 0)
	Senate Public Safety - (5 - 0)

**AB-1779 (Irwin) - Theft: jurisdiction.**

(Amends Section 786.5 of the Penal Code.)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crimes of robbery and burglary. Existing law sets forth specific rules relating to the jurisdiction for the prosecution of theft by fraud, organized retail theft, and receiving stolen property, including that the jurisdiction for prosecution includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding or abetting in the commission of a theft offense or other qualifying offense. Existing law jurisdictionally limits prosecution of each of the above to criminal actions brought by the Attorney General.

This bill no longer limits the jurisdictional rules for the above crimes to criminal actions brought by the Attorney General. If a case is brought by someone other than the Attorney General and multiple offenses are committed by the same defendant in multiple jurisdictions, the bill allows a criminal action to be brought in any of those jurisdictions subject to a hearing on consolidation of the offenses, as specified. The bill requires the prosecution to present written evidence at the hearing that all district attorneys in counties with jurisdiction over the offenses agree to the venue. The bill requires charged offenses from jurisdictions where there is not a written agreement from the district attorney to be returned to that jurisdiction.

**Status:** Chapter 165, Statutes of 2024

**Legislative History:**

Assembly Floor - (71 - 1)	Senate Floor - (38 - 0)
Assembly Floor - (71 - 0)	Senate Appropriations - (5 - 0)
Assembly Public Safety - (8 - 0)	Senate Public Safety - (4 - 0)

### **AB-2215 (Bryan) - Criminal procedure: arrests.**

(Amends Section 849 of the Penal Code.)

Existing law requires that a person arrested without a warrant be taken before a magistrate without unnecessary delay. Existing law also provides certain circumstances under which a person arrested without a warrant may be released from custody before being taken before a magistrate, including, among others, when the arresting officer believes that insufficient grounds exist to make a criminal complaint against the person arrested or when the person is arrested for intoxication only and no further proceedings are desirable. Existing law requires the record of arrest of a person released pursuant to specified circumstances to include a record of release and that the arrest be deemed a detention.

This bill authorizes an arresting officer to release an arrested person from custody without bringing the person before a magistrate if the person is, subsequent to being arrested, delivered or referred to a public health or social service organization that provides services including, but not limited to, housing, medical care, treatment for alcohol or substance use disorders, psychological counseling, or employment training and education, the organization agrees to accept the delivery or referral, and no further proceedings are desirable. The bill requires that the arrest under this provision be deemed a detention.

**Status:** Chapter 954, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (56 - 0)

Senate Floor - (31 - 9)

Assembly Floor - (72 - 0)

Senate Public Safety - (4 - 1)

Assembly Public Safety - (8 - 0)

### **AB-2279 (Cervantes) - Missing and Murdered Indigenous Persons Justice Program.**

(Adds Section 15008 to the Government Code.)

Existing law requires the Department of Justice to provide technical assistance to local law enforcement agencies and tribal governments relating to tribal issues, including providing guidance for law enforcement education and training on policing and criminal investigations on Indian lands, providing guidance on improving crime reporting, crime statistics, criminal procedures, and investigative tools, and facilitating and supporting improved communication between local law enforcement agencies and tribal governments.

This bill would have established a Missing and Murdered Indigenous Persons Justice Program within and under the discretion of the Department of Justice, upon appropriation by the Legislature. The bill would have imposed specified responsibilities on the program, including acting as a liaison between tribal governments, families, and other law enforcement agencies. The bill, until January 1, 2029, if there are any remaining funds available after the use of funds for the establishment of the Missing and Murdered Indigenous Persons Justice Program, would have required the department to submit an annual report to both houses of the Legislature containing data on the number of and facts about cases involving missing and murdered indigenous persons in California.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**Governor's Veto Message:**

I am returning Assembly Bill 2279 without my signature.

This bill would establish the Missing and Murdered Indigenous Persons (MMIP) Justice Program within the Department of Justice to fund and support law enforcement agencies' investigatory activities.

I appreciate the author's commitment to addressing the ongoing MMIP crisis. My administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

This measure is duplicative of those efforts and creates a new, unfunded grant program not included in the 2024 Budget Act. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

**AB-2295 (Addis) - Crimes: commencement of prosecution.**

(Amends Section 801.1 of the Penal Code.)

Existing law generally requires that the prosecution of a felony sex offense be commenced within 10 years after the commission of the offense. Existing law requires specified sex offenses that are committed when the victim is under 18 years of age and under certain circumstances, such as rape of a person with a mental disorder or disability or sodomy with force or fear, to be commenced by the victim’s 40th birthday.

This bill clarifies that if the conditions authorizing prosecution for these crimes are not met, the prosecuting agency may nevertheless provide victim assistance to the person, including support with pursuing restorative justice.

**Status:** Chapter 825, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (39 - 0)
Assembly Floor - (73 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	

**AB-2483 (Ting) - Postconviction proceedings.**

(Amends Section 1213 of, and to add Section 1171 to, the Penal Code.)

Existing law authorizes a court to resentence a defendant under specified circumstances, including, among others, when the person was convicted of specified crimes that have since been repealed or had their sentences reduced.

This bill requires the presiding judge of each county superior court to, on or before March 1, 2025, convene a meeting to develop a plan for fair and efficient handling of postconviction proceedings, as specified. The bill requires the presiding judge to invite to the meeting, among others, a representative from the district attorney, the public defender, and other entities that the presiding judge deems necessary in order to ensure timely and efficient postconviction proceedings. The bill requires postconviction proceedings, among other things, to include a consideration of whether or not to appoint counsel to represent the defendant and to allow the court to modify every aspect of the defendant’s sentence, including if it was imposed after a guilty plea, except as specified. By imposing additional duties on county public defenders.

This bill requires, upon request from the defendant, the district attorney of the county in which the defendant was sentenced, or the Attorney General if the Department of Justice originally prosecuted the case, the Department of Corrections and Rehabilitation to provide to the requesting party specified records, including disciplinary records, as specified. The bill requires the department to designate a person for each prison as a point of contact for records, transportation, or inquiries pursuant to these provisions. The bill requires the department to regularly maintain a public directory of each designated person.

Existing law, when a probationary order or a judgment has been pronounced, requires that a copy of that order or judgment be sent to the officer whose duty it is to execute the order or judgment, as specified.

This bill, when a person has been resentenced and there is a reasonable basis to believe the remaining time in custody is less than 30 days, requires that copy to be furnished to the executing officer within 24 hours.

**Status:** Chapter 964, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 1)

Assembly Floor - (64 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (26 - 9)

Senate Appropriations - (5 - 1)

Senate Public Safety - (4 - 0)

**[AB-2521 \(Waldron\) - Criminal procedure: confidentiality and DNA testing.](#)**

(Amends Sections 987.9 and 1405 of the Penal Code.)

Existing law, in the trial of a capital case or specified murder cases, authorizes an indigent defendant, through the defendant's counsel, to request the court for funds for the specific payment of investigators, experts, and others for preparation or presentation of the defense. Existing law requires the fact that an application has been made to be confidential and the contents of the application to be confidential. Existing law provides that this confidentiality does not preclude any court from providing the Attorney General with access to documents protected by these provisions when the defendant raises an issue on appeal or collateral review where the recorded portion of the record relates to the issue raised.

This bill, instead, provides that this confidentiality does not preclude any court from providing the prosecuting agency representing the state in the proceeding with that access.

Existing law authorizes a person who was convicted of a felony and is currently serving a term of imprisonment to make a written motion for performance of forensics deoxyribonucleic acid (DNA) testing.

Existing law requires the DNA testing, if granted by the court, to be conducted by a laboratory that is mutually agreed upon by the district attorney in a noncapital case, and the Attorney General in a capital case, and the person filing the motion, as specified.

This bill requires that DNA testing to be conducted by a laboratory that is mutually agreed upon by the district attorney or Attorney General and the person filing the motion, regardless of the type of case.

**Status:** Chapter 153, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)

Senate Floor - (40 - 0)

Assembly Public Safety - (8 - 0)

Senate Public Safety - (5 - 0)

**[AB-2629 \(Haney\) - Firearms: prohibited persons.](#)**

(Amends, repeals, and adds Section 8103 of the Welfare and Institutions Code.)

Existing law prohibits certain persons who have been the subject of specified mental health determinations, including having been placed under conservatorship by a court, having been found mentally incompetent to stand trial, having been found not guilty of specified crimes due to reason of insanity, having been adjudicated by a court to be a danger to others as a result of a mental disorder or mental illness, or having been adjudicated to be a mentally disordered sex offender, from possessing or receiving a firearm, as specified. Existing law removes this prohibition from a person who was found mentally incompetent to stand trial but is subsequently restored to competence, as specified.

This bill, commencing on September 1, 2025, specifies that this prohibition also applies to persons found mentally incompetent to stand trial in a postrelease community supervision or parole revocation hearing.

**Status:** Chapter 527, Statutes of 2024

**Legislative History:**

Assembly Floor - (68 - 0)

Senate Floor - (39 - 1)

Assembly Floor - (58 - 2)

Senate Appropriations - (7 - 0)

Assembly Floor - (72 - 0)

Senate Public Safety - (5 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

**AB-2943 (Zbur) - Crimes: shoplifting.**

(Amends Sections 487, 836, 853.6, and 1001.82 of, and adds Sections 372.7, 496.6, and 1203g to, the Penal Code.)

(1) Existing law divides theft into grand theft and petty theft. Existing law punishes petty theft as a misdemeanor while grand theft is punished as either a misdemeanor or a felony. Existing law lists specific types of theft which are grand theft and all other cases of theft as petty theft. Existing law authorizes a person to be charged with grand theft if the property taken exceeds \$950 over the course of distinct but related acts.

This bill clarifies that those related acts include acts committed against multiple victims or in counties other than the county of the current offense. The bill also clarifies that evidence that distinct acts are motivated by one intention, one general impulse, and one plan may include, but is not limited to, evidence that the acts involve the same defendant or defendants, are substantially similar in nature, or occur within a 90-day period.

(2) Existing law prohibits the possession or receipt of stolen property, as specified. A violation of this prohibition is punishable as either a misdemeanor or a felony, depending on the value of the property and whether the offender has certain prior convictions.

This bill makes it a crime for any person to possess property unlawfully that was acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property is not possessed for personal use and the person has intent to sell, exchange, or return the merchandise for value, or the intent to act in concert with one or more persons to sell, exchange, or return the merchandise for value, and the value of the possessed property exceeds \$950.

The bill, for the purpose of determining the value of the property, aggregates the property with any other property possessed by the person with that intent within the prior 2 years and with any property possessed by another person acting in concert with the first person to sell, exchange, or return the merchandise for value, if that property was also acquired unlawfully. The bill makes this crime punishable as a misdemeanor or a felony.

(3) Existing law prohibits shoplifting, defined as entering a commercial establishment with intent to commit theft while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed \$950. Existing law requires an act that falls within this definition to be charged as shoplifting and not as burglary or theft. Under existing law, shoplifting is punishable as a misdemeanor, except when the defendant has prior convictions, as specified.



Existing law authorizes a peace officer to make a warrantless arrest for a misdemeanor when the officer has probable cause to believe the person to be arrested has committed the misdemeanor in the officer's presence. Existing law also authorizes a private person to make an arrest for a misdemeanor committed in their presence, and requires the person to deliver the arrested person to a peace officer or magistrate. Existing law additionally authorizes a merchant to detain a person for a reasonable time and in a reasonable manner to determine if a person has unlawfully taken merchandise.

Existing law authorizes a peace officer to make a warrantless arrest for specified misdemeanors relating to domestic violence, violation of a restraining order, and carrying a concealed firearm at an airport that did not occur in the officer's presence.

This bill authorizes a peace officer to make a warrantless arrest for a misdemeanor shoplifting offense not committed in the officer's presence if the officer has probable cause to believe that person has committed shoplifting, as specified.

The bill clarifies that local law enforcement or a local jurisdiction is prohibited from bringing a nuisance action against a business solely for the act of reporting retail crime, unless the report is knowingly false.

(4) Existing law requires a peace officer to release upon a signed promise to appear any person arrested for a misdemeanor, unless the person demands to be taken before a magistrate. Existing law provides certain reasons a person arrested for a misdemeanor shall not be released including that the person is intoxicated or in need of medical attention, the person is unable to provide satisfactory proof of identification, or there are outstanding arrest warrants for the person. Additionally, existing law exempts from this provision persons arrested for specified crimes including domestic violence, stalking, threatening a witness, and, until January 1, 2026, organized retail theft.

This bill extends that exemption for organized retail theft until January 1, 2031.

(5) Existing law, until January 1, 2026, authorizes a city or county prosecuting authority 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.

This bill extends that authorization until January 1, 2031.

(6) Existing law authorizes the court to suspend a criminal sentence and make and enforce terms of probation for a period not to exceed 2 years, and in misdemeanor cases, for a period not to exceed one year. Existing law authorizes the court to make and enforce the terms of probation for specified theft cases for a period not to exceed 3 years.

This bill, for an offense of shoplifting or petty theft, authorizes the court to make and enforce the terms of probation for a period not to exceed 2 years. The bill requires a court that imposes a term longer than one year to consider referring the defendant to a collaborative court or rehabilitation program that is relevant to the underlying factor or factors that led to the commission of the offense, as specified. For a defendant under 25 years of age, the bill requires the court, to the extent such a program is available, to refer the defendant to a program modeled on healing-centered, restorative, trauma-informed, and positive youth development approaches that is provided in collaboration with community-based organizations

**Status:** Chapter 168, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 4)

Assembly Floor - (66 - 0)

Assembly Appropriations - (10 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (36 - 1)

Senate Appropriations - (1 - 3)

Senate Appropriations - (5 - 0)

Senate Public Safety - (4 - 0)

**[AB-2984 \(Gipson\) - Fleeing the scene of an accident.](#)**

(Amends Section 803 of the Penal Code.)

Existing law requires the driver of a vehicle involved in an accident resulting in injury to a person, other than that driver, or in the death of a person to immediately stop the vehicle at the scene of the accident and provide specified personal information to the injured person or the occupants of the other vehicle and to any traffic or police officer at the scene of the accident. Under existing law, if a vehicle accident results in permanent, serious injury or death, a person who violates the requirement to stop is subject to punishment by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not less than 90 days nor more than one year, or by a specified fine, or both the imprisonment and fine.

Existing law prescribes the time after the commission of a crime in which a criminal action is required to be commenced, referred to as a statute of limitation. If a person flees the scene of an accident that caused death or permanent, serious injury, existing law prohibits a criminal complaint from being filed after 6 years after the commission of the offense, as specified.

If a person is out of the state for the purpose of evading prosecution after committing this crime, this bill allows the statute of limitations to be tolled for up to 3 years during any time the person is out of the state.

**Status:** Chapter 750, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (10 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-2985 (Hart) - Courts: mental health advisement.**

(Adds Section 242 to the Code of Civil Procedure.)

The Trial Jury Selection and Management Act requires all persons be selected for jury service at random, from a source or sources inclusive of a representative cross section of the population of the area served by the court. Existing law requires the court, in a criminal jury trial, to conduct an initial examination of prospective jurors.

This bill requires the court, in a criminal action or proceeding alleging a violent felony, as defined, after the receipt of a verdict or where a jury did not render a verdict, but before discharging the jury, to provide written information to the trial jurors, and distribute, in a manner determined by the court, information to the discharged alternate jurors, about mental health awareness, including information about stress relief and symptoms that may be experienced following exposure to trauma. The bill would authorize the court to provide this information to jurors or alternate jurors in other criminal proceedings. The bill requires the Judicial Council to develop the written educational information that the court is required to print and distribute, as specified.

**Status:** Chapter 204, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Judiciary - (12 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Sen Public Safety - (5 - 0)

**AB-3077 (Hart) - Criminal procedure: borderline personality disorder.**

(Amend Section 1385 of the Penal Code, and to amend Sections 4336 and 4361 of the Welfare and Institutions Code, relating to criminal procedure.)

Existing law prohibits a person from being tried for a criminal offense while they are mentally incompetent. Existing law prescribes the procedure for a person found to be mentally incompetent to be restored to competence. Existing law creates the Mental Health Diversion Fund to be used for the purpose of supporting county activities that will divert individuals with serious mental illnesses away from the criminal justice system and lead to a reduction of felony incompetent to stand trial determinations. Existing law describes the target population for mental health diversion as individuals diagnosed with a mental disorder, as specified, excluding antisocial personality disorder, borderline personality disorder, and pedophilia.

This bill would have removed borderline personality disorder as an exclusion for pretrial diversion.

Existing law generally authorizes a court to dismiss an action or to strike or dismiss an enhancement in the furtherance of justice. Existing law requires a court to dismiss an enhancement if it is in the furtherance of justice to do so, except if dismissal of that enhancement is prohibited by any initiative statute. Existing law requires the court to consider and afford great weight to evidence offered by the defendant to prove that specified mitigating circumstances are present, including when the offense is connected to a mental illness, as specified, excluding antisocial personality disorder, borderline personality disorder, and pedophilia.

This bill would have removed borderline personality disorder as an exclusion for the purposes of the court's evaluation of mitigating circumstances under this provision

**Status: VETOED**

**Legislative History:**

Assembly Floor - (62 - 10)

Assembly Floor - (63 - 7)

Assembly Appropriations - (11 - 4)

Assembly Public Safety - (6 - 0)

Senate Floor - (29 - 11)

Senate Public Safety - (4 - 1)

## **Governor's Veto Message:**

I am returning Assembly Bill 3077 without my signature.

This bill would remove borderline personality disorder (BPD) as an exclusionary diagnosis for Department of State Hospital (DSH)-funded mental health diversion programs for defendants found incompetent to stand trial on felony charges.

In partnership with the Legislature, my administration has implemented significant investments to support diversion programs, community-based treatment, and timely access to treatment - all with the goal of destigmatizing behavioral health diagnoses and making services more readily accessible and affordable. Last year, I was proud to sign AB 1412 (Hart, 2023), which removed BPD as an exclusionary diagnosis for pretrial diversion. However, there are important differences between the two bills.

This bill matches individuals with BPD found incompetent to stand trial with DSH mental health diversion programs. Individuals with BPD have rarely been found incompetent to stand trial. I am concerned that this bill may have the unintended effect of expanding the waitlist for DSH services by increasing incentives to pursue incompetent to stand trial referrals for individuals with BPD in order to access state-funded diversion programs. Expanding the waitlist for DSH services could cause the department to violate court orders governing how quickly individuals must be admitted to state facilities for treatment, an unacceptable risk.

Further, this bill creates significant ongoing General Fund obligations not included in the 2024 Budget. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

## **[AB-3209 \(Berman\) - Crimes: theft: retail theft restraining orders.](#)**

(Amends Section 6380 of the Family Code, and to add Section 490.8 to the Penal Code.)

Existing law prohibits the theft of merchandise from a retail establishment. Existing law authorizes a court, upon sentencing a person for specified offenses, including stalking and elder abuse, to issue a criminal protective order prohibiting the person from contacting any victim of their offense.

This bill authorizes a court, when sentencing a person for an offense involving theft from a retail establishment, vandalism of a retail establishment, or battery of an employee of a retail establishment, to issue a criminal protective order prohibiting a person from entering the retail establishment, including any parking lots and including other franchise or chain locations of the retail establishment, as specified.

The bill also authorizes a prosecuting attorney, city attorney, county counsel, or attorney representing a retail establishment to file a petition for the issuance of a criminal protective order of this type against a person who has been arrested, including, but not limited to, the issuance of a citation in lieu of a custodial arrest, 2 or more times for any of the offenses at the same retail establishment, as specified. The bill also makes conforming changes.

The bill makes a violation of these orders punishable as a misdemeanor.

Existing law requires a person arrested for a misdemeanor to be issued a written notice to appear and to be released upon their signed promise to appear, except as otherwise provided.

This bill exempts a violation of a retail establishment restraining order from that requirement.

**Status:** Chapter 169, Statutes of 2024

**Legislative History:**

Assembly Floor - (69 - 5)

Assembly Floor - (68 - 1)

Assembly Appropriations - (10 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Sen Appropriations - (2 - 3)

Sen Appropriations - (5 - 0)

Sen Public Safety - (4 - 0)

## **Death Penalty**

### **[SB-1001 \(Skinner\) - Death penalty: intellectually disabled persons.](#)**

(Amend Section 1376 of the Penal Code.)

Existing case law holds that execution of a “mentally retarded” person constitutes cruel and unusual punishment under the United States Constitution, rendering an individual with mental retardation ineligible for the death penalty. Existing law authorizes a defendant to apply, prior to the commencement of trial, for an order directing that a hearing to determine intellectual disability be conducted when the prosecution in a criminal case seeks the death penalty. Existing law defines “intellectual disability” for these purposes as the condition of significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive

behavior and manifested before the end of the developmental period, as defined by clinical standards. Existing law requires the court to order a hearing to determine whether the defendant has an intellectual disability upon the submission of a declaration by a qualified expert stating the expert's opinion that the defendant is a person with an intellectual disability. Existing law requires a court to impanel a new jury to try the issue of intellectual disability if a jury panel was unable to reach a unanimous verdict that the defendant is a person with an intellectual disability.

This bill defines "manifested before the end of the developmental period" to mean that the deficits were present during the development period, and does not require a formal diagnosis, or tests of intellectual functioning in the intellectual disability range, before the end of the developmental period. The bill codifies case law by specifying that individuals with an intellectual disability are ineligible for the death penalty. The bill specifies that the question of intellectual disability is a question of fact that may be stipulated to by the parties, and would require the court to accept the stipulation, unless the court finds that the stipulation is not supported by documentary evidence that provides a factual basis for concluding by a preponderance of the evidence that the person has an intellectual disability. The bill requires the court to state its factual and legal rationale for declining to accept a stipulation of the parties.

This bill authorizes the court to order a defendant or petitioner to submit to testing by a qualified prosecution expert only if the prosecution presents a reasonable factual basis that the intellectual functioning testing presented by the defendant or petitioner is unreliable. If the court enters an order for the defendant or petitioner to submit to testing, the bill requires the prosecution to submit a proposed list of the tests its expert wishes to administer so that the defendant or petitioner may raise any objections before testing is ordered.

The bill requires the court, in the event that a jury is unable to reach a unanimous verdict as to whether the defendant is a person with an intellectual disability, to enter a finding that the defendant is ineligible for the death penalty.

**Status:** Chapter 908, Statutes of 2024

**Legislative History:**

Assembly Floor - (57 - 12)

Assembly Public Safety - (6 - 1)

Senate Floor - (30 - 9)

Senate Floor - (28 - 8)

Senate Public Safety - (4 - 0)

# **Domestic Violence**

## **SB-690 (Rubio) - Domestic violence.**

(Amends Section 803.7 of the Penal Code.)

Existing law makes the infliction of corporal injury resulting in a traumatic condition upon specified victims, including the offender's spouse or former spouse, punishable by imprisonment in the state prison for 2, 3, or 4 years, or in a county jail for not more than one year, or a fine of up to \$6,000, or by both that fine and imprisonment. Existing law authorizes prosecution for that criminal act to be commenced within 5 years, and applies this provision to criminal acts that are committed on or after January 1, 2020, and to criminal acts for which the statute of limitations that was in effect prior to January 1, 2020, has not run as of January 1, 2020.

This bill authorizes prosecution for that crime to be commenced within 7 years. The bill applies to crimes that are committed on or after January 1, 2025, and to crimes for which the statute of limitations that was in effect prior to January 1, 2025, has not run as of January 1, 2025.

**Status:** Chapter 653, Statutes of 2024

### **Legislative History:**

Assembly Floor - (77 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (6 - 0)

Senate Public Safety - (5 - 0)

## **SB-989 (Ashby) - Domestic violence: deaths.**

(Amends Section 129 of the Code of Civil Procedure, amends Section 27491 of the Government Code, and amends Section 13519 of, and adds Section 679.07 to, the Penal Code.)

Existing law generally prohibits a copy, reproduction, or facsimile of any kind of a photograph, negative, or print, including instant photographs and video recordings, of the body, or any portion of the body, of a deceased person, taken by or for the coroner at the scene of death or in the course of a postmortem examination or autopsy, from being made or disseminated. Existing law authorizes the use of a copy, reproduction, or facsimile described above in specified circumstances, including for use in a potential civil action if the coroner receives



written authorization from a legal heir or representative of that person before the civil action is filed or while the action is pending. Existing law requires the identity of the legal heir to be verified by, including other things, a declaration under the penalty of perjury that the individual is a legal heir or representative of the deceased person.

This bill additionally authorizes a family member of the deceased, as defined, to provide the coroner with written authorization for use or potential use of a copy, reproduction, or facsimile described above in a civil action or proceeding that relates to the death of that person, and requires the identity of the family member to be verified as described above.

Existing law requires the coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, including all known or suspected homicides, suicides, or accidental poisonings.

This bill specifies the above-described suicides to include suicides where the deceased has a history of being victimized by domestic violence, and authorizes the coroner, if the circumstances surrounding a death known or suspected as due to suicide afford a reasonable basis to suspect that the death was caused by or related to the domestic violence of another, to conduct the inquiry in consultation with a board-certified forensic pathologist, as specified.

Existing law requires a coroner to investigate deaths that occurred under specified conditions, including without medical attendance, to ascertain as many of the facts as possible. Existing law makes willful infliction of corporal injury resulting in a traumatic condition on specified persons, such as a spouse, former spouse, or someone with whom an individual has or had a dating relationship, among others, a crime and provides enhanced resources for the prosecution of those crimes.

This bill requires law enforcement officers, prior to making findings as to the manner and cause of death of a deceased individual with an identifiable history of being victimized by domestic violence and under specified conditions, to interview family members of the decedent, as specified. The bill also authorizes a law enforcement officer to request a complete autopsy be conducted in a case where they determine that the decedent had an identifiable history of being victimized by domestic violence, as defined, and specified conditions are present, including that the decedent died prematurely. The bill additionally requires sworn law enforcement personnel investigating a case where the decedent had an identifiable history of being victimized by domestic violence be current on their training related to domestic violence incidents.

Existing law requires the Commission on Peace Officer Standards and Training (POST) to implement a course or courses of instruction and guidelines for law enforcement response to domestic violence, and requires the course of basic training to include adequate instruction in specified procedures and techniques, including techniques for handling incidents of domestic

violence that minimize the likelihood of injury to the officer and that promote the safety of the victim. Existing law requires the guidelines for law enforcement response to incorporate those procedures and techniques.

This bill requires the guidelines for law enforcement under the above-described provisions to include specified indicators of domestic homicide in suspicious death cases and the identification and detection of staged crime scenes.

**Status:** Chapter 654, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)	Senate Floor - (39 - 0)
Assembly Appropriations - (14 - 0)	Senate Floor - (36 - 0)
Assembly Judiciary - (11 - 0)	Senate Appropriations - (6 - 0)
Assembly Public Safety - (7 - 0)	Senate Judiciary - (11 - 0)
	Senate Public Safety - (5 - 0)

**[AB-2308 \(Davies\) - Domestic violence: protective orders.](#)**

(Amend Section 273.5 of the Penal Code.)

Existing law requires a court to consider issuing a protective order restraining the defendant from contact with the victim for up to 10 years in all cases in which a criminal defendant has been convicted of certain acts of domestic violence. A violation of a protective order is punishable as contempt, a misdemeanor.

This bill authorizes a court to issue a protective order for up to 15 years. The bill authorizes the issuing court, upon a written petition by the prosecuting attorney, defendant, or victim, to modify or terminate the protective order for good cause if the parties receive notice at least 15 days before the hearing on the petition.

**Status:** Chapter 649, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (67 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	

## **AB-2759 (Petrie-Norris) - Domestic violence protective orders: possession of a firearm.**

(Amends Section 6389 of the Family Code.)

Existing law prohibits a person subject to a protective order, as defined, from owning, possessing, purchasing, or receiving a firearm or ammunition while that protective order is in effect and makes a willful and knowing violation of a protective order a crime. Existing law also requires the court, when issuing the order with both parties present, to inform the parties of this information and to order the restrained person to relinquish any firearm or ammunition in the person's immediate possession or control or subject to their immediate possession or control. Additionally, existing law specifies the means of relinquishment if the law enforcement officer serving the protective order does not request the immediate surrender of the firearm or ammunition, including, surrender to law enforcement, or by selling the firearm or ammunition to a licensed gun dealer.

Existing law requires a court to order the restrained person to relinquish firearms or ammunition and to notify the parties of how any firearms or ammunition still in the restrained party's possession are to be relinquished and how to submit a receipt to the court, and authorizes the court to grant an exemption from the relinquishment order for a particular firearm or ammunition if the respondent can show that the firearm or ammunition is a necessary condition of continued employment and the person cannot be reassigned, as specified, and only authorizes possession on the job or traveling to and from employment. If the person is a peace officer who carries a firearm or ammunition as a condition of employment and the peace officer's personal safety depends on the ability to carry a firearm or ammunition, the court may exempt them from the relinquishment order, on duty or off, if the court finds that the peace officer does not pose a threat of harm. Existing law requires, prior to making this finding, that the court require a mandatory psychological evaluation of the peace officer and authorizes the court to require the peace officer to enter into counseling or other remedial treatment program to deal with any propensity for domestic violence.

This bill revises the peace officer exemption to authorize a court to allow a peace officer to carry a specific firearm, ammunition, or firearm and ammunition if the peace officer is required, as a condition of continued employment, to carry that firearm, ammunition, or firearm and ammunition, as specified, if they cannot be reassigned, and if the court finds by a preponderance of the evidence, in writing or on the record, that the peace officer's personal safety depends on the ability to carry that specific firearm, ammunition, or firearm and ammunition outside of scheduled work hours and they do not pose an additional threat of harm to a protected party or the public, as specified. The bill requires the mandatory psychological evaluation of the peace officer to be conducted by a mental health professional with domestic violence expertise and would require the court to consider the results of that evaluation.

Moreover, this bill authorizes an exemption from the relinquishment requirement, only during scheduled working hours, for a nonpeace officer who is required to carry a specific firearm, ammunition, or firearm and ammunition as a condition of continued employment, as specified, if the court finds by a preponderance of the evidence, in writing or on the record, that the respondent does not pose an additional threat of harm to a protected party or the public by having access to the specific firearm, ammunition, or firearm and ammunition. The bill authorizes the court to order a psychological evaluation by a licensed mental health professional with domestic violence expertise to make this finding. Finally, the bill requires the court, if an exemption is granted during the pendency of a temporary restraining order and the court subsequently issues a restraining order on the same application, to review and make a finding regarding the appropriateness of the granted exemption, as provided.

**Status:** Chapter 535, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (72 - 0)

Assembly Judiciary - (12 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Floor - (40 - 0)

Senate Judiciary - (10 - 0)

Senate Public Safety - (5 - 0)

**[AB-2822 \(Gabriel\) - Domestic violence.](#)**

(Amend Section 13730 of the Penal Code.)

Existing law requires every law enforcement agency to develop, adopt, and implement written policies and standards for officers' responses to domestic violence calls. Existing law requires each law enforcement agency to develop an incident report form that includes, among other things, a notation of whether the officer or officers who responded to the domestic violence call found it necessary, for the protection of the peace officer or other persons present, to inquire of the victim, the alleged abuser, or both, whether a firearm or other deadly weapon was present at the location, and, if there is an inquiry, whether that inquiry disclosed the presence of a firearm or other deadly weapon.

This bill additionally requires a law enforcement agency to include in the incident report form a space for officers to document whether a firearm or deadly weapon was removed from the location of the domestic violence call.

**Status:** Chapter 536, Statutes of 2024

**Legislative History:**

Assembly Floor - (62 - 0)

Assembly Floor - (75 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Public Safety - (4 - 0)

**[AB-3083 \(Lackey\) - Domestic violence: protective orders: background checks.](#)**

(Amends Section 6306 of the Family Code, and repeals Section 4 of Chapter 765 of the Statutes of 2012.)

Existing law, the Domestic Violence Prevention Act, requires the court, before a hearing on the issuance or denial of a protective order, to ensure that a search of specified records and databases is or has been made to determine if the proposed subject of the order has, among other things, a registered firearm. Existing law also limits the implementation of the registered firearm search requirement to courts identified by the Judicial Council as having resources currently available for those purposes. Existing law further limits the implementation of the registered firearm search requirement in other courts to the extent that funds are appropriated for those purposes in the annual Budget Act.

This bill instead requires the court to determine if the subject of the proposed order owns or possesses a firearm as reflected in the Department of Justice Automated Firearms System, and repeals the limitation on the firearm search requirement, thereby extending the firearm search requirement to all courts.

**Status:** Chapter 541, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Assembly Judiciary - (12 - 0)

Senate Floor - (38 - 0)

Senate Public Safety - (5 - 0)

Senate Judiciary - (10 - 0)

# **Fines and Penalty Assessments**

## **[AB-3042 \(Stephanie Nguyen\) - County penalties.](#)**

(Amend Section 76104.6 of the Government Code.)

Existing law, as amended by the DNA Fingerprint, Unsolved Crime and Innocence Protection Act, Proposition 69, approved by the voters at the November 2, 2004, statewide general election, requires an additional penalty of \$1 for every \$10 or part thereof to be levied in each county upon every fine, penalty, or forfeiture imposed and collected by the courts for all criminal offenses, as specified. The act requires the county board of supervisors to establish in the county treasury a DNA Identification Fund, into which the collected penalties are to be deposited. The act specifies the purposes for which funds in the county's DNA Identification Fund may be used, including to reimburse local sheriff, police, district attorney, and regional state crime laboratories for expenditures and administrative costs made or incurred in connection with the processing, analysis, tracking, and storage of DNA crime scene samples, as specified. The act provides for its amendment by the Legislature if the amendments further the act and are consistent with its purposes to enhance the use of DNA identification evidence for the purpose of accurate and expeditious crime solving and exonerating the innocent. Existing law requires that the funds deposited, along with any interest accrued, is to be held by the county treasurer separate from any funds subject to transfer or division, as specified. Under existing law, deposits to the fund may continue through and including the 20th year after the initial calendar year when the surcharge is collected or longer if necessary to make payments on any lease or leaseback arrangement utilized to finance any of the specified projects. This bill authorizes deposits to the fund through and including January 1, 2028, or longer if necessary to make payments on any lease or leaseback arrangement utilized to finance any of the specified projects.

**Status:** Chapter 428, Statutes of 2024

### **Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

# **Firearms and Dangerous Weapons**

## **SB-53 (Portantino) - Firearms: storage.**

(Amends, repeals, and adds Sections 17060, 25100, 25105, 25135, 25205, 27882, and 27883 of, and adds Sections 16745 and 25145 to, the Penal Code.)

Existing law generally regulates the possession of firearms, including imposing storage requirements to prevent children from gaining access to firearms. Specifically, existing law makes it a misdemeanor or a felony if a person keeps a firearm within any premises that are under the person's custody or control and the person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and causes injury, other than great bodily injury, or death or great bodily injury to the child or any other person, or carries that firearm off-premises, as defined, to a public place or a school. However, existing law exempts a person from the above storage provisions if the person has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises.

This bill, beginning on January 1, 2026, requires a person who possesses a firearm in a residence to keep the firearm securely stored when the firearm is not being carried or readily controlled by the person or another lawful authorized user. For purposes of these provisions, a firearm is securely stored if the firearm is maintained within, locked by, or disabled using a certified firearm safety device or secure gun safe that meets specified standards. The bill makes a first and 2nd violation of this offense punishable as an infraction, and a 3rd or subsequent violation punishable as a misdemeanor. The bill exempts unloaded antique firearms, as defined, or firearms that are permanently inoperable from these provisions, and requires the Department of Justice to seek to inform residents about these standards for storage of firearms. Further, the bill removes exemptions to existing child access prohibitions for individuals who have no reasonable expectation that a child is likely to be present on premises.

**Status:** Chapter 542, Statutes of 2024

### **Legislative History:**

Assembly Floor - (51 - 18)

Assembly Floor - (40 - 16)

Assembly Appropriations - (11 - 3)

Assembly Public Safety - (6 - 2)

Senate Floor - (29 - 11)

Senate Floor - (27 - 9)

Senate Appropriations - (4 - 2)

Senate Public Safety - (4 - 1)

## **SB-758 (Umberg) - Firearms.**

(Amends Sections 27520 and 27590 of the Penal Code.)

Existing law makes it a crime to acquire a firearm with the intent to transfer the firearm to a minor or to evade specified requirements on the transfer of firearms.

This bill expands that crime to apply to firearms brought into the state with that intent.

Existing law generally makes the violation of laws relating to the illegal transfer of a firearm a misdemeanor, except that the illegal transfer of a handgun to a minor or the illegal transfer of a handgun without conducting the transaction through a firearms dealer may be punished as a felony. Existing law also allows a dealer transaction involving a handgun to be punished as a felony if the dealer delivers the handgun sooner than 10 days from the date of purchase, is not presented with clear evidence of the transferee's identity and age, transfers the firearm after being notified that the transferee is prohibited from possessing a firearm, transfers a handgun to a person who does not present a handgun safety certificate, or delivers a handgun to a person who has made another application to purchase a handgun within the preceding 30 days.

This bill allows those illegal firearms transactions to be prosecuted as felonies if they involve a centerfire semiautomatic rifle.

**Status:** Chapter 543, Statutes of 2024

### **Legislative History:**

Assembly Floor - (71 - 0)

Assembly Appropriations - (12 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (31 - 8)

Senate Floor - (30 - 6)

Senate Appropriations - (5 - 1)

Senate Public Safety - (4 - 0)



### **SB-899 (Skinner) - Protective orders: firearms.**

(Amends, repeals, and adds Section 527.9 of, and adds Sections 527.11 and 527.12 to, the Code of Civil Procedure, amends, repeals, and adds Sections 3044 and 6389 of the Family Code, and amends, repeals and adds Sections 1524, 11108.2, 18120, 25555, 26379, 26405, 26540, 28100, 29810, 29830, and 30342 of, and adds Section 18120.5 to, the Penal Code.)

Existing law prohibits a person subject to specified protective orders from owning a firearm or ammunition. Existing law requires a person subject to those orders to relinquish any firearms or ammunition they own.

Commencing January 1, 2026, this bill requires the court, when issuing those orders, to provide the person subject to the order with information on how any firearms or ammunition still in their possession are to be relinquished, as specified. The bill requires the court to review the file to determine whether the receipt has been filed and inquire as to whether the person has complied with the requirement. The bill requires violations of the firearms or ammunition prohibition to be reported to the prosecuting attorney in the jurisdiction where the order has been issued within 2 business days of the court hearing unless the restrained party provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk of the court.

Commencing January 1, 2026, this bill also requires the court, at a noticed hearing relating to these orders, to consider information presented that the restrained person has possession or control of a firearm or ammunition. The bill authorizes the court, upon making this finding, to set a review hearing, as specified, to determine whether the person has possession or control of a firearm or ammunition in violation of the above provisions.

Existing law requires specified protective orders related to domestic violence to be served on the respondent at the request of the petitioner, whether or not the respondent has been taken into custody, by a law enforcement officer who is present at the scene of reported domestic violence involving the parties to the proceeding or who receives a request from the petitioner to provide service of the order. Existing law requires the petitioner to provide the officer with an endorsed copy of the order and proof of service that the officer is then required to complete and transmit to the issuing court, as specified. If the law enforcement officer determines that a protective order has been issued but not served, existing law requires the office to immediately notify the respondent of the terms of the order and where a written copy of the order can be obtained, and to enforce the order at that time. Existing law prohibits a fee from being charged to the petitioner for service of those orders.

Commencing January 1, 2026, this bill similarly requires a peace officer, as defined, upon the request of a petitioner, to serve and enforce specified protective orders related to, among other things, elder or dependent adult abuse, harassment, workplace violence, or violence in postsecondary educational institutions, on a respondent, whether or not the respondent has been taken into custody. The bill similarly prohibits the imposition of a fee on a petitioner for service of these orders.

Existing law requires a family court to determine the best interest of the child for purposes of deciding child custody in proceedings for dissolution of marriage, nullity of marriage, legal separation of the parties, petitions for exclusive custody of a child, and proceedings under the Domestic Violence Prevention Act. Existing law establishes a rebuttable presumption that an award of sole or joint physical or legal custody of a child to a person who has perpetrated domestic violence is detrimental to the best interest of a child and establishes factors to be considered in rebutting that presumption, including that the perpetrator is restrained by a domestic violence prevention order and has, or has not, complied with that order.

Commencing January 1, 2026, this bill additionally establishes, as a factor to be considered, whether the perpetrator is restrained by any other protective order and has, or has not, complied with that order.

Commencing January 1, 2026, this bill, for specified protective orders if the respondent declines to relinquish possession of a firearm or ammunition based on the assertion of the right against self-incrimination, authorizes the court to grant use immunity for the relinquishment of the firearm.

Existing law authorizes the court, as part of a relinquishment order, to grant an exemption from certain relinquishment requirements if the respondent can show that a firearm is necessary as a condition of continued employment and their employer is unable to reassign the respondent to a position where the firearm is unnecessary.

Commencing January 1, 2026, this bill revises the relinquishment process and would instead authorize the court to grant an exemption if the respondent is not precluded from owning, possessing, controlling, or purchasing a firearm and ammunition under state or federal law and specified conditions, depending on whether the respondent is a peace officer, are met.

Existing law allows a search warrant to be issued upon probable cause, supported by affidavit, naming or describing the person to be searched or searched for, and particularly describing the property, thing, or things and the place to be searched. Existing law also specifies the grounds upon which a search warrant may be issued, including, among other grounds, that the

property or things to be seized include a firearm that is owned by, or in the possession of, or in the custody or control of, a person prohibited from owning that firearm due to a domestic violence restraining order, as specified.

Commencing January 1, 2026, this bill additionally allows a search warrant to be issued for, among other things, ammunition that a person is prohibited from owning due to a domestic violence restraining order, and for a firearm or ammunition that a person is prohibited from owning due to other specified temporary restraining orders or injunctions.

Existing law, the Safety for All Act of 2016, approved by the voters as Proposition 63 at the November 8, 2016, statewide general election, requires any person selling specified amounts of ammunition to be licensed as an ammunition vendor. Existing law exempts specified transfers of ammunition from these provisions.

Proposition 63 allows its provisions to be amended by a vote of 55% of the Legislature so long as the amendments are consistent with, and further the intent of, the act.

This bill amends Proposition 63 to exempt the sale of ammunition to a licensed ammunition vendor by a person required to relinquish that ammunition due to specified protective orders.

**Status:** Chapter 544, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (40 - 0)
Assembly Appropriations - (11 - 0)	Senate Floor - (38 - 0)
Assembly Judiciary - (11 - 0)	Senate Appropriations - (7 - 0)
Assembly Public Safety - (7 - 0)	Senate Judiciary - (11 - 0)
	Senate Public Safety - (5 - 0)

**[SB-902 \(Roth\) - Firearms: public safety.](#)**

(Amend Section 29805 of the Penal Code.)

Existing law, subject to exceptions, provides that any person who has been convicted of certain misdemeanors may not, within 10 years of the conviction, own, purchase, receive, possess or have under their custody or control, any firearm and makes a violation of that prohibition punishable as a misdemeanor or a felony. Additionally, existing law, with certain exceptions, makes it a crime to maliciously and intentionally maim, mutilate, torture, wound, or kill a living animal.

This bill provides that any person convicted of a misdemeanor violation of the above-described crimes, on or after January 1, 2025, may not, within 10 years of the conviction, access a firearm as described above, and makes a violation of that prohibition a misdemeanor.

**Status:** Chapter 545, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (37 - 3)

Senate Floor - (36 - 1)

Senate Appropriations - (6 - 1)

Senate Public Safety - (5 - 0)

**SB-965 (Min) - Firearms.**

(Amend Section 11108.3 of the Penal Code.)

Existing law, commencing January 1, 2024, requires the Department of Justice to conduct inspections of specified licensed firearms dealers at least once every 3 years, to ensure compliance with applicable laws and regulations. Previous law authorized the department to conduct such inspections. Existing law requires the department to maintain specified records regarding these inspections and to make those records available upon request. Existing law also authorizes the department to inspect licensed ammunition vendors.

Existing law requires the department to maintain a list of all handguns that have been tested and certified not to be unsafe handguns, as defined. Existing law prohibits the sale of a handgun not on the roster, except as specifically exempted.

Existing law requires the department to annually prepare and submit a report to the Legislature analyzing and summarizing specified data received from law enforcement agencies regarding firearms that have been stolen, lost, found, or recovered, have been used in a crime or suspected of having been used in a crime, or are under observation. Existing law requires the department to make this report available to the public.

This bill requires the department to include in this report information about department staffing for conducting inspections of firearms dealers and ammunition vendors, detailed information about each such inspection conducted, including violations and the resolution of those violations, and specified information about the roster of handguns, including information about handguns added to, removed from, or denied addition to, the roster. The bill requires the report due on July 1, 2025, to include this data from January 1, 2020, to December 31, 2024, inclusive, and each annual report thereafter, to include the data from the previous year.

**Status:** Chapter 546, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**SB-1002 (Blakespear) - Firearms: prohibited persons.**

(Amends Section 1524 of the Penal Code, and amends Section 8103 of the Welfare and Institutions Code.)

Existing law prohibits a person who has been taken into custody, assessed, and admitted to a designated facility, or who has been certified for intensive treatment after having been admitted to a designated facility, because the person is a danger to themselves or others as a result of a mental health disorder, from owning a firearm, as specified. Existing law also prohibits a person who has been adjudicated to be a danger to others as a result of a mental disorder or mental illness, or who has been adjudicated to be a mentally disordered sex offender, a person who has been found not guilty by reason of insanity of committing specified crimes, a person found by a court to be mentally incompetent to stand trial, or a person who has been placed under conservatorship by a court because the person is gravely disabled as a result of a mental disorder or impairment by chronic alcoholism from purchasing or receiving, or attempting to purchase or receive, or having possession, custody, or control of a firearm or any other deadly weapon. A violation of these prohibitions is a crime.

This bill, among other things, expands these prohibitions to also prohibit the ownership, possession, custody, or control of ammunition. The bill requires a person subject to the prohibition because they are a danger to themselves or others as a result of a mental health disorder to relinquish a firearm, other deadly weapon, or ammunition they own, possess, or control within 72 hours of discharge from a facility, as specified, and requires a person subject to the prohibition because they are a person who has been adjudicated to be a danger to others as a result of a mental disorder or mental illness, or who has been adjudicated to be a mentally disordered sex offender, or a person who has been found not guilty by reason of insanity of committing specified crimes, to relinquish to law enforcement a firearm, other deadly weapon, or ammunition in their custody or control within 14 days of the court order finding the person to be a person as described.

Existing law allows a search warrant to be issued upon probable cause, supported by affidavit, naming or describing the person to be searched or searched for, and particularly describing the property, thing, or things and the place to be searched. Existing law also specifies the

grounds upon which a search warrant may be issued, including, among other grounds, when the property or things to be seized include a firearm or other deadly weapon that is owned by, in the possession of, or in the custody or control of specified individuals.

This bill additionally authorizes a search warrant to be issued on the grounds that the property to be seized includes ammunition and is owned by, in the possession of, or in the custody or control of specified individuals.

**Status:** Chapter 526, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Floor - (37 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**[SB-1019 \(Blakespear\) - Firearms: destruction.](#)**

(Amends Sections 18005 and 34000 of the Penal Code.)

Existing law requires the destruction of certain firearms, in the possession of a law enforcement agency that have been confiscated, seized, abandoned, unclaimed, or surrendered.

This bill specifies that destruction of a firearm means destroying the firearm in its entirety by smelting, shredding, crushing, or cutting all parts of the firearm, including any attachments. The bill also requires every law enforcement agency, as defined, to develop and maintain a written policy regarding the destruction of firearms and shall make that policy available on its internet website, and exempts from the requirements to destroy a weapon pursuant to the bill's provisions law enforcement agencies that have existing contracts prior to November 1, 2024, with another person or entity for the destruction of firearms if the law enforcement agency would have to breach its existing contract with the other person or entity.

Existing law requires certain officers who possess firearms that were exhibits in a criminal proceeding that were left unclaimed for at least 180 days to destroy the firearm, as specified.

This bill exempts from this requirement firearms that were stolen or used without the prior knowledge of their lawful owner and that are possessed by a public administrator, public guardian, or public conservator in the performance of their duties as the personal representative of a decedent's estate, or in the performance of the duties of a conservator or guardian over a person or their estate.

**Status:** Chapter 547, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 1)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (40 - 0)

Senate Floor - (37 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-1982 (Mathis) - Firearm safety certificate: exemptions.**

(Amends Section 31700 of the Penal Code.)

Existing law requires any person who purchases or receives a firearm to possess a firearm safety certificate, with specified exemptions, including active or honorably retired members of the armed forces, as specified, where individuals in those organizations are properly identified. Under existing law, proper identification includes the Armed Forces Identification Card or other written documentation certifying that the individual is an active or honorably retired member of the armed forces.

This bill additionally includes the Veteran Health Identification Card issued by the Department of Veterans Affairs as proper identification to qualify for the above firearm safety certificate exemption.

**Status:** Chapter 146, Statutes of 2024

**Legislative History:**

Assembly Floor - (74 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Military and Veterans Affairs - (5 - 0)

Senate Public Safety - (4 - 0)

**AB-2629 (Haney) - Firearms: prohibited persons.**

(Amends, repeals, and adds Section 8103 of the Welfare and Institutions Code.)

Existing law prohibits certain persons who have been the subject of specified mental health determinations, including having been placed under conservatorship by a court, having been found mentally incompetent to stand trial, having been found not guilty of specified crimes due to reason of insanity, having been adjudicated by a court to be a danger to others as a result of a mental disorder or mental illness, or having been adjudicated to be a mentally disordered sex offender, from possessing or receiving a firearm, as specified. Existing law removes this prohibition from a person who was found mentally incompetent to stand trial but is subsequently restored to competence, as specified.

This bill, commencing on September 1, 2025, specifies that this prohibition also applies to persons found mentally incompetent to stand trial in a postrelease community supervision or parole revocation hearing.

**Status:** Chapter 527, Statutes of 2024

**Legislative History:**

Assembly Floor - (68 - 0)	Senate Floor - (39 - 1)
Assembly Floor - (58 - 2)	Senate Appropriations - (7 - 0)
Assembly Floor - (72 - 0)	Senate Public Safety - (5 - 0)
Assembly Appropriations - (11 - 0)	
Assembly Public Safety - (8 - 0)	

**[AB-2681 \(Weber\) - Weapons: robotic devices.](#)**

(Add Section 18722 to the Penal Code.)

Existing law makes it a crime to possess a destructive device. Existing law makes it a felony to possess material with the intent to make a destructive device or explosive without obtaining a permit to do so.

This bill would have prohibited a person from manufacturing, modifying, selling, transferring, or operating a robotic device, as defined, that is equipped or mounted with a weapon, as specified. The bill would have made a violation punishable by a fine of at least \$100 but not more than \$2,000, but would have excluded certain entities from these provisions, including, among other entities, a defense industrial company, as defined, with respect to robotic devices that are within the scope of a contract the company has or is seeking with the United States Department of Defense, or a person building a robot for participation in a bonafide robot competition, as described.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (61 - 0)	Senate Floor - (39 - 0)
Assembly Floor - (71 - 0)	Senate Public Safety - (5 - 0)
Assembly Appropriations - (15 - 0)	
Assembly Privacy and Consumer Protection - (11 - 0)	
Assembly Public Safety - (8 - 0)	



**Governor's Veto Message:**

I am returning Assembly Bill 2681 without my signature.

This bill would make it an infraction to manufacture, modify, sell, transfer, or operate a robotic device equipped or mounted with a weapon.

I support the author's intent to prohibit the weaponization of an emerging technology and place common sense restrictions on potentially dangerous devices. However, this bill would also prohibit beneficial law enforcement use of such devices. For example, when confronted with armed and barricaded suspects, law enforcement agencies sometimes use remotely operated robots to deploy less-lethal force to drive these suspects into the open or protect officers from dangerous suspects.

**AB-2739 (Maienschein) - Firearms.**

(Amends Sections 18000 and 18005 of, and adds Article 6 (commencing with Section 26110) to Chapter 3 of, and Article 3 (commencing with Section 26395) to Chapter 6 of, Division 5 of Title 4 of Part 6 of, the Penal Code.)

Existing law prohibits the carrying of a concealed firearm, as specified and except as exempted. Under existing law, a handgun carried in violation of this provision is a nuisance and is subject to forfeiture and destruction, as specified. Existing law also prohibits carrying a loaded firearm in public, as specified and except as exempted, and openly carrying an unloaded handgun in public, as specified and except as exempted.

This bill deems any firearm carried in violation of the prohibitions against carrying a loaded firearm in public and openly carrying an unloaded handgun in public to be a nuisance and subject to forfeiture and destruction.

**Status:** Chapter 534, Statutes of 2024

**Legislative History:**

Assembly Floor - (66 - 3)

Assembly Floor - (63 - 0)

Assembly Appropriations - (13 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (31 - 5)

Senate Appropriations - (4 - 2)

Senate Public Safety - (4 - 0)

### **AB-2842 (Papan) - Firearms.**

(Amends Sections 18005 and 26576 of the Penal Code.)

Existing law requires that a weapon acquired by a specified governmental entity under specified circumstances, including as part of a “gun-buyback” program, be destroyed.

This bill requires a law enforcement agency that contracts with a third party for the destruction of firearms or weapons to ensure that the contract for those services prohibits the sale of any parts of, or attachments to, the firearm or other weapon, as specified. The bill also exempts from the destruction requirement any firearm obtained through a “gun-buyback” program that is donated to a historical society, museum, or institutional collection, as specified.

**Status:** Chapter 537, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (75 - 1)

Senate Floor - (40 - 0)

Assembly Floor - (65 - 0)

Senate Appropriations - (7 - 0)

Assembly Appropriations - (14 - 0)

Senate Public Safety - (5 - 0)

Assembly Public Safety - (8 - 0)

### **AB-2907 (Zbur) - Firearms: restrained persons.**

(Amends Sections 136.2, 273.5, 273.75, 368, 646.9, 1203.097, and 29825 of, and adds Sections 273.76 and 29825.5 to, the Penal Code.)

Existing law provides for the issuance of various temporary restraining orders, restraining orders, and injunctions. Under existing law, persons who are subject to these orders are prohibited from purchasing, owning, or possessing firearms or ammunition. Existing law requires a restrained person who owns or possesses firearms or ammunition to relinquish these items under specified timeframes pursuant to a prescribed procedure.

This bill enacts similar restriction and relinquishment procedures for persons who are the subject of specified criminal protective orders issued in domestic violence convictions. Further, the bill requires the arresting officer in domestic violence cases to question the arrestee, the victim, and other household members about any firearms or ammunition owned or possessed by the arrestee, to query a specified database to find any firearms owned or possessed by the arrestee, and to ensure that any firearm or other deadly weapon in plain sight or discovered pursuant to a consensual or other lawful search is taken into temporary custody. The bill requires the officer to document these actions and to provide the information, as specified, to the district attorney or prosecutor. Finally, this bill requires the court, when determining the length of a criminal protective order, to consider this information from the arresting officer.

**Status:** Chapter 538, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (70 - 0)

Senate Appropriations - (6 - 0)

Assembly Appropriations - (14 - 0)

Senate Public Safety - (5 - 0)

Assembly Public Safety - (8 - 0)

**AB-2917 (Zbur) - Firearms: restraining orders.**

(Amends Sections 851.92, 11105, 13300, and 18155 of the Penal Code.)

Existing law authorizes a court to issue a gun violence restraining order to prohibit a person from purchasing or possessing a firearm or ammunition for a period of one to 5 years, subject to renewal for additional one- to 5-year periods, if the subject of the petition poses a significant danger of self-harm or harm to another in the near future by having a firearm and the order is necessary to prevent personal injury to the subject of the petition or another. Existing law requires the court, in determining whether grounds for a gun violence restraining order exist, to consider evidence of, among other things, a recent threat of violence or act of violence by the subject directed toward another and a past history of those threats or acts within the last 12 months. Existing law also authorizes a court to consider the unlawful and reckless use, display, or brandishing of a firearm by the subject of the petition.

This bill requires the court to additionally consider a recent threat of violence or act of violence directed toward another group or location, or a past history of those threats or acts. The bill authorizes the court to consider, among other things, the unlawful and reckless use, display, or brandishing of a firearm indicating an increased risk for violence or actual threat of violence by the subject of the petition, evidence of stalking, evidence of cruelty to animals, or evidence of the respondent's threats of violence to advance a political objective. The bill also authorizes the court to consider violations of comparable firearm-prohibiting protective orders issued by out-of-state courts.

Existing law requires the Department of Justice to maintain state summary criminal history information, as defined, and to furnish this information to specified entities, including city attorneys pursuing civil gang injunctions or drug abatement actions. Existing law requires a local criminal justice agency to furnish local summary criminal history information to specified entities, including city attorneys pursuing civil gang injunctions or drug abatement actions. Under existing law, the disclosure of state summary criminal history information to an unauthorized person is a crime. Existing law defines "criminal justice agencies" as agencies that perform activities that relate to the apprehension, prosecution, adjudication,

incarceration, or correction of criminal offenders, including city attorneys pursuing civil gang injunctions or drug abatement actions. Under existing law, a criminal justice agency, among other things, compiles records and data for the purpose of identifying criminal offenders and maintaining specified information pertaining to each offender, including a summary of arrests and pretrial proceedings.

This bill includes city attorneys and county counsel pursuing gun violence restraining orders in those provisions.

**Status:** Chapter 539, Statutes of 2024

**Legislative History:**

Assembly Floor - (60 - 6)

Assembly Floor - (57 - 3)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (6 - 0)

Senate Floor - (32 - 6)

Senate Appropriations - (4 - 2)

Senate Public Safety - (4 - 1)

**[AB-3064 \(Maienschein\) - Firearms.](#)**

(Amends Sections 23630, 23655, 23680, 26230, 27560, 27565, 27875, 27920, 27966, 28000, 28230, 28240, and 30510 of, and adds Sections 23656 and 23658 to, the Penal Code.)

Existing law requires the Department of Justice to compile, publish, and maintain a roster listing all of the firearm safety devices that have been tested by a certified testing laboratory, have been determined to meet the department's standards for firearm safety devices, and therefore may be sold in this state. Existing law requires the department to collect and retain a prototype of each approved device.

This bill authorizes the department commencing on January 1, 2026, to charge a fee for devices newly listed on the roster to cover costs related to the approval of the device, as specified. This bill also, commencing on January 1, 2026, authorizes the department to charge each entity that manufactures or imports into the state for sale any firearm safety device that is listed on the roster, an annual fee to cover the cost of storage of prototype devices. The bill additionally requires that any device newly added to the roster have certain information engraved or otherwise permanently affixed to the device, and requires any entity seeking to list a device to comply with specified business standards. Further, the bill provides a process by which a device that has been removed from the roster for nonpayment of the fee, to be relisted, and establishes a process for a device model that is identical to a listed model except for certain cosmetic differences to be listed without testing. These processes require the submission of certain statements signed under penalty of perjury. This bill also requires the manufacturer of

any device listed on the roster that becomes subject to a product recall, as specified, to notify the department, as specified. The bill would authorize the department to remove the device from the roster if the device is subject to a product recall, as specified.

Existing law requires any person, within 60 days of bringing a firearm into the state, to mail or personally deliver to the Department of Justice a report, as prescribed by the department, describing the firearm and providing personal information, and also requires any sale, loan, or transfer of a firearm to be processed through a licensed firearms dealer. Existing law exempts from this requirement the transfer of certain firearms that are curios or relics to a licensed firearm collector, and certain transfers made by gift, bequest, intestate succession, or operation of law. Existing law requires a person who receives a firearm pursuant to these provisions, within 30 days after taking possession, to submit to the Department of Justice a report, as prescribed by the department, describing the firearm and providing personal information. Existing law also requires a collector who imports such a firearm into the state to submit a report to the department.

This bill requires these reports to be submitted in a form and manner prescribed by the department and authorizes the department to charge a fee for the processing of these forms, as specified. The bill makes the furnishing of false or fictitious information on these reports, as specified, punishable as a misdemeanor. The bill also authorizes the department to request photographs of the firearm to determine if it is a prohibited weapon, as specified.

Existing law exempts certain other transactions from the requirement to be processed through a licensed firearms dealer and does not require these transactions to be reported to the Department of Justice, including, without limitation, sales, deliveries, or transfers of firearms between importers and manufacturers of firearms, transfers of firearms to a gunsmith for repairs, loans of a firearm to a hunter, loans of a firearm to a person attending a police academy, and temporary transfers of a firearm for safekeeping, as specified. Existing law allows a person transferring or receiving a firearm pursuant to one of these provisions or a person moving out of state with a firearm to report that information to the department.

This bill requires these reports to be submitted in a form and manner prescribed by the department and would prescribe the information to be included in these reports, as specified, and requires the department to establish a fee for submission of this information, as specified. The bill further authorizes the department to request photographs of the firearm to determine if it is a prohibited weapon, as specified, and makes the filing of any false information pursuant to this provision a crime punishable as a misdemeanor.

Existing law prohibits a person who is licensed to carry a firearm to carry a firearm in certain specified places including schools, government buildings, hospitals, zoos, parks, churches, libraries, bars, and casinos. Existing law, however, exempts from these prohibitions a firearm that is secured in a lock box, as specified, under certain circumstances.

This bill provides that a lock box is compliant with those specifications if, at the time the person purchased the lock box, it was listed on the roster of devices approved by the Department of Justice.

**Status:** Chapter 540, Statutes of 2024

**Legislative History:**

Assembly Floor - (53 - 16)

Assembly Floor - (54 - 15)

Assembly Appropriations - (10 - 4)

Assembly Public Safety - (6 - 2)

Senate Floor - (28 - 11)

Senate Appropriations - (4 - 2)

Senate Public Safety - (4 - 1)

**[AB-3083 \(Lackey\) - Domestic violence: protective orders: background checks.](#)**

(Amends Section 6306 of the Family Code, and repeals Section 4 of Chapter 765 of the Statutes of 2012.)

Existing law, the Domestic Violence Prevention Act, requires the court, before a hearing on the issuance or denial of a protective order, to ensure that a search of specified records and databases is or has been made to determine if the proposed subject of the order has, among other things, a registered firearm. Existing law also limits the implementation of the registered firearm search requirement to courts identified by the Judicial Council as having resources currently available for those purposes. Existing law further limits the implementation of the registered firearm search requirement in other courts to the extent that funds are appropriated for those purposes in the annual Budget Act.

This bill instead requires the court to determine if the subject of the proposed order owns or possesses a firearm as reflected in the Department of Justice Automated Firearms System, and repeals the limitation on the firearm search requirement, thereby extending the firearm search requirement to all courts.

**Status:** Chapter 541, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Assembly Judiciary - (12 - 0)

Senate Floor - (38 - 0)

Senate Public Safety - (5 - 0)

Senate Judiciary - (10 - 0)

# **Human Trafficking and Commercial Sexual Exploitation**

## **SB-1414 (Grove) - Crimes: solicitation of a minor.**

(Amends Sections 290 and 647 of the Penal Code.)

Under existing law, a person who solicits, or who agrees to engage in, or who engages in, any act of prostitution with the intent to receive compensation, money, or anything of value from another person is guilty of disorderly conduct, a misdemeanor. Under existing law, if the person solicited was a minor, and the person who solicited the minor knew or reasonably should have known that the person solicited was a minor, the offense is punishable by imprisonment in the county jail for a mandatory minimum of 2 days and not to exceed one year, by a fine not to exceed \$10,000, or by both such fine and imprisonment.

This bill makes this offense applicable only to a defendant who is 18 years of age or older at the time of the offense. The bill, if the person solicited was under 16 years of age, or if the person solicited was under 18 years of age at the time of the offense and the person solicited was a victim of human trafficking, makes the offense punishable as a wobbler by imprisonment in the county jail for not more than 1 year and a fine not to exceed \$10,000 or by imprisonment in the county jail for 16 months or 2 or 3 years. For a 2nd or subsequent offense under those conditions, the bill would require that the offense be punishable as a felony by imprisonment in the county jail for 16 months or 2 or 3 years.

Existing law requires persons convicted of certain specified crimes to annually register as a sex offender, as specified, for a term of 10, 20, or 30 years.

This bill requires a person who is 18 years of age or older, on or after January 1, 2025, is convicted of, and who has a prior conviction for, soliciting a minor, as specified, to annually register as a sex offender for a term of 10 years if, at the time of the offense, the person was more than 10 years older than the solicited minor.

**Status:** Chapter 617, Statutes of 2024

### **Legislative History:**

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Floor - (36 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (3 - 1)

Senate Public Safety - (4 - 0)

**AB-1832 (Blanca Rubio) - Civil Rights Department: Labor Trafficking Task Force.**  
(Adds Section 12934 to the Government Code.)

Existing law, the California Fair Employment and Housing Act, establishes in the Business, Consumer Services, and Housing Agency the Civil Rights Department (department), headed by the Director of Civil Rights, to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination or abridgment on account 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, reproductive health decision-making, or military and veteran status. Existing law requires the department, among other things, to render annually to the Governor and to the Legislature a written report of its activities and recommendations.

This bill would have established within the department the Labor Trafficking Task Force, as specified. The bill would have required the task force, among other things, to take steps to prevent labor trafficking, coordinate with the Labor Enforcement Task Force, the Department of Justice, and the Division of Labor Standards Enforcement within the Department of Industrial Relations to combat labor trafficking, and receive and refer complaints alleging labor trafficking to the department or other agencies, as appropriate, for potential investigation, civil action, or criminal prosecution. The bill would have authorized the task force to coordinate with other relevant agencies to combat labor trafficking, support law enforcement agencies that investigate criminal actions relating to labor trafficking in coordination with specified entities, and coordinate with state or local agencies to connect survivors with available services. The bill would have required the Division of Occupational Safety and Health within the Department of Industrial Relations to notify the task force when, upon investigating businesses under their purview, there is evidence of labor trafficking. The bill would have required the department to include specified information in the annual report described above, including the activities of the task force, the number of complaints referred to the department, and the status or outcome of those complaints. The bill would have provided that its provisions become operative only upon appropriation by the Legislature in the annual Budget Act or another measure for the purposes of the bill's provisions.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would have made legislative findings to that effect.



**Status: VETOED**

**Legislative History:**

Assembly Floor - (77 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (71 - 0)	Sen Appropriations - (7 - 0)
Assembly Appropriations - (11 - 0)	Sen Labor, Public Employment and Retirement - (5 - 0)
Assembly Public Safety - (8 - 0)	Sen Public Safety - (5 - 0)
Assembly Labor and Employment - (7 - 0)	

**Governor's Veto Message:**

I am returning Assembly Bill 1832 without my signature.

This bill would establish the Labor Trafficking Task Force within the Civil Rights Department, which would coordinate with the Department of Industrial Relations and the Department of Justice (DOJ) to combat labor trafficking.

I share in the author's strong commitment to combat labor trafficking and signed a similar bill, AB 1888, that establishes a Labor Trafficking Unit within the DOJ that will increase leadership and coordination among state agencies to combat labor trafficking in California. In light of that ongoing work, the establishment of a separate task force would be redundant and potentially complicate efforts to address this issue.

**[AB-1888 \(Arambula\) - Department of Justice: Labor Trafficking Unit.](#)**

(Adds and repeals Section 12530.5 of the Government Code.)

Existing law establishes the Attorney General as the head of the Department of Justice, with charge of all legal matters in which the state is interested, except as specified. Existing law requires the Attorney General, whenever they deem it advisable or necessary in the public interest, or when directed to do so by the Governor, to assist any district attorney in the discharge of the district attorney's duties, and authorizes them to take full charge of any investigation or prosecution of violations of law, as specified. Existing law establishes the Department of Industrial Relations in the Labor and Workforce Development Agency and vests it with various powers and duties to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law establishes the Civil Rights Department within the Business, Consumer Services, and Housing Agency and sets forth its powers and duties relating to enforcement of civil rights laws.

This bill establishes within the Department of Justice the Labor Trafficking Unit. The bill requires the unit to receive labor trafficking reports and complaints from law enforcement agencies and other governmental entities and refer the reports or complaints to appropriate agencies for investigation, prosecution, or other remedies. The bill requires the unit to coordinate with certain state agencies, including, among others, the Department of Industrial Relations and the Civil Rights Department. The bill authorizes the unit to coordinate with other relevant state agencies, as specified, state and local law enforcement agencies, tribal law enforcement agencies, and district attorneys' offices. The bill requires the unit to make efforts to ensure that local, state, and tribal entities use a victim-centered approach when receiving and processing victim reports or complaints of labor trafficking and when reporting suspected labor trafficking to the unit. The bill requires the unit to follow a victim-centered approach when processing labor trafficking reports or complaints and ensure that victims are informed of the services and options available to them, as specified.

The bill requires the Department of Industrial Relations and the Civil Rights Department to collaborate with the unit to develop policies, procedures, and protocols to track, record, and report potential labor trafficking to the unit. The bill requires the unit to develop a tracking and reporting system to collect labor trafficking reports and complaints and would require the reports to be aggregated and analyzed to identify potential labor trafficking reports and complaints to be further investigated by the Department of Justice or referred for civil action, criminal prosecution, or other remedy, as specified. The bill requires the unit, from April 1, 2027, to January 1, 2036, inclusive, to annually submit a specified report to the Legislature relating to labor trafficking complaints or reports, including the number and type of reports, complaints, or referrals. The bill requires the Department of Industrial Relations and the Civil Rights Department to report this information to the unit on a quarterly basis and report suspected labor trafficking immediately to the unit, as specified. The bill specifies that the bill's operation is contingent upon adequate appropriation by the Legislature in the annual Budget Act or another statute for the bill's purposes. If the Legislature does not appropriate adequate funding by January 1, 2030, the bill would repeal its provisions and require the Department of Justice to file with the Secretary of State by January 1, 2030, the department's determination that the Legislature has not appropriated adequate funding.

**Status:** Chapter 614, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (70 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

Assembly Labor and Employment - (7 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Labor, Public Employment and Retirement - (5 - 0)

Senate Public Safety - (5 - 0)

## **AB-2020 (Bonta) - Survivors of Human Trafficking Support Act.**

(Adds Division 15 (commencing with Section 23020) to the Welfare and Institutions Code.)

Under existing law, human trafficking is a crime and law enforcement officers who are assigned field and investigative duties are required to complete minimum training pertaining to the handling of human trafficking complaints. Existing law generally provides support services for individuals who are survivors of human trafficking, including public social services and address confidentiality, as specified.

Existing law establishes the Commission on Peace Officer Standards and Training to prescribe selection and training standards for peace officers. Existing law requires the commission to develop training curriculum in specified areas and to develop model policies that may be used by local law enforcement agencies, including model policies for investigations of missing persons, elder and dependent adult abuse, and hate crimes.

This bill requires the commission to, by no later than June 1, 2026, develop guidelines for interacting with survivors of human trafficking. Each law enforcement agency must, by no later than December 1, 2026, adopt a written policy for interacting with survivors of human trafficking based on the guidelines developed by the commission.

**Status:** Chapter 615, Statutes of 2024

### **Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (71 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

## **Juvenile Justice**

### **SB-1005 (Ashby) - Juveniles.**

(Amends Section 654 of the Welfare and Institutions Code.)

Existing law authorizes a probation officer who, after investigation of an application for a petition or any other investigation the probation officer is authorized to make, concludes that a minor is within the jurisdiction of the juvenile court, or will probably soon be within that jurisdiction, to, in lieu of filing a petition to declare a minor a dependent child of the court or a

ward of the court, or requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court, as specified, with consent of the minor and the minor's parent or guardian, delineate specific programs of supervision for the minor, not to exceed 6 months, and attempt to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction. In lieu of filing a petition, existing law also authorizes the probation officer, with the consent of the minor and the minor's parent or guardian, to provide or contract for services including sheltered-care facilities, crisis resolution homes, or counseling and educational centers.

For certain offenses, this bill additionally authorizes a probation officer, with the consent of the minor and the minor's parent, to refer an offense to youth court, as specified.

**Status:** Chapter 179, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Senate Floor - (36 - 0)

Assembly Appropriations - (15 - 0)

Senate Public Safety - (5 - 0)

Assembly Public Safety - (7 - 0)

**[SB-1161 \(Becker\) - Juveniles.](#)**

(Amends Section 851.7 of the Penal Code, and amends Sections 303, 388, 450, 451, 604, 654.2, 781, 786, 786.5, 800, and 827 of the Welfare and Institutions Code.)

Existing law subjects a minor between 12 and 17 years of age, inclusive, who violates any federal, state, or local law or ordinance, and a minor under 12 years of age who is alleged to have committed specified serious offenses, to the jurisdiction of the juvenile court, which may adjudge the minor to be a ward of the court. Under existing law, juvenile court proceedings to declare a minor a ward of the court are commenced by the filing of a petition by the probation officer, the district attorney after consultation with the probation officer, or the prosecuting attorney, as specified.

Existing law requires the juvenile court to order the petition of a minor who is subject to the jurisdiction of the court dismissed if the minor satisfactorily completes a term of probation or an informal program of supervision, as specified, and requires the court to seal all records pertaining to that dismissed petition in the custody of the juvenile court and in the custody of law enforcement agencies, the probation department, or the Department of Justice in accordance with a specified procedure.

Existing law also generally authorizes a person who is the subject of a juvenile court record, or the county probation officer, to petition the court to seal the person's records, including records of arrest, relating to the person's case in the custody of the juvenile court and the

probation officer and any other agencies, including law enforcement agencies and public officials. Existing law prohibits the sealing of records under this provision if, following termination of the juvenile court's jurisdiction, the person has been convicted of a felony or of any misdemeanor involving moral turpitude.

This bill prohibits defense counsel for a minor from being ordered to seal their records pursuant to these provisions. The bill additionally authorizes a person to petition for record sealing under these provisions if their felony or misdemeanor involving moral turpitude has been dismissed, vacated, pardoned, or reduced to misdemeanors that do not involve moral turpitude.

Existing law authorizes a probation officer who concludes that a minor is within the jurisdiction of the juvenile court or would come within the jurisdiction of the court if a petition was filed, in lieu of filing a petition to declare a minor a ward of the court or requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court, as specified, to refer the minor to services provided by a health agency, community-based organization, local educational agency, an appropriate non-law-enforcement agency, or the probation department.

This bill specifies that a minor is eligible for informal probation pursuant to these provisions regardless of whether the minor lives in the county where the offense occurred.

Existing law authorizes a person who has been arrested for a misdemeanor while a minor to petition the court for an order sealing the records in the case if the person was released from custody because there are insufficient grounds for making a criminal complaint against the person, proceedings against the person were dismissed, or the person was discharged, without a conviction, or the person was acquitted. Existing law requires a probation department to seal the records of a juvenile upon satisfactory completion of a program of diversion or supervision to which a juvenile is referred by the probation department or prosecutor, and requires a public or private agency operating a diversion program to promptly seal the records in its custody after notice from the probation department to seal the records.

This bill authorizes a person who has been cited or arrested for a felony while a minor to petition the court for an order sealing records pursuant to these provisions. The bill requires a probation department, the Department of Justice, and the law enforcement agencies to seal the citation, arrest, and other records in their custody relating to a juvenile's arrest and detention if the prosecutor has declined to initiate proceedings within the applicable statute of limitations.

Existing law generally provides for the confidentiality of information regarding a minor in proceedings in the juvenile court and related court proceedings and limits access to juvenile case files, as defined. Existing law authorizes only certain individuals to inspect a juvenile case file. Existing law makes it a misdemeanor to disseminate information obtained pursuant to these provisions, as specified.

This bill specifies that limits to the access to juvenile case files under these provisions also apply to matters within the jurisdiction of the juvenile court pursuant to provisions authorizing the juvenile court to adjudge a minor a ward of the court. The bill authorizes an attorney representing a person who is, or was, subject to juvenile proceedings, to inspect a juvenile case file. The bill modifies the definition of juvenile case files to include any writing, as specified, or electronically stored information relating to the minor that is filed in that case or made available to the probation officer.

Existing law requires a court of criminal jurisdiction to immediately suspend all proceedings against a person whenever it is suggested or appears to the judge that the person charged was, at the date of the offense, alleged to have been committed, under 18 years of age. If the court determines that the person was under 18 years of age, existing law requires the court to certify specified information to the juvenile court of that county and proceedings proceed under the jurisdiction of the juvenile court, as specified.

This bill requires, if a person whose case was certified to a juvenile court pursuant to these provisions, and who subsequently has their records sealed in juvenile court, that all records in criminal court related to that juvenile record and certification also be sealed.

Existing law authorizes a minor to appeal a judgment in a proceeding under the jurisdiction of the juvenile court by which a minor may be adjudged to be a ward of the court in the same manner as any final judgment, and any subsequent order may be appealed from as from an order after judgment.

This bill specifies that the juvenile court may transfer jurisdiction to another county, terminate its jurisdiction, or seal the record or records of the youth under specified provisions while an appeal is pending and that any of the listed actions do not affect the jurisdiction of the juvenile court.

**Status:** Chapter 782, Statutes of 2024

**Legislative History:**

Assembly Floor - (62 - 6)

Assembly Appropriations - (11 - 2)

Assembly Public Safety - (7 - 0)

Senate Floor - (40 - 0)

Senate Floor - (37 - 0)

Senate Appropriations - (7 - 0)

Senate Judiciary - (11 - 0)

Senate Public Safety - (5 - 0)

**SB-1353 (Wahab) - Youth Bill of Rights.**

(Amends Section 224.71 of the Welfare and Institutions Code.)

Existing law establishes the Youth Bill of Rights for all youth confined in a juvenile facility, which includes the right to receive adequate, appropriate, and timely mental health services, as specified.

This bill specifies that the Youth Bill of Rights includes the right to receive adequate, appropriate, and timely behavioral health services, as specified.

**Status:** Chapter 163, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Senate Floor - (39 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (32 - 0)

Senate Public Safety - (4 - 0)

**SB-1484 (Smallwood-Cuevas) - Jurisdiction of juvenile court.**

(Amends Sections 256, 257, and 660.5 of the Welfare and Institutions Code.)

Existing law provides that a juvenile hearing officer may hear and dispose of any case in which a minor under the age of 18 years is alleged to have committed any one of specified misdemeanors or infractions. In those cases, the juvenile court is known as the Informal Juvenile and Traffic Court. Existing law establishes the Expedited Youth Accountability Program, operative in Los Angeles County, and in other counties upon approval of the board of supervisors, as specified. The program provides for the issuance of citations requiring the appearance of minors not detained for any felony or misdemeanor offense, and not cited to the Informal Juvenile and Traffic Court, before the juvenile court.

This bill modifies the ages that a person must be to fall under the jurisdiction of the Informal Juvenile and Traffic Court and Expedited Youth Accountability Program to between 12 years of age and 17 years of age, inclusive.

**Status:** Chapter 193, Statutes of 2024

**Legislative History:**

Assembly Floor - (55 - 16)

Senate Floor - (31 - 6)

Assembly Public Safety - (6 - 2)

Senate Public Safety - (4 - 1)

### **AB-1186 (Bonta) - Restitution fines.**

(Amends Sections 1465.9, 2085.5, 2085.6, and 2085.7 of the Penal Code, and amends Sections 223.2 and 730.6 of, and repeals Sections 1752.81 and 1752.82 of, the Welfare and Institutions Code.)

(1) Existing law requires a court, when a defendant is convicted of a crime, to order the defendant to pay restitution to the victim or victims, and to additionally pay a restitution fine to be deposited in the Restitution Fund. Existing law generally provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation Board from the Restitution Fund.

This bill makes the outstanding balance of any restitution fines, including any collection fees, unenforceable and uncollectible 10 years after the date of imposition of an order for a restitution fine.

(2) Existing law establishes the jurisdiction of the juvenile court over minors who are between 12 and 17 years of age, inclusive, who have violated a federal, state, or local law or ordinance, as specified, and over minors under 12 years of age who have been alleged to have committed specified crimes. Existing law authorizes a juvenile court to adjudge a person under these circumstances to be a ward of the court. Existing law generally requires that the minor pay a restitution fine to be deposited into the Restitution Fund and restitution to any victim of the minor's conduct, as specified.

The bill removes the requirement that a minor adjudged to be a ward of the court pay a restitution fine and would make the outstanding balance of any restitution fines, including any collection fees, unenforceable and uncollectible 10 years after the date of imposition of a restitution fine. The bill makes additional conforming changes.

Existing law requires the juvenile court, when issuing the order of restitution, to identify on the court order, any co-offenders who are jointly and severally liable for victim restitution. The bill requires, for the purposes of victim restitution, that each minor be held severally liable, as specified, and would prohibit a minor from being held jointly and severally liable as co-offenders. The bill prohibits the aggregate amount of apportioned liability for all minors involved from exceeding 100% in total.

(4) Existing law establishes the distribution of trust funds of a ward committed to the Division of Juvenile Justice, including payment of restitution orders and restitution fines. Under existing law, the Division of Juvenile Justice closed on June 30, 2023.

This bill repeals these provisions.



**Status:** Chapter 805, Statutes of 2024

**Legislative History:**

Assembly Floor - (61 - 13)

Assembly Floor - (57 - 13)

Assembly Appropriations - (11 - 4)

Assembly Public Safety - (7 - 0)

Senate Floor - (31 - 9)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 0)

**[AB-1877 \(Jackson\) - Juveniles: sealing records.](#)**

(Amends Sections 786.5, 787, and 827.95 of, and adds Sections 781.2 and 788 to, the Welfare and Institutions Code.)

Existing law requires the juvenile court to order the petition of a minor who is subject to the jurisdiction of the court dismissed if the minor satisfactorily completes a term of probation or an informal program of supervision, as specified, and requires the court to seal all records pertaining to that dismissed petition in the custody of the juvenile court and in the custody of law enforcement agencies, the probation department, or the Department of Justice in accordance with a specified procedure. Existing law also generally authorizes a person who is the subject of a juvenile court record, or the county probation officer, to petition the court to seal the person's records, including records of arrest, relating to the person's case in the custody of the juvenile court and the probation officer and any other agencies, including law enforcement agencies and public officials.

This bill requires a county probation officer, once a person who was the subject of a petition has reached 18 years of age and the juvenile court's jurisdiction has been terminated, to petition the court to seal certain records, as specified. The bill requires the court to order all records sealed if the court finds that the person has not been convicted of a felony or a misdemeanor involving moral turpitude after the juvenile court's jurisdiction was terminated, as specified. If the probation officer does not file a petition, the bill requires the probation officer to notify the person and their counsel of the reason for not filing the petition. The bill prescribes methods for a record that has been ordered sealed by the court to be accessed, inspected, or utilized, including by request of the subject of the record. Unless the court determines there is good cause to retain the juvenile court record, the bill requires the court to order the destruction of a person's juvenile court records that are sealed, as specified.

Existing law requires the Department of Justice, on a monthly basis, to review the records in the statewide criminal justice databases and identify persons who are eligible for arrest record relief and automatic conviction record relief, as specified.

This bill requires the department, on a monthly basis, to review state summary criminal history information and identify arrests that are, among other conditions, of a person who was younger than 18 years of age and which did not result in a charge being sustained and do not have related pending juvenile delinquency matters, as specified. The bill requires the department to provide a list of those arrests to all agencies associated with the record of arrest, and requires each arresting agency to review that list and seal its records of the arrest, if the agency's records do not indicate that the arrest is not eligible to be sealed.

The bill requires the agency to report to the Department of Justice the records that shall be sealed, and requires the department to then seal its records of those arrests. The bill requires the department to, commencing July 1, 2028, annually publish statistics on these arrests, as specified.

Existing law requires a probation department to seal the arrest and other records in its custody relating to a juvenile's arrest and referral and participation in a diversion or supervision program under certain circumstances, as specified. Existing law requires the probation department to notify the arresting law enforcement agency to seal the arrest records, and requires the arresting law enforcement agency to seal the records in its custody relating to the arrest, as specified.

This bill requires the probation department to additionally notify the Department of Justice, and requires the department to seal the records in its custody relating to the arrest, as specified.

Existing law authorizes a court and a state or local agency to access certain sealed juvenile records for the limited purpose of complying with data collection or data reporting requirements imposed by other provisions of law. Existing law authorizes a court to grant a researcher or research organization access to information contained in those records, as specified.

This bill authorizes a court, a state or local agency, and, subject to approval by a court, a researcher or research organization to access those juvenile records sealed by the court as a result of a petition filed by the probation department pursuant to the above provisions.

**Status:** Chapter 811, Statutes of 2024

**Legislative History:**

Assembly Floor - (60 - 12)  
Assembly Floor - (57 - 11)  
Assembly Appropriations - (11 - 3)  
Assembly Public Safety - (6 - 0)

Senate Floor - (31 - 8)  
Senate Appropriations - (5 - 2)  
Senate Public Safety - (4 - 1)

**AB-2176 (Berman) - Juvenile court schools: chronic absenteeism rates.**

(Amends Sections 2200 and 2200.5 of the Welfare and Institutions Code.)

Existing law creates the Office of Youth and Community Restoration within the California Health and Human Services Agency to promote trauma-responsive, culturally informed services for youth involved in the juvenile justice system, as specified. Existing law grants the office the responsibility and authority to, among other things, report on youth outcomes, identify and disseminate best practices, and report annually on the work of the office. Existing law requires the office to have an ombudsperson and authorizes the ombudsperson to, among other things, investigate complaints from youth. Existing law requires the ombudsperson to publish and provide regular reports to the Legislature regarding data collected concerning, among other things, complaints received and investigations performed by the ombudsperson. Existing law requires county boards of education to provide for the administration and operation of public schools in juvenile halls, juvenile ranches, and juvenile camps, among others, known as juvenile court schools.

This bill requires the office to develop an annual report on chronic absenteeism rates in juvenile court schools. The bill requires the office, subject to available funding, to investigate the reasons for absenteeism at juvenile court schools with chronic absenteeism rates of 15% or more, and, if the office determines that insufficient staff, transportation, punitive policies, or any policies under the juvenile facility's control are contributing to chronic absenteeism rates, require the office to provide technical assistance to ameliorate the identified causes of the chronic absenteeism. The bill also requires the ombudsperson to include reports on chronic absenteeism in its reports to the Legislature.

**Status:** Chapter 385, Statutes of 2024

**Legislative History:**

Assembly Floor - (62 - 0)  
Assembly Floor - (65 - 0)  
Assembly Appropriations - (14 - 0)  
Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)  
Senate Public Safety - (5 - 0)

# **Mental Health**

## **SB-1317 (Wahab) - Inmates: psychiatric medication: informed consent.**

(Amends Section 2603 of the Penal Code.)

Existing law prohibits, except as specified, a person sentenced to imprisonment in a county jail from being administered any psychiatric medication without prior informed consent. Existing law authorizes a county department of mental health, or other designated county department, to administer to an inmate involuntary medication on a nonemergency basis only after the inmate is provided, among other things, a hearing before a superior court judge, a court-appointed commissioner or referee, or a court-appointed hearing officer.

Existing law, until January 1, 2025, additionally protects all inmates in a county jail from being administered any psychiatric medication without prior informed consent, with certain exceptions, and imposes additional criteria that must be satisfied before a county department of mental health or other designated county department may administer involuntary medication, including a requirement that the jail first make a documented attempt to locate an available bed for the inmate in a community-based treatment facility, under certain conditions, in lieu of seeking involuntary administration of psychiatric medication. Until January 1, 2025, if an inmate is awaiting resolution of a criminal case, existing law requires that a hearing to administer involuntary medication on a nonemergency basis be held before, and that any requests for ex parte orders be submitted to, a judge in the superior court where the criminal case is pending. Existing law, also until January 1, 2025, sets limits on the amount of time such orders are valid and requires any court-ordered psychiatric medication to be administered in consultation with a psychiatrist who is not involved in the treatment of the inmate at the jail, if one is available.

This bill extends these provisions until January 1, 2030. The bill also requires any county that, between January 1, 2025, and July 1, 2028, administers involuntary medication to any inmate awaiting arraignment, trial, or sentencing, to prepare and submit a report to the Legislature, as specified. The bill requires any involuntary treatment to be consistent with the standard of care. The bill also permits the county to demonstrate a documented attempt to locate an available bed by submitting a declaration under penalty of perjury.

**Status:** Chapter 326, Statutes of 2024

### **Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (39 - 0)

Senate Floor - (39 - 0)

Senate Public Safety - (5 - 0)

### **SB-1323 (Menjivar) - Criminal procedure: competence to stand trial.**

(Amends Sections 1001.36, 1368, 1369, 1370, and 1370.1 of the Penal Code, and amends Section 4361 of the Welfare and Institutions Code.)

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated and if the defendant is found incompetent to stand trial, the proceedings are suspended while the defendant receives treatment, with the goal of restoring the defendant to competency.

Existing law, if a doubt is raised as to the mental competence of a defendant, requires the court, either on the request of counsel or on its own motion, to hold a hearing, as specified, to determine the mental competence of the defendant.

This bill, in lieu of a hearing, allows an evaluation of the defendant by one or 2 licensed psychologists or psychiatrists and would require them to submit a report, as specified, to the court. The bill allows the court, if neither party objects to the reports of these experts, to make a determination based upon these reports. The bill also requires the court to make a determination regarding the defendant's capacity to make decisions regarding the administration of antipsychotic medication.

This bill, if either party objects to the court making a determination based on the reports, requires a hearing to be held to determine the competence of the defendant. The bill would apply a presumption of competence to the defendant and would place the burden of proof upon the party seeking a finding of incompetence. The bill requires the hearing to be held by jury trial or bench trial, as specified.

Existing law, in the case of a defendant charged with a felony, requires that, upon a finding of mental incompetence, the proceedings be suspended until the defendant regains competence. Existing law prescribes a program of pretrial diversion for defendants with a diagnosed mental disorder whose disorder was a significant factor in the commission of their offense. Under existing law, persons charged with certain offenses, including murder, rape, sexual abuse of a child, and possession of a weapon of mass destruction, are ineligible for diversion.

This bill requires the court, upon a finding of mental incompetence of a defendant charged with a felony that is not ineligible for diversion, to determine if it is in the interests of justice to restore the defendant to competence. The bill requires the court, if the restoration of the defendant's mental competence is not in the interests of justice, to hold a hearing to consider

granting mental health diversion or other programs to the defendant, as specified. If a defendant is returned to court having not been restored to mental competence, this bill requires the defendant to be presumed incompetent and be returned to treatment, as specified.

**Status:** Chapter 646, Statutes of 2024

**Legislative History:**

Assembly Floor - (56 - 15)

Assembly Appropriations - (10 - 3)

Assembly Public Safety - (5 - 1)

Senate Floor - (29 - 9)

Senate Floor - (24 - 10)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

**[SB-1400 \(Stern\) - Criminal procedure: competence to stand trial.](#)**

(Amends Sections 1001.36 and 1370.01 of the Penal Code, and to amend Section 5985 of the Welfare and Institutions Code.)

Existing law prohibits a person from being tried or adjudged to punishment while that person is mentally incompetent. Existing law establishes a process by which a defendant's mental competency is evaluated and if the defendant is found incompetent to stand trial, the proceedings are suspended while the defendant receives treatment, with the goal of restoring the defendant to competency.

Existing law, in the case of a misdemeanor charge in which the defendant is found incompetent, requires the court to either dismiss the case or hold a hearing to determine if the defendant is eligible for diversion. Under existing law, if the defendant is not eligible for diversion, the court may hold another hearing to decide if the defendant should be referred for outpatient treatment, conservatorship, or the CARE program, or if the defendant's treatment plan should be modified. Existing law requires that the charges be dismissed if a defendant is accepted into outpatient treatment or the CARE program. Existing law also requires the court, if the defendant is already on a grant of diversion for a misdemeanor case, to dismiss the current case and return the defendant to supervision.

This bill removes the option for the court to dismiss the case and would instead require the court to hold a hearing to determine if the defendant is eligible for diversion. If the defendant is not eligible for diversion, the bill requires the court to hold a hearing to determine whether the defendant will be referred to outpatient treatment, conservatorship, or the CARE program, or if the defendant's treatment plan will be modified. If the defendant is accepted into assisted

outpatient treatment, has a petition for the establishment of a conservatorship filed, or is accepted into CARE, the bill requires the court to dismiss the charges at specified timeframes, except as specified. The bill requires the court to dismiss the case if a defendant does not qualify for the above-described services.

This bill removes the requirement that the court dismiss the case if the defendant is already on a grant of diversion for a misdemeanor case.

Existing law prohibits a court from suspending proceedings of a prosecution on a charge of driving under the influence of an alcoholic beverage for the purpose of allowing the defendant to participate in education, training, or treatment programs.

This bill allows for a mentally incompetent defendant who is charged with misdemeanor driving under the influence to be placed in a mental health diversion program, as specified.

Existing law requires the State Department of Health Care Services, in consultation with the Judicial Council, to develop an annual reporting schedule for the submission of CARE Act data from the trial courts and requires the Judicial Council to aggregate the data and submit it to the department. Existing law requires the department, in consultation with various other entities, to develop an annual CARE Act report and requires county behavioral health agencies and other local governmental entities to provide the department with specified information for that report. Existing law requires the annual report to be posted on the department's internet website.

This bill expands the data to be compiled and reported to the Judicial Council to include the total number of CARE plans ordered and CARE agreements approved, among other information, and would expand the information compiled from county behavioral health departments to include information on all active and former participants for a period of time after the conclusion of CARE program services, to be determined by the State Department of Health Care Services, in consultation with county behavioral health agencies and courts. The bill also expands the information collected by county behavioral health departments and courts to include outreach and engagement activities provided by county behavioral health agencies, the number of days between a petition and its disposition, and, in consultation with the department and county behavioral health departments, the number, rates, and trends of contacts made to a county behavioral health agency about individuals eligible or likely to be eligible for the CARE process, among others. The bill requires the measures and reporting requirements to be developed by the department, in consultation with county behavioral health agencies. By increasing the duties of a local agency, this bill would impose a state-mandated local program. The bill, beginning in 2026, requires the department to include in its annual CARE Act report quantitative deidentified information to include specified information

aggregated by county, such as demographic information of each CARE Act participant and the number of CARE petitions filed with the superior court, among others.

**Status:** Chapter 647, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 1)

Assembly Appropriations - (11 - 1)

Assembly Public Safety - (5 - 0)

Senate Floor - (38 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (5 - 0)

Senate Public Safety - (5 - 0)

**[AB-3077 \(Hart\) - Criminal procedure: borderline personality disorder.](#)**

(Amend Section 1385 of the Penal Code, and to amend Sections 4336 and 4361 of the Welfare and Institutions Code.)

Existing law prohibits a person from being tried for a criminal offense while they are mentally incompetent. Existing law prescribes the procedure for a person found to be mentally incompetent to be restored to competence. Existing law creates the Mental Health Diversion Fund to be used for the purpose of supporting county activities that will divert individuals with serious mental illnesses away from the criminal justice system and lead to a reduction of felony incompetent to stand trial determinations. Existing law describes the target population for mental health diversion as individuals diagnosed with a mental disorder, as specified, excluding antisocial personality disorder, borderline personality disorder, and pedophilia.

This bill would have removed borderline personality disorder as an exclusion for pretrial diversion.

Existing law generally authorizes a court to dismiss an action or to strike or dismiss an enhancement in the furtherance of justice. Existing law requires a court to dismiss an enhancement if it is in the furtherance of justice to do so, except if dismissal of that enhancement is prohibited by any initiative statute. Existing law requires the court to consider and afford great weight to evidence offered by the defendant to prove that specified mitigating circumstances are present, including when the offense is connected to a mental illness, as specified, excluding antisocial personality disorder, borderline personality disorder, and pedophilia.

This bill would have removed borderline personality disorder as an exclusion for the purposes of the court's evaluation of mitigating circumstances under this provision.



**Status: VETOED**

**Legislative History:**

Assembly Floor - (62 - 10)

Senate Floor - (29 - 11)

Assembly Floor - (63 - 7)

Sen Public Safety - (4 - 1)

Assembly Appropriations - (11 - 4)

Assembly Public Safety - (6 - 0)

**Governor's Veto Message:**

I am returning Assembly Bill 3077 without my signature.

This bill would remove borderline personality disorder (BPD) as an exclusionary diagnosis for Department of State Hospital (DSH)-funded mental health diversion programs for defendants found incompetent to stand trial on felony charges.

In partnership with the Legislature, my administration has implemented significant investments to support diversion programs, community-based treatment, and timely access to treatment - all with the goal of destigmatizing behavioral health diagnoses and making services more readily accessible and affordable. Last year, I was proud to sign AB 1412 (Hart, 2023), which removed BPD as an exclusionary diagnosis for pretrial diversion. However, there are important differences between the two bills.

This bill matches individuals with BPD found incompetent to stand trial with DSH mental health diversion programs. Individuals with BPD have rarely been found incompetent to stand trial. I am concerned that this bill may have the unintended effect of expanding the waitlist for DSH services by increasing incentives to pursue incompetent to stand trial referrals for individuals with BPD in order to access state-funded diversion programs. Expanding the waitlist for DSH services could cause the department to violate court orders governing how quickly individuals must be admitted to state facilities for treatment, an unacceptable risk.

Further, this bill creates significant ongoing General Fund obligations not included in the 2024 Budget. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

# **Miscellaneous**

## **SB-910 (Umberg) - Treatment court program standards.**

(Amends Section 11972 of the Health and Safety Code.)

Existing law states the intent of the Legislature that drug court programs be designed and operated in accordance with specified standards developed by the National Association of Drug Court Professionals and Drug Court Standards Committee. Existing law further states the intent of the Legislature that key programs of the drug court programs include, among other things, integration by drug courts of alcohol and other drug treatment services.

This bill instead requires, for counties and courts that opt to have treatment court programs, that the treatment court programs be designed and operated in accordance with state and national guidelines incorporating the “Adult Treatment Court Best Practice Standards” and “Family Treatment Court Best Practice Standards” developed by All Rise, with consideration for the court system within which the program operates. The bill would revise the above-described statement of legislative intent regarding key components to be included in criminal adult treatment court programs, including requiring a system of incentives, sanctions, and service adjustments to achieve participant success. The bill requires the Judicial Council, no later than January 1, 2026, to revise the standards of judicial administration to reflect state and nationally recognized best practices and guidelines for collaborative programs including those described in these provisions.

**Status:** Chapter 641, Statutes of 2024

### **Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (40 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

Senate Health - (11 - 0)

## **SB-1144 (Skinner) - Marketplaces: online marketplaces.**

(Amends, repeals, and adds Sections 1749.8 and 1749.8.4 of, and adds Section 1749.8.9 to the Civil Code.)

Existing law generally requires an online marketplace to require a high-volume third-party seller on the online marketplace to make certain disclosures, and to suspend future sales activity of a high-volume third-party seller that is not in compliance with those information sharing requirements, as specified. Existing law imposes certain information retention and security requirements on an online marketplace and prohibits specified uses of that information. Existing law generally defines a “high-volume third-party seller,” for purposes of the above-described provisions, as a third-party seller who has entered into a certain number of consumer product sales transactions through an online marketplace for which payment is processed by the online marketplace, as specified. Existing law defines an “online marketplace,” for purposes of those provisions, as a consumer-directed, electronically accessed platform that includes features that allow for, facilitate, or enable, and are used by, a third-party seller to engage in the sale, purchase, payment, storage, shipment, or delivery of a consumer product and that has a contractual relationship with consumers governing their use of the platform to purchase consumer products.

This bill revises the types of transactions that qualify a third-party seller as a “high-volume third-party seller,” for those purposes. Specifically, the bill removes the conditions that the transactions be made through an online marketplace and that the online marketplace process the payment and, instead, add the condition that the transactions were made utilizing an online marketplace. The bill also revises the definition of “online marketplace” by removing the conditions that the above-described features be used by third-party sellers, and that the platform have the above-described contractual relationship with consumers. Existing law requires a high-volume third-party seller to disclose and certify to the online marketplace certain identification, contact, and payment information of the seller, as specified.

This bill requires an online marketplace to establish and maintain a policy prohibiting the sale of stolen goods on the marketplace and to provide a mechanism to notify the marketplace of the sale of stolen goods, as specified. The bill also requires an online marketplace to alert local, regional, or state law enforcement agencies in California if it knows or should know that a third-party seller is selling or attempting to sell stolen goods to a California resident, except as specified.

Existing law requires a person or entity who violates the above-described provisions to be liable for a civil penalty not to exceed \$10,000 for each violation and reasonable attorney’s fees and costs and to be subject to preventive relief, as specified. Existing law limits recovery and relief to a civil action brought by the Attorney General, as specified.

This bill expands recovery and relief to a civil action brought by a district attorney in any county, a city attorney in any city or city and county, or a county counsel in any county, and makes its provisions operative on July 1, 2025.

**Status:** Chapter 172, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)	Senate Floor - (38 - 0)
Assembly Appropriations - (10 - 4)	Senate Floor - (33 - 1)
Assembly Judiciary - (11 - 0)	Senate Appropriations - (5 - 2)
Assembly Privacy and Consumer Protection - (11 - 0)	Senate Public Safety - (4 - 0)
	Senate Judiciary - (10 - 1)

**[SB-1328 \(Bradford\) - Elections.](#)**

(Amends Sections 2550, 13004, 13004.5, 15209, 17301, 17302, 17305, 17306, 18564, 19201, 19205, and 19281 of, adds Section 327.5 to, and adds Chapter 7 (commencing with Section 17600) to Division 17 of, the Elections Code.)

Existing law generally requires electronic poll books, ballot manufacturers and finishers, ballot on demand systems, voting systems, and remote accessible vote by mail systems to be approved by the Secretary of State before their use in an election.

This bill authorizes the Secretary of State to impose additional conditions of approval for these purposes.

Existing law requires a ballot card manufacturer, ballot card finisher, or ballot on demand system vendor to notify the Secretary of State and affected local elections officials in writing within 2 business days after discovering any flaw or defect that could adversely affect the future casting or tallying of votes.

This bill instead requires a ballot card manufacturer, ballot card finisher, or ballot on demand system vendor to provide that notice within 24 hours.

Under existing law, specified election materials, including voted ballots, are required to be kept by county elections officials for 22 months for elections involving a federal office or for 6 months for all other elections. Existing law authorizes an elections official to open sealed ballot containers if it is necessary in a shredding or recycling process.

This bill adds paper cast vote records, voted conditional voter registration ballots, and conditional voter registration voter identification envelopes to the list of materials county elections officials are required to keep. The bill requires county elections officials to keep certain electronic data for 22 months for elections involving a federal office or for 6 months for all other elections. By imposing additional duties on county elections officials, this bill creates a state-mandated local program. The bill would prohibit an elections official from opening sealed ballot containers unless it is necessary in a shredding or recycling process.

Under existing law, it is a felony punishable by imprisonment for 2 to 4 years to interfere or attempt to interfere with the secrecy of voting or ballot tally software program source code or to knowingly, and without authorization, possess a key to a voting machine that has been adopted and will be used.

This bill specifies that, with respect to the secrecy of voting or ballot tally software program source code, the phrase “interferes or attempts to interfere with” includes knowingly, and without authorization, providing unauthorized access to, or breaking the chain of custody to, certified voting technology during the lifecycle of that certified voting technology, or any finished or unfinished ballot cards. The bill would also expand the crime of knowing and unauthorized possession of a key to a voting machine that has been adopted and will be used to include knowing and unauthorized possession of credentials, passwords, or access keys to a voting machine that has been adopted and will be used.

The bill authorizes the destruction or secure disposal of certified voting technology at the end of lifecycle with the written approval of the Secretary of State and the manufacturer. The bill would also require specified actions to be taken for any part or component of certified voting technology for which the chain of custody has been compromised or for which security has been breached or attempted to be breached, including that the technology be removed from service immediately.

Existing law prohibits a voting system from being connected to the internet and from receiving or transmitting wireless communications or wireless data transfers.

This bill prohibits establishing a network connection to any device not directly used and necessary for voting system functions and would prohibit communication by or with any component of the voting system by wireless or modem transmission. The bill requires a voting system to be used in a configuration of parallel central election management systems separated by an air-gap, as defined.

**Status:** Chapter 605, Statutes of 2024

**Legislative History:**

Assembly Floor - (66 - 2)	Senate Floor - (38 - 1)
Assembly Appropriations - (11 - 0)	Senate Floor - (36 - 0)
Assembly Public Safety - (8 - 0)	Senate Appropriations - (7 - 0)
Assembly Elections - (7 - 1)	Senate Public Safety - (5 - 0)
	Senate Elections and Constitutional Amendments - (7 - 0)

**AB-1859 (Alanis) - Coroners: duties.**

(Adds Section 27523 to the Government Code.)

Existing law requires a county coroner to inquire into and determine the circumstances, manner, and cause of certain deaths, and either requires or authorizes a county coroner, under certain circumstances, to perform, or cause to be performed, an autopsy on a decedent. Existing law also imposes certain requirements on a coroner conducting a postmortem examination or autopsy on an unidentified body or human remains, and requires a coroner to investigate deaths that occurred under specified conditions, including without medical attendance, to ascertain as many of the facts as possible.

This bill authorizes a coroner to test the bodily fluid of a deceased person for the presence of xylazine if the coroner reasonably suspects the person died from an accidental or intentional opioid overdose or if the person was administered an overdose intervention drug prior to death and was unresponsive to the drug. If the testing is conducted, the bill requires the coroner to report a positive result to the Overdose Detection Mapping Application Program and provide the State Department of Public Health with a quarterly report on positive results, as specified. The bill further requires the department to post specified information, including, among other things, the total number of xylazine-positive results reported to the department, on the California Overdose Surveillance Dashboard located on the department's internet website.

**Status:** Chapter 684, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (72 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Health - (11 - 0)
Assembly Public Safety - (8 - 0)	Senate Public Safety - (5 - 0)

**AB-1972 (Alanis) - Regional property crimes task force.**

(Amends Section 13899 of the Penal Code.)

Existing law authorizes the Governor to appoint and commission individuals designated by a railroad company to serve as police officers. Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment.

This bill requires the task force to assist railroad police and would specify cargo theft as a property crime for consideration by the regional property crimes task force.

**Status:** Chapter 167, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Floor - (70 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-2021 (Bauer-Kahan) - Crimes: selling or furnishing tobacco or related products and paraphernalia to underage persons.**

(Amends Section 308 of the Penal Code.)

Existing law prohibits the sale or furnishing of tobacco or tobacco products or paraphernalia, as specified, to a person who is under 21 years of age. Under existing law, a violation of this prohibition is punishable by a fine of \$200 for the first offense, \$500 for the 2nd offense, and \$1,000 for the 3rd offense, either as a misdemeanor or by a civil action, as specified.

This bill creates a separate fine of \$500 for the first offense, \$1,000 for the 2nd offense, and \$5,000 for any subsequent offense for firms, corporations, businesses, retailers, or wholesalers, who violate this prohibition.

**Status:** Chapter 371, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Floor - (72 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (34 - 2)

Senate Public Safety - (4 - 1)

**AB-2099 (Bauer-Kahan) - Crimes: reproductive health services.**

(Amends Section 6218.01 of the Government Code, and to amend Sections 422.6 and 423.3 of the Penal Code.)

Existing law makes it a crime to post personal information or an image of a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against the reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address. Existing law makes a violation of this provision punishable as a misdemeanor. If the violation leads to bodily injury of the person, existing law makes it a misdemeanor punishable by up to one year in a county jail, a fine of up to \$50,000, or both that fine and imprisonment.

This bill makes a violation of these provisions punishable as either a misdemeanor or as a felony, and would make a violation a felony if bodily injury occurs.

Existing law makes it a misdemeanor to, by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten another person in the free exercise or enjoyment of a right or privilege secured by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of specified actual or perceived characteristics of the victim, including disability, gender, religion, race, or sexual orientation.

This bill makes a violation of this provision punishable either as a misdemeanor or as a felony. By increasing the punishment for a crime, this bill would impose a state-mandated local program.

Existing law, the California Freedom of Access to Clinic and Church Entrances Act (the Act), prohibits specified actions that, by force, threat of force, or physical obstruction, impede access to reproductive health services facilities, as defined. Existing law specifies the penalties for a violation of the Act, including imprisonment as a misdemeanor and specified fines.

This bill increases the penalties for violations of the Act, including making specified violations punishable as either a misdemeanor or as a felony.



**Status:** Chapter 821, Statutes of 2024

**Legislative History:**

Assembly Floor - (68 - 0)

Assembly Floor - (63 - 0)

Assembly Appropriations - (13 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (31 - 9)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 0)

**AB-2120 (Chen) - Trespass.**

(Amend Section 602 of the Penal Code.)

Existing law makes it a misdemeanor to willfully commit a trespass by engaging in specified acts, including driving a vehicle upon real property belonging to, or lawfully occupied by, another and known not to be open to the general public, without the consent of the owner, the owner's agent, or the person in lawful possession, except as specified, including making a lawful service of process, as prescribed.

This bill would have provided that the above-specified trespass provision does not apply to a repossession agency licensed by the Department of Consumer Affairs and its employees when they are on private property searching for collateral or repossessing collateral, and, upon completing that search or repossession, leave the private property within a reasonable amount of time.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Floor - (72 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**Governor's Veto Message:**

I am returning Assembly Bill 2120 without my signature.

This bill would provide that the crime of trespass does not apply to a repossession agency and its employees when they are on private property searching for or repossessing collateral, provided they leave the property within a reasonable amount of time afterward.

In 2021, I vetoed a substantially similar bill, due to concerns that allowing a reposessor virtually unfettered access to a person's private property could result in confusion and possibly violent confrontations between property owners and repossessors. I remain concerned with these provisions.

**AB-3108 (Jones-Sawyer) - Business: mortgage fraud.**

(Amends Section 4973 of the Financial Code, and to amend Section 532f of the Penal Code.)

Existing law makes it a criminal offense to commit mortgage fraud. This includes filing or causing to be filed with the county recorder in connection with a mortgage loan transaction any document that the person knows to contain a deliberate misstatement, misrepresentation, or omission, and with the intent to defraud.

This bill prohibits the filing of any document with the recorder of any county that the person knows to contain, instead, a material misstatement, misrepresentation, or omission.

This bill provides that a mortgage broker or person who originates a loan commits mortgage fraud if, with the intent to defraud, the person takes specified actions relating to instructing or deliberately causing a borrower to sign documents reflecting certain loan terms with knowledge that the borrower intends to use the loan proceeds for other uses.

Existing law generally regulates the provision of covered loans, including by prohibiting a person who originates a covered loan from avoiding, or attempting to avoid, the application of that law by, among other things, structuring a loan transaction as an open-end credit plan for the purpose of evading that law if the loan would have been a covered loan if the loan had been structured as a closed end loan.

Existing law defines “covered loan” to mean a consumer loan in which the original principal balance of the loan does not exceed the most current conforming loan limit for a single-family first mortgage loan established by the Federal National Mortgage Association in the case of a mortgage or deed of trust, as specified. Existing law also prohibits a person who originates a covered loan from acting in a manner that constitutes fraud.

This bill additionally prohibits a person who originates a covered loan from avoiding, or attempting to avoid, the application of the law regulating the provision of covered loans by committing mortgage fraud.

**Status:** Chapter 517, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)  
Assembly Floor - (71 - 0)  
Assembly Appropriations - (15 - 0)  
Assembly Public Safety - (8 - 0)  
Assembly Banking and Finance - (9 - 0)

Senate Floor - (39 - 0)  
Senate Appropriations - (7 - 0)  
Senate Public Safety - (5 - 0)  
Senate Banking and Financial  
Institutions - (6 - 0)

## **Parole**

**[AB-2310 \(Hart\) - Parole hearings: language access.](#)**

(Adds Section 3041.8 to the Penal Code.)

Existing law imposes specified requirements on all hearings conducted by the Board of Parole Hearings for the purpose of reviewing an incarcerated individual's parole suitability, or the setting, postponing, or rescinding of parole dates, including, among other things, that the incarcerated person be permitted to be present, to ask and answer questions, and to speak on their own behalf.

This bill requires the board to translate specified blank templates of notices and forms into the 5 most common languages spoken by incarcerated persons who are eligible for a parole hearing. The bill requires the board, at least once every 5 years, to determine the applicable languages and, if there is a material change to one of those templates, to update the translated version within a reasonable time.

**Status:** Chapter 826, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)  
Assembly Floor - (73 - 0)  
Assembly Appropriations - (11 - 0)  
Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)  
Senate Appropriations - (7 - 0)  
Senate Public Safety - (5 - 0)

**AB-2475 (Haney) - Parole.**

(Amend Section 2966 of the Penal Code.)

Existing law requires an incarcerated individual who has a severe mental disorder to be treated by the State Department of State Hospitals as a condition of parole. Existing law specifies the criteria for this parole condition to apply, and allows an incarcerated individual to request a hearing before the Board of Parole Hearings for the purpose of proving that the prisoner meets the criteria. Existing law allows an incarcerated individual who disagrees with the determination of the Board of Parole Hearings to file a petition in court for a hearing on whether they met the criteria. Existing law provides that if the determination of the Board of Parole Hearings is reversed, the court is to stay the execution of the decision for 5 working days to allow for an orderly release of the incarcerated individual.

Existing law requires that specified persons released from prison, after serving a prison term for a felony, be subject to postrelease community supervision provided by a county agency for a period not exceeding 3 years immediately following release.

This bill instead requires the court to stay the execution of the decision for up to 30 days to allow for an orderly release of the incarcerated individual, as specified, if the determination of the Board of Parole Hearings is reversed.

The bill requires that if the determination of the Board of Parole Hearings is reversed, the Department of Corrections and Rehabilitation, upon a determination that the individual is eligible for release pursuant to postrelease community supervision provisions, notify the probation department of the county of supervision of the pending release within 5 working days of the court order and work with the county of supervision to coordinate the orderly and safe release of the incarcerated individual.

**Status:** Chapter 963, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

# Peace Officers

## [SB-1020 \(Bradford\) - Law enforcement agency regulations: shooting range targets.](#)

(Adds Section 13658 to the Penal Code.)

Existing law requires law enforcement agencies to maintain specified policies, including policies regulating the use of force and the use of certain defensive weapons. Existing law requires each peace officer to complete all pre-service and in-service training mandated by the Commission on Peace Officer Standards and Training.

This bill would have required each law enforcement agency and basic course presenter to prohibit the use, as specified, of ethnic shooting targets, as defined.

**Status: VETOED**

### Legislative History:

Assembly Floor - (55 - 1)

Senate Floor - (33 - 0)

Assembly Appropriations - (11 - 3)

Sen Public Safety - (4 - 0)

Assembly Public Safety - (5 - 1)

### Governor's Veto Message:

I am returning Senate Bill 1020 without my signature.

This bill would require that law enforcement agencies and instructors adopt policies prohibiting the use of "ethnic shooting targets."

Law enforcement training should not reinforce ethnic biases. But the definition of "ethnic shooting target" in this bill is so broad that it could effectively ban targets with any realistic facial features, undermining efforts by law enforcement to train officers effectively.

**AB-1802 (Jones-Sawyer) - Crimes: organized theft.**

(Amends Section 490.4 of, and repeals Section 13899.1 of, the Penal Code.)

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant’s premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant’s premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft.

This bill extends the operation of the crime of organized retail theft indefinitely.

Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment.

The bill extends the operation of the regional property crimes task force indefinitely.

**Status:** Chapter 166, Statutes of 2024

**Legislative History:**

Assembly Floor - (74 - 0)	Senate Floor - (38 - 0)
Assembly Floor - (72 - 0)	Senate Appropriations - (1 - 3)
Assembly Appropriations - (15 - 0)	Senate Appropriations - (5 - 0)
Assembly Public Safety - (8 - 0)	Senate Public Safety - (4 - 0)

**AB-2138 (Ramos) - Peace officers: tribal police pilot project.**

(Add and repeal Sections 830.83 and 832.55 of, and add and repeal Article 2.45 (commencing with Section 11073) of Chapter 1 of Title 1 of Part 4 of, the Penal Code.)

Existing law defines those persons who are peace officers in the state, grants certain authority to those individuals and their employing entities, and places certain requirements on those individuals and their employing entities. Existing law also grants specified limited arrest authority to certain other persons, including federal criminal investigators and park rangers and peace officers from adjoining jurisdictions. Existing federal law authorizes tribal governments to employ tribal police for the enforcement of tribal law on tribal lands.

Existing federal law requires the State of California to exercise criminal jurisdiction on Indian lands. Existing state law deems a tribal police officer who has been deputized or appointed by a county sheriff as a reserve or auxiliary deputy to be a peace officer in the State of California.

This bill would have, from July 1, 2025, until July 1, 2028, established a pilot program under the Department of Justice and the Commission on Peace Officer Standards and Training granting peace officer authority to certain tribal police officers on Indian lands and elsewhere in the state under specified circumstances. The bill would have also authorized the department to select 3 tribal entities to participate, would set certain minimum qualifications and certification and training requirements for a tribal officer to act pursuant to this authority, and would have placed certain requirements on the employing tribe, including a limited waiver of sovereign immunity, and the adoption of a tribal law or resolution authorizing that exercise of authority and providing for public access to certain records. Further, the bill would have required the Department of Justice to provide ongoing monitoring and evaluation and to prepare and submit reports to the Legislature, as specified. Additionally, this bill would have authorized a tribe participating in this pilot program to establish a domestic violence death review team subject to the applicable provisions of this law, and would have created the Tribal Police Pilot Fund in the State Treasury to, upon appropriation by the Legislature, assist program participants with the cost of information technology necessary for complying with reporting requirements for law enforcement agencies.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (39 - 0)
Assembly Floor - (73 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (15 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	

**Governor's Veto Message:**

I am returning Assembly 2138 without my signature.

This bill would establish a three-year pilot program to grant participating tribal law enforcement officers California peace officer status.

I appreciate the author's steadfast commitment to addressing the ongoing Missing and Murdered Indigenous People (MMIP) crisis, and my administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars in grants to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

Unfortunately, while well-intentioned, this bill creates a significant legal disparity between California peace officers and tribal police officers. There are a range of important obligations, as well as powers, that accompany peace officer status. These obligations must be maintained should the powers of peace officer status be shared with tribal police officers.

**[AB-2279 \(Cervantes\) - Missing and Murdered Indigenous Persons Justice Program.](#)**

(Adds Section 15008 to the Government Code.)

Existing law requires the Department of Justice to provide technical assistance to local law enforcement agencies and tribal governments relating to tribal issues, including providing guidance for law enforcement education and training on policing and criminal investigations on Indian lands, providing guidance on improving crime reporting, crime statistics, criminal procedures, and investigative tools, and facilitating and supporting improved communication between local law enforcement agencies and tribal governments.

This bill would have established a Missing and Murdered Indigenous Persons Justice Program within and under the discretion of the Department of Justice, upon appropriation by the Legislature. The bill would have imposed specified responsibilities on the program, including acting as a liaison between tribal governments, families, and other law enforcement agencies. The bill, until January 1, 2029, if there are any remaining funds available after the use of funds for the establishment of the Missing and Murdered Indigenous Persons Justice Program, would have required the department to submit an annual report to both houses of the Legislature containing data on the number of and facts about cases involving missing and murdered indigenous persons in California.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)



**Governor's Veto Message:**

I am returning Assembly Bill 2279 without my signature.

This bill would establish the Missing and Murdered Indigenous Persons (MMIP) Justice Program within the Department of Justice to fund and support law enforcement agencies' investigatory activities.

I appreciate the author's commitment to addressing the ongoing MMIP crisis. My administration continues to prioritize policies that increase collaboration between law enforcement and tribal communities to bring justice to those impacted. In partnership with the Legislature, we increased funding in this year's budget for the MMIP Grant Program, which has awarded millions of dollars to support tribes' efforts to identify, publicize, investigate, and solve MMIP cases.

This measure is duplicative of those efforts and creates a new, unfunded grant program not included in the 2024 Budget Act. In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

**[AB-2541 \(Bains\) - Peace officer training: wandering.](#)**

(Adds Section 13515.40 to the Penal Code.)

Existing law requires specified categories of law enforcement officers to meet training standards pursuant to courses of training certified by the Commission on Peace Officer Standards and Training (POST). Existing law requires POST to include in its basic training course adequate instruction in the handling of persons with developmental disabilities or mental illness, or both.

This bill requires POST, in consultation with specified subject matter experts and on or before January 1, 2026, to develop guidelines addressing wandering associated with Alzheimer's disease, autism, and dementia, as specified.

**Status:** Chapter 333, Statutes of 2024

**Legislative History:**

Assembly Floor - (63 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (72 - 0)

Senate Floor - (37 - 0)

Assembly Appropriations - (14 - 0)

Senate Public Safety - (4 - 0)

Assembly Public Safety - (8 - 0)

**[AB-2546 \(Rendon\) - Law enforcement and state agencies: military equipment: funding, acquisition, and use.](#)**

(Amends Section 7070 of the Government Code.)

Existing federal law authorizes the United States Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency. Existing state law requires a law enforcement agency to adopt a military equipment use policy, as specified, before obtaining military equipment, and further requires a law enforcement agency to obtain approval from their governing body before obtaining military equipment, as specified. Existing law defines military equipment for purposes of these provisions.

This bill replaces certain devices referred to in this definition by a specific trade name with a general description of those devices.

**Status:** Chapter 408, Statutes of 2024

**Legislative History:**

Assembly Floor - (58 - 6)

Senate Floor - (33 - 4)

Assembly Public Safety - (7 - 0)

Senate Public Safety - (3 - 1)

**[AB-2621 \(Gabriel\) - Law enforcement training.](#)**

(Amends Sections 13519.6 and 18108 of the Penal Code.)

Existing law defines a “hate crime” as a criminal act committed, in whole or in part, because of actual or perceived characteristics of the victim, including, among other things, race, religion, disability, and sexual orientation. Existing law requires the Commission on Peace Officer Standards and Training (POST), in consultation with specified subject-matter experts, to develop a course of instruction that trains law enforcement on, among other things, indicators of hate crimes and techniques, responses to hate crime waves against certain groups, including Arab and Islamic communities, and methods to handle incidents of hate crimes in a noncombative manner.

This bill requires this instruction to include identifying when a gun violence restraining order (GVRO) is appropriate to prevent a hate crime and the procedure for seeking a gun violence restraining order, and requires instruction on responses to hate crime waves against specified groups, including the LGBTQ and Jewish communities.

Existing law allows a court to issue a gun violence restraining order prohibiting and enjoining a named person from having custody or control of any firearms or ammunition if the person poses a significant danger of causing personal injury to themselves or another by having custody or control of a firearm or ammunition, and establishes a civil restraining order process to accomplish that purpose, including authorizing the issuance of an ex parte order, as specified. Existing law requires specified law enforcement agencies to develop, adopt, and implement policies and standards relating to gun violence restraining orders, and requires these policies to include, among other things, standards and procedures for requesting and serving an ex parte gun violence restraining order or procedures on the responsibility of officers to attend gun violence restraining order hearings.

This bill revises the above-described policies and standards to include, among other things, an officer's obligation to diligently participate in the evidence presentation process at hearings and the procedure for storing firearms surrendered in compliance with a gun violence restraining order. Further, this bill requires law enforcement agencies, as specified, to make information about the standards and policies available to all officers.

**Status:** Chapter 532, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (75 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**[AB-2695 \(Ramos\) - Law enforcement: criminal statistics.](#)**

(Add Section 13020.5 to the Penal Code.)

Existing law requires specified entities and individuals to maintain records required for the correct reporting of statistical data and to report that data to the Department of Justice at the time and in the manner prescribed by the Attorney General.

This bill requires the above-described entities and individuals to disaggregate that data based on whether the incidents took place in Indian country, as defined.

**Status:** Chapter 662, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)

Assembly Appropriations - (12 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**[AB-2974 \(Megan Dahle\) - Peace officers: deputy sheriffs.](#)**

(Amends Section 830.1 of the Penal Code.)

Existing law establishes categories of peace officers with varying powers and authority to make arrests and carry firearms. Under existing law, in certain counties, including the Counties of Butte and Calaveras, a deputy sheriff, who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of the officer's employment and for the purpose of carrying out the primary function of employment relating to the officer's custodial assignments, or when performing other law enforcement duties directed by the officer's employing agency during a local state of emergency.

This bill includes a deputy sheriff employed by the County of Modoc within that definition of peace officer.

**Status:** Chapter 18, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (36 - 0)

Senate Public Safety - (4 - 0)

# Privacy

## [SB-926 \(Wahab\) - Crimes: distribution of intimate images.](#)

(Amends Section 647 of the Penal Code.)

Existing law defines certain acts as disorderly conduct, punishable as a misdemeanor. Under existing law, it is disorderly conduct to intentionally distribute or cause to be distributed the image of the intimate body part or parts of another identifiable person, or an image of the person depicted engaged in an act of sexual intercourse, sodomy, oral copulation, sexual penetration, or an image of masturbation by the person depicted or in which the person depicted participates, under circumstances in which the persons agree or understand that the image shall remain private, the person distributing the image knows or should know that distribution of the image will cause serious emotional distress, and the person depicted suffers that distress.

This bill makes it a crime for a person who is 18 years of age or older to intentionally create and distribute or cause to be distributed any photo realistic image, digital image, electronic image, computer image, computer-generated image, or other pictorial representation of an intimate body part or parts of another identifiable person, or an image of the person depicted engaged in an act of sexual intercourse, sodomy, oral copulation, sexual penetration, or an image of masturbation by the person depicted or in which the person depicted participates that was created in a manner that would cause a reasonable person to believe the image is an authentic image of the person depicted, under circumstances in which the person distributing the image knows or should know that distribution of the image will cause serious emotional distress, and the person depicted suffers that distress.

**Status:** Chapter 289, Statutes of 2024

### Legislative History:

Assembly Floor - (75 - 0)

Assembly Appropriations - (11 - 0)

Assembly Privacy and Consumer  
Protection - (11 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (40 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

### **AB-1874 (Sanchez) - Crimes: disorderly conduct.**

(Amends Section 647 of the Penal Code.)

Existing law defines specified behavior as disorderly conduct and prohibits that behavior. Under existing law, disorderly conduct includes, among other things, soliciting prostitution, prowling, peeping, surreptitious photographing or filming of an identifiable person, and the distribution of certain images of another person taken under circumstances in which the person understands that the image shall remain private, the distribution of which causes serious emotional distress. Under existing law, a person who, as a 2nd or subsequent violation, or if the victim is a minor at the time of the offense, of the prohibition on filming, photographing, or recording an identifiable person who may be in a state of full or partial undress, as specified, may be sentenced to imprisonment in a county jail for up to one year or a fine not exceeding \$2,000 dollars, or both that fine and imprisonment.

This bill increases the punishment for a 2nd or subsequent offense of that prohibition, if the victim was a minor at the time of the offense, to also be punishable as a felony. The bill specifies that this punishment does not apply to a person who was under 18 years of age at the time they committed the offense.

**Status:** Chapter 554, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (73 - 0)

Assembly Floor - (68 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (4 - 0)

### **AB-1962 (Berman) - Crimes: disorderly conduct.**

(Amends Section 647 of the Penal Code.)

Existing law defines specified behavior as disorderly conduct and prohibits that behavior. Under existing law, disorderly conduct includes, among other things, soliciting prostitution, prowling, peeping, surreptitious photographing or filming of an identifiable person, and the distribution of certain images of another person taken under circumstances in which the person understands that the image shall remain private, the distribution of which causes serious emotional distress.

This bill adds to the definition of disorderly conduct the distribution of those images recorded, captured, or otherwise obtained by the person distributing the image without the authorization of the person depicted, as specified, or by the person distributing the image exceeding authorized access from the property, accounts, messages, files, or resources of the person depicted.

**Status:** Chapter 367, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (73 - 0)

Senate Appropriations - (7 - 0)

Assembly Appropriations - (11 - 0)

Senate Public Safety - (5 - 0)

Assembly Public Safety - (8 - 0)

## **Probation and Local Corrections**

### **[SB-1005 \(Ashby\) - Juveniles.](#)**

(Amends Section 654 of the Welfare and Institutions Code.)

Existing law authorizes a probation officer who, after investigation of an application for a petition or any other investigation the probation officer is authorized to make, concludes that a minor is within the jurisdiction of the juvenile court, or will probably soon be within that jurisdiction, to, in lieu of filing a petition to declare a minor a dependent child of the court or a ward of the court, or requesting that a petition be filed by the prosecuting attorney to declare a minor a ward of the court, as specified, with consent of the minor and the minor's parent or guardian, delineate specific programs of supervision for the minor, not to exceed 6 months, and attempt to adjust the situation that brings the minor within the jurisdiction of the court or creates the probability that the minor will soon be within that jurisdiction. In lieu of filing a petition, existing law also authorizes the probation officer, with the consent of the minor and the minor's parent or guardian, to provide or contract for services including sheltered-care facilities, crisis resolution homes, or counseling and educational centers.

For certain offenses, this bill additionally authorizes a probation officer, with the consent of the minor and the minor's parent, to refer an offense to youth court, as specified.

**Status:** Chapter 179, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (36 - 0)

Senate Public Safety - (5 - 0)

**SB-1132 (Durazo) - County health officers.**

(Adds and repeals Section 101045 of the Health and Safety Code.)

Existing law requires a county or city health officer to annually investigate health and sanitary conditions in a county jail, publicly operated detention facility in the county, and private work furlough facility, as specified. Existing law authorizes a county or city health officer to make additional investigations of a county jail or detention facility as they determine necessary.

This bill additionally authorizes a county or city health officer to investigate a private detention facility, as defined, as they determine necessary.

**Status:** Chapter 183, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Assembly Public Safety - (8 - 0)

Assembly Health - (15 - 0)

Senate Floor - (36 - 0)

Senate Public Safety - (5 - 0)

Senate Health - (8 - 1)

**SB-1254 (Becker) - CalFresh: enrollment of incarcerated individuals.**

(Adds Section 18901.36 to the Welfare and Institutions Code.)

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), known in California as CalFresh, under which supplemental nutrition assistance benefits allocated to the state by the federal government are distributed to eligible individuals by each county. Existing federal law generally prohibits a resident of an institution from receiving supplemental nutrition assistance benefits.

Existing law requires the State Department of Social Services, if the department deems it necessary to maximize CalFresh enrollment outcomes or employment placement success rates for individuals reentering the community from the state prison or a county jail, to submit to the United States Department of Agriculture's Food and Nutrition Service a request to waive that prohibition to allow for preenrollment of applicants prior to their release.



Existing law establishes the Medi-Cal program, which is administered by the State Department of Health Care Services and under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Under existing law, subject to implementation of the California Advancing and Innovating Medi-Cal (CalAIM) initiative, a qualifying inmate of a public institution is eligible to receive targeted Medi-Cal services for 90 days, or the number of days approved in the CalAIM Terms and Conditions, before the date they are released from the institution, if otherwise eligible for Medi-Cal services.

This bill requires the State Department of Social Services to establish a CalFresh workgroup by February 1, 2026, composed of members with specified backgrounds, to meet no less than quarterly. The bill requires the workgroup to create and submit a report to the department and to the Legislature by August 31, 2027, and by August 31 annually thereafter, through 2030, with its recommendations for a state reentry process incorporating the necessary resources for transition from state prison or county jail to obtaining CalFresh benefits upon reentry into the community.

The bill also requires the department to seek a certain federal waiver to allow for preenrollment of applicants prior to their release from the state prison or county jail by January 1, 2026.

The bill additionally requires the department to partner with the Department of Corrections and Rehabilitation and county jails to allow for preenrollment of otherwise eligible applicants for the CalFresh program to ensure that an applicant's benefits may begin as soon as possible upon reentry of the applicant into the community from the state prison or county jail. The bill conditions implementation of that partnership in a given county on notification to the State Department of Health Care Services that the corresponding county has implemented the Justice-Involved Initiative that is developed pursuant to the above-described CalAIM provisions.

The bill makes the provisions above operative on the date that the department notifies the Legislature that the Statewide Automated Welfare System can perform the necessary automation to implement those provisions.

**Status:** Chapter 465, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (11 - 1)

Assembly Public Safety - (8 - 0)

Assembly Human Services - (6 - 0)

Senate Floor - (30 - 9)

Senate Floor - (33 - 5)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

Senate Human Services - (4 - 0)

**SB-1317 (Wahab) - Inmates: psychiatric medication: informed consent.**

(Amends Section 2603 of the Penal Code.)

Existing law prohibits, except as specified, a person sentenced to imprisonment in a county jail from being administered any psychiatric medication without prior informed consent. Existing law authorizes a county department of mental health, or other designated county department, to administer to an inmate involuntary medication on a nonemergency basis only after the inmate is provided, among other things, a hearing before a superior court judge, a court-appointed commissioner or referee, or a court-appointed hearing officer.

Existing law, until January 1, 2025, additionally protects all inmates in a county jail from being administered any psychiatric medication without prior informed consent, with certain exceptions, and imposes additional criteria that must be satisfied before a county department of mental health or other designated county department may administer involuntary medication, including a requirement that the jail first make a documented attempt to locate an available bed for the inmate in a community-based treatment facility, under certain conditions, in lieu of seeking involuntary administration of psychiatric medication. Until January 1, 2025, if an inmate is awaiting resolution of a criminal case, existing law requires that a hearing to administer involuntary medication on a nonemergency basis be held before, and that any requests for ex parte orders be submitted to, a judge in the superior court where the criminal case is pending. Existing law, also until January 1, 2025, sets limits on the amount of time such orders are valid and requires any court-ordered psychiatric medication to be administered in consultation with a psychiatrist who is not involved in the treatment of the inmate at the jail, if one is available.

This bill extends these provisions until January 1, 2030. The bill also requires any county that, between January 1, 2025, and July 1, 2028, administers involuntary medication to any inmate awaiting arraignment, trial, or sentencing, to prepare and submit a report to the Legislature, as specified. The bill requires any involuntary treatment to be consistent with the standard of care. The bill also permits the county to demonstrate a documented attempt to locate an available bed by submitting a declaration under penalty of perjury.

**Status:** Chapter 326, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (7 - 0)

Senate Floor - (39 - 0)

Senate Floor - (39 - 0)

Senate Public Safety - (5 - 0)

**AB-544 (Bryan) - Voting pilot program: county jails.**

(Adds and repeals Chapter 10 (commencing with Section 2750) to Division 2 of the Elections Code.)

Under existing law, a person is authorized to vote if that person is a United States citizen, a resident of California, at least 18 years of age, and not imprisoned for the conviction of a felony. Existing law further specifies conditions under which a person may register to vote, vote in person, vote by mail, vote a provisional ballot, and receive a replacement ballot.

This bill would have, until January 1, 2030, required the Secretary of State to, upon appropriation of funds for this purpose, operate a pilot program to provide grants to county election offices in the County of San Benito, the County of San Mateo, and the County of Santa Cruz to improve voter participation in jail facilities, as defined. The bill would have also required grantees to facilitate in-person voting for all eligible incarcerated persons. Participating counties would have been required to meet specified requirements and permit any eligible incarcerated person to perform specified activities, including registering to vote and voting, returning a vote by mail ballot, voting a provisional ballot, and receiving a replacement ballot. In the counties administering grants under these provisions, the bill would have required the county sheriff or jail facility administrator to designate an employee as a voting coordinator at each facility who will be responsible for ensuring compliance with requirements pertaining to in-person voting for maintaining voter education materials in the jail library, and for posting informational flyers regarding voting rights and eligibility to vote, among other duties. The bill would have also required the Secretary of State to prepare a related training for voting coordinators, and required a local elections official receiving a grant to evaluate the program and report the results of the evaluation to the Secretary of State, as specified.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (56 - 15)

Assembly Floor - (53 - 14)

Assembly Appropriations - (12 - 3)

Assembly Elections - (6 - 2)

Senate Floor - (30 - 10)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

Senate Elections and Constitutional  
Amendments - (6 - 1)

**Governor's Veto Message:**

I am returning Assembly Bill 544 without my signature.

This bill would require the Secretary of State to create a grant program for San Benito, San Mateo, and Santa Cruz counties to develop in-person voter programs in jail facilities.

While I appreciate the author's commitment to this issue, under the Elections Code, counties are able to establish these types of programs without statutory authority. Further, this bill creates a new, unfunded grant program and should be considered in the annual budget process.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that avoids deep program cuts to vital services and protected investments in education, health care, climate, public safety, housing, and social service programs that millions of Californians rely on. It is important to remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

**[AB-1788 \(Quirk-Silva\) - Mental health multidisciplinary personnel team.](#)**

(Adds Part 9 (commencing with Section 5990) to Division 5 of the Welfare and Institutions Code.)

Existing law authorizes a county to establish a homeless adult and family multidisciplinary personnel team, as defined, with the goal of facilitating the expedited identification, assessment, and linkage of homeless individuals to housing and supportive services within that county and to allow provider agencies to share confidential information for the purpose of coordinating housing and supportive services to ensure continuity of care.

This bill would have authorized counties to also establish a mental health multidisciplinary personnel team, as defined, with the goal of facilitating the expedited identification, assessment, and linkage of justice-involved persons diagnosed with a mental illness to supportive services within that county while incarcerated and upon release from county jail and to allow provider agencies and members of the personnel team to share confidential information, as specified, for the purpose of coordinating supportive services to ensure continuity of care. The bill would have required the sharing of information permitted under these provisions to be governed by protocols developed in each county, as specified, and requires each county to provide a copy of its protocols to the State Department of Health Care Services.

This bill would have authorized the mental health multidisciplinary personnel team to designate qualified persons to be a member of the team for a particular case and would require every member who receives information or records regarding justice-involved persons, as defined, in their capacity as a member of the team to be under the same privacy and confidentiality obligations and subject to the same confidentiality penalties as the person disclosing or providing the information or records. The bill would have required the information or records to be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights.

**Status: VETOED**

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (65 - 0)	Senate Appropriations - (7 - 0)
Assembly Appropriations - (14 - 0)	Senate Judiciary - (10 - 0)
Assembly Privacy and Consumer Protection - (11 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	

**Governor's Veto Message:**

I am returning Assembly Bill 1788 without my signature.

This bill would authorize counties to establish a mental health multidisciplinary personnel team to serve justice-involved individuals with mental illness and allow provider agencies to share information to coordinate supportive services.

My Administration is supportive of policies that can improve equity and supportive services to justice-involved (JI) individuals. The Department of Health Care Services (DHCS) is currently implementing the CalAIM JI Initiative, which provides pre-release Medi-Cal enrollment to ensure JI individuals have continuity of coverage upon release and access essential health services that will help them successfully return to their communities. For this reason, this bill is premature and may be duplicative. It would be more timely to assess this proposal following the full implementation of the DHCS CalAIM JI Initiative and the ability to evaluate data and identify any remaining gaps.

**AB-2106 (McCarty) - Probation.**

(Adds Section 1203.044 to the Penal Code.)

Existing law authorizes courts to suspend the imposition or execution of punishments in misdemeanor cases and instead enforce the terms of probation for a period not to exceed one year, except for offenses for which existing law prescribes specific probation lengths.

This bill requires, in instances where a defendant is charged with a controlled substance offense and granted probation, the court to order a drug treatment program or drug education, if an appropriate program with capacity to accept the defendant has been identified by the probation officer, as specified. The bill authorizes a court to revoke probation and impose a new grant of probation if the court determines the defendant has willfully failed to comply with the treatment program or education.

**Status:** Chapter 1007, Statutes of 2024

**Legislative History:**

Assembly Floor - (70 - 0)

Senate Floor - (39 - 0)

Assembly Floor - (53 - 0)

Senate Appropriations - (6 - 0)

Assembly Appropriations - (10 - 0)

Senate Public Safety - (4 - 0)

Assembly Public Safety - (8 - 0)

**AB-2531 (Bryan) - Deaths while in law enforcement custody: reporting.**

(Amends Section 10008 of the Penal Code.)

Under existing law, when a person 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 is required to post specified information, including the date on which the death occurred and the decedent's age, race, and gender, on its internet website within 10 days of the death. Existing law requires the agency to update the posting within 30 days if any information regarding the death changes.

The bill requires the agency to post this specified information on its internet website when a juvenile who is in custody dies. The bill would require the agency to also update the posting if the date on which the death occurred changes, once determined by a medical examiner or similar entity. The bill defines in-custody death for these purposes. By expanding the duties of local agencies, this bill imposes a state-mandated local program.

**Status:** Chapter 968, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)	Senate Floor - (39 - 0)
Assembly Floor - (73 - 0)	Senate Floor - (40 - 0)
Assembly Appropriations - (14 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	

**[AB-3092 \(Ortega\) - Attorney General: law enforcement agencies: reporting requirements: deaths.](#)**

(Amends Section 12525 of the Government Code.)

Existing law requires a law enforcement agency or agency in charge of a correctional facility, if a person dies while in the custody of that law enforcement agency or agency in charge of the correctional facility, to report in writing to the Attorney General, within 10 days after the death, all the facts in the agency's possession concerning the death. Existing law provides that these writings are public records and open to public inspection, except with respect to confidential medical information, as specified.

This bill requires the law enforcement agency or agency in charge of the correctional facility, if any of the information changes or new information becomes available regarding the death, to update its written report to the Attorney General within 10 days of the date of the change or the date the new information becomes available.

**Status:** Chapter 69, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)	Senate Floor - (37 - 0)
Assembly Appropriations - (14 - 0)	Senate Public Safety - (4 - 0)
Assembly Judiciary - (12 - 0)	
Assembly Public Safety - (8 - 0)	

# **Prostitution**

## **SB-1414 (Grove) - Crimes: solicitation of a minor.**

(Amends Sections 290 and 647 of the Penal Code.)

Under existing law, a person who solicits, or who agrees to engage in, or who engages in, any act of prostitution with the intent to receive compensation, money, or anything of value from another person is guilty of disorderly conduct, a misdemeanor. Under existing law, if the person solicited was a minor, and the person who solicited the minor knew or reasonably should have known that the person solicited was a minor, the offense is punishable by imprisonment in the county jail for a mandatory minimum of 2 days and not to exceed one year, by a fine not to exceed \$10,000, or by both such fine and imprisonment.

This bill makes this offense applicable only to a defendant who is 18 years of age or older at the time of the offense. The bill, if the person solicited was under 16 years of age, or if the person solicited was under 18 years of age at the time of the offense and the person solicited was a victim of human trafficking, makes the offense punishable as a wobbler by imprisonment in the county jail for not more than 1 year and a fine not to exceed \$10,000 or by imprisonment in the county jail for 16 months or 2 or 3 years. For a 2nd or subsequent offense under those conditions, the bill would require that the offense be punishable as a felony by imprisonment in the county jail for 16 months or 2 or 3 years.

Existing law requires persons convicted of certain specified crimes to annually register as a sex offender, as specified, for a term of 10, 20, or 30 years.

This bill requires a person who is 18 years of age or older, on or after January 1, 2025, is convicted of, and who has a prior conviction for, soliciting a minor, as specified, to annually register as a sex offender for a term of 10 years if, at the time of the offense, the person was more than 10 years older than the solicited minor.

**Status:** Chapter 617, Statutes of 2024

### **Legislative History:**

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Floor - (36 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (3 - 1)

Senate Public Safety - (4 - 0)



# **Sentencing**

## **[SB-268 \(Alvarado-Gil\) - Crimes: serious and violent felonies.](#)**

Amends Section 667.5 of the Penal Code.

Existing law classifies certain criminal offenses as a “violent felony” for the purposes of various provisions of the Penal Code, including sentencing enhancements for prior convictions, as well as numerous other provisions.

Existing law includes among the list of violent felonies rape accomplished against a person’s will by means of force, violence, duress, menace, or fear, or rape accomplished against the victim’s will by threat of violent retaliation.

This bill would also include the rape of an intoxicated person wherein it is pleaded and proved that the defendant caused the intoxication by administering a controlled substance to the victim without their consent and with the intent to sexually assault the victim.

**Status:** Chapter 855, Statutes of 2024

### **Legislative History:**

Assembly Floor - (74 - 0)

Assembly Appropriations - (13 - 1)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

## **[SB-285 \(Allen\) - Criminal procedure: sentencing.](#)**

(Amends Sections 1172.7 and 1172.75 of the Penal Code.)

Prior law, in effect until January 1, 2020, required a sentencing court to impose an additional one-year term for each prior separate prison term or county jail felony term served by the defendant for a nonviolent felony, as specified. Prior law, in effect until January 1, 2018, also required a sentencing court to impose on a defendant convicted of specified crimes relating to controlled substances, an additional 3-year term for each prior conviction of specified controlled substances crimes. Existing law limits the imposition of these sentencing enhancements to certain specified circumstances.

Existing law invalidates any enhancement imposed pursuant to one of these prior provisions and requires the sentencing court, upon receipt of notice and verification of specified information, to recall the sentence and resentence the person to remove any invalid sentence enhancements.

This bill, commencing January 1, 2025, makes an individual sentenced to death or a term of life without the possibility of parole, who has been convicted of a sexually violent offense, and who, as of January 1, 2025, has not had their judgment reviewed and verified by the sentencing court, as specified, ineligible for recall and resentencing under these provisions.

**Status:** Chapter 979, Statutes of 2024

**Legislative History:**

Assembly Floor - (71 - 1)	Senate Floor - (39 - 0)
Assembly Appropriations - (14 - 0)	Senate Public Safety - (5 - 0)
Assembly Public Safety - (8 - 0)	Senate Floor - (33 - 3)
Assembly Business and Professions - (15 - 2)	Senate Business, Professions and Economic Development - (12 - 1)

**SB-1242 (Min) - Crimes: fires.**

(Amends Section 452 of the Penal Code.)

Existing law prohibits unlawfully causing a fire by recklessly setting fire to, burning, or causing to be burned, any structure, forest land, or property. A violation of this prohibition is punishable as either a misdemeanor or a felony.

This bill would, for the purposes of sentencing for a violation of these provisions, make it a factor in aggravation that the offense was carried out within a merchant's premises in order to facilitate organized retail theft thereby authorizing a higher sentence to be sought.

**Status:** Chapter 173, Statutes of 2024

**Legislative History:**

Assembly Floor - (68 - 3)	Senate Floor - (37 - 0)
Assembly Appropriations - (9 - 4)	Senate Floor - (36 - 0)
Assembly Public Safety - (8 - 0)	Senate Appropriations - (7 - 0)
	Senate Public Safety - (5 - 0)

**[SB-1416 \(Newman\) - Sentencing enhancements: sale, exchange, or return of stolen property.](#)**

(Adds and repeals Section 12022.10 of the Penal Code.)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crime of burglary, which consists of entering specified buildings, places, or vehicles with the intent to commit grand or petty theft or a felony.

This bill, until January 1, 2030, creates sentencing enhancements for selling, exchanging, or returning for value, or attempting to sell, exchange, or return for value, any property acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property value exceeds specified amounts. The bill additionally makes these enhancements apply to any person acting in concert with another person to violate these provisions.

**Status:** Chapter 174, Statutes of 2024

**Legislative History:**

Assembly Floor - (59 - 6)	Senate Floor - (37 - 1)
Assembly Appropriations - (8 - 5)	Senate Floor - (39 - 0)
Assembly Public Safety - (8 - 0)	Senate Appropriations - (7 - 0)
	Senate Public Safety - (5 - 0)

**[AB-1960 \(Soria\) - Sentencing enhancements: property loss.](#)**

(Adds and repeals Section 12022.6 of the Penal Code.)

State law, repealed as of January 1, 2018, required a court to impose an additional term of imprisonment, as specified, on a person who takes, damages, or destroys property in the commission or attempted commission of a felony, as specified.

This bill, until January 1, 2030, creates sentencing enhancements for taking, damaging, or destroying property in the commission or attempted commission of a felony, as specified.

**Status:** Chapter 220, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 4)	Senate Floor - (34 - 2)
Assembly Floor - (60 - 5)	Senate Appropriations - (1 - 3)
Assembly Appropriations - (10 - 0)	Senate Appropriations - (5 - 0)
Assembly Public Safety - (7 - 0)	Senate Public Safety - (4 - 0)

# **Sexual Offenses and Sexual Offenders**

## **SB-268 (Alvarado-Gil) - Crimes: serious and violent felonies.**

(Amends Section 667.5 of the Penal Code.)

Existing law classifies certain criminal offenses as a “violent felony” for the purposes of various provisions of the Penal Code, including sentencing enhancements for prior convictions, as well as numerous other provisions.

Existing law includes among the list of violent felonies rape accomplished against a person’s will by means of force, violence, duress, menace, or fear, or rape accomplished against the victim’s will by threat of violent retaliation.

This bill would also include the rape of an intoxicated person wherein it is pleaded and proved that the defendant caused the intoxication by administering a controlled substance to the victim without their consent and with the intent to sexually assault the victim.

**Status:** Chapter 855, Statutes of 2024

### **Legislative History:**

Assembly Floor - (74 - 0)

Assembly Appropriations - (13 - 1)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

## **SB-442 (Limón) - Sexual battery.**

(Amends Section 243.4 of the Penal Code)

Existing law prohibits several forms of sexual battery, including, among others, the touching of an intimate part of another person, if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse. Existing law also defines sexual battery as causing another person, against that person’s will while that person is unlawfully restrained by the accused or an accomplice, to touch an intimate part of either of those persons or a 3rd person for the purpose of sexual arousal, sexual gratification, or sexual abuse. Under existing law, sexual battery is punishable as a misdemeanor or a felony.

This bill makes it a misdemeanor for a person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will, to masturbate or touch an intimate part of either of those persons or a 3rd person.

**Status:** Chapter 981, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)	Senate Floor - (40 - 0)
Assembly Appropriations - (14 - 0)	Senate Appropriations - (7 - 0)
Assembly Public Safety - (7 - 0)	Senate Public Safety - (5 - 0)

**[SB-1381 \(Wahab\) - Crimes: child pornography.](#)**

(Amends Sections 311.1, 311.3, 311.4 and, 312.3 of the Penal Code.)

Existing law prohibits the production, development, duplication, distribution, or possession, as specified, of matter, in specified formats, that depicts a person under 18 years of age engaging in or simulating sexual conduct, as defined. Existing law separately prohibits this conduct where it is done for consideration or where such matter is shared with a minor.

Existing law also prohibits the employment or use of a minor, or the permitting by a parent or guardian of the employment or use of a minor for the production of such matter. Existing law authorizes the forfeiture and destruction of such matter regardless of whether a conviction is sought or obtained.

This bill expands existing provisions of law related to child pornography and obscene matter depicting a minor engaged in sexual conduct to include matter that is digitally altered or generated by the use of artificial intelligence (AI).

**Status:** Chapter 929, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 1)	Senate Floor - (38 - 0)
Assembly Public Safety - (5 - 2)	Senate Floor - (38 - 0)
Assembly Floor - (36 - 16)	Senate Public Safety - (5 - 0)
Assembly Floor - (63 - 0)	
Assembly Public Safety - (7 - 0)	

## **SB-1414 (Grove) - Crimes: solicitation of a minor.**

(Amends Sections 290 and 647 of the Penal Code.)

Under existing law, a person who solicits, or who agrees to engage in, or who engages in, any act of prostitution with the intent to receive compensation, money, or anything of value from another person is guilty of disorderly conduct, a misdemeanor. Under existing law, if the person solicited was a minor, and the person who solicited the minor knew or reasonably should have known that the person solicited was a minor, the offense is punishable by imprisonment in the county jail for a mandatory minimum of 2 days and not to exceed one year, by a fine not to exceed \$10,000, or by both such fine and imprisonment.

This bill makes this offense applicable only to a defendant who is 18 years of age or older at the time of the offense. The bill, if the person solicited was under 16 years of age, or if the person solicited was under 18 years of age at the time of the offense and the person solicited was a victim of human trafficking, makes the offense punishable as a wobbler by imprisonment in the county jail for not more than 1 year and a fine not to exceed \$10,000 or by imprisonment in the county jail for 16 months or 2 or 3 years. For a 2nd or subsequent offense under those conditions, the bill would require that the offense be punishable as a felony by imprisonment in the county jail for 16 months or 2 or 3 years.

Existing law requires persons convicted of certain specified crimes to annually register as a sex offender, as specified, for a term of 10, 20, or 30 years.

This bill requires a person who is 18 years of age or older, on or after January 1, 2025, is convicted of, and who has a prior conviction for, soliciting a minor, as specified, to annually register as a sex offender for a term of 10 years if, at the time of the offense, the person was more than 10 years older than the solicited minor.

**Status:** Chapter 617, Statutes of 2024

### **Legislative History:**

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Floor - (36 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (3 - 1)

Senate Public Safety - (4 - 0)

### **SB-1473 (Laird) - Sex offenders.**

(Amends Section 290.09 of the Penal Code.)

Existing law establishes the California Sex Offender Management Board to, among other things, certify sex offender management professionals. Existing law establishes a State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO) and requires every registered sex offender to be assessed with the SARATSO, as specified. Existing law requires a sex offender management professional to provide a person's score on the SARATSO to that person's parole agent or probation officer. Existing law also requires the person's parole agent or probation officer to send the person's SARATSO score to the Department of Justice within 5 working days of the assessment.

This bill, instead, requires the sex offender management professional to send the person's SARATSO score to the Department of Justice within 30 days of the assessment, as specified.

**Status:** Chapter 191, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (72 - 0)

Senate Floor - (38 - 0)

Assembly Appropriations - (15 - 0)

Senate Public Safety - (5 - 0)

Assembly Public Safety - (7 - 0)

### **AB-1831 (Berman) - Crimes: child pornography.**

(Amends Sections 311, 311.2, 311.11, and 311.12 of the Penal Code.)

Existing law prohibits the production, development, duplication, distribution, or possession, as specified, of matter, in specified formats, that depicts a person under 18 years of age engaging in or simulating sexual conduct, as defined. Existing law separately prohibits this conduct where it is done for consideration or where such matter is shared with a minor.

Existing law provides an enhanced punishment when these offenses are committed using government property.

This bill expands the scope of certain of these provisions to include matter that is digitally altered or generated by the use of artificial intelligence, as such matter is defined.

**Status:** Chapter 926, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)

Assembly Floor - (71 - 0)

Assembly Appropriations - (15 - 0)

Assembly Privacy and Consumer

Protection - (11 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-1954 (Alanis) - Sexually violent predators.**

(Amends Sections 6608.5 and 6609.1 of the Welfare and Institutions Code.)

Existing law provides for the civil commitment of a person who is determined to be a sexually violent predator. Existing law establishes a procedure by which a person committed as a sexually violent predator may petition for conditional release. Existing law requires the counsel for the committed individual, the sheriff or the chief of police of the locality for placement, and the county counsel and the district attorney of the county of domicile, or the designees of each of those entities, to provide assistance and consultation in the State Department of State Hospitals' process of locating and securing housing within the county and requires those individuals to provide appropriate contact information for their respective office to the department. Existing law also requires the department to convene a committee of those individuals. Existing law generally requires the committed individual to be placed in their county of domicile before their incarceration, but authorizes consideration of, and placement in, an alternative placement county in extraordinary circumstances. When the department makes a recommendation for conditional release or community outpatient treatment, existing law requires the department to notify specified persons of its recommendation and include specified information.

This bill additionally requires the sheriff or the chief of police of an alternative placement locality and the county counsel and the district attorney of an alternative placement county, as specified, to provide assistance and consultation in the department's process of locating and securing housing for a sexually violent predator and to provide appropriate contact information for their office to the department. The bill includes these individuals in the committee meeting the department is required to convene and would also authorize those committee meetings to be held by teleconference. The bill requires the above-described notice to be sent electronically and by certified mail.

**Status:** Chapter 816, Statutes of 2024



**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Public Safety - (5 - 0)

**AB-2295 (Addis) - Crimes: commencement of prosecution.**

(Amends Section 801.1 of the Penal Code.)

Existing law generally requires that the prosecution of a felony sex offense be commenced within 10 years after the commission of the offense. Existing law requires specified sex offenses that are committed when the victim is under 18 years of age and under certain circumstances, such as rape of a person with a mental disorder or disability or sodomy with force or fear, to be commenced by the victim's 40th birthday.

This bill clarifies that if the conditions authorizing prosecution for these crimes are not met, the prosecuting agency may nevertheless provide victim assistance to the person, including support with pursuing restorative justice.

**Status:** Chapter 825, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (73 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-2730 (Lackey) - Sexual assault: medical evidentiary examinations.**

(Amends Section 13823.5 of the Penal Code.)

Existing law requires the Office of Emergency Services to establish a protocol for the examination and treatment of victims of sexual assault and attempted sexual assault and the collection of evidence therefrom. Existing law requires a qualified health care professional who conducts an examination for evidence of a sexual assault or an attempted sexual assault to use the standard form and to make those observations and perform those tests required to record the data required by the form. Existing law defines qualified health care professional for this purpose to include a physician and surgeon, or a currently licensed nurse, nurse practitioner,

or physician assistant who is working in consultation with a physician and surgeon who conducts examinations or provides treatment in a general acute care hospital or in a physician and surgeon's office.

This bill revises the definition of a qualified health care professional as it pertains to a physician assistant and nurse or nurse practitioner by removing the requirement that the consulting physician and surgeon conduct examinations or provide treatment. The bill also defines a licensed and certified nurse-midwife who is working in consultation with a licensed physician and surgeon as a qualified health care professional.

**Status:** Chapter 113, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Senate Floor - (39 - 0)

Assembly Public Safety - (8 - 0)

Sen Public Safety - (5 - 0)

## **Theft**

### **[SB-905 \(Wiener\) - Crimes: theft from a vehicle.](#)**

(Adds Sections 465 and 496.5 to the Penal Code.)

Existing law defines the crime of burglary to include entering a vehicle when the doors are locked with the intent to commit grand or petit larceny or a felony. Existing law makes the burglary of a vehicle punishable as a misdemeanor or a felony.

This bill makes forcibly entering a vehicle, as defined, with the intent to commit a theft or a felony therein a crime punishable by imprisonment in a county jail for a period not to exceed one year or imprisonment in a county jail for 16 months, or 2 or 3 years.

Existing law prohibits the taking of the personal property of another, as specified, prohibits removing any part of a vehicle without the consent of the owner, and prohibits the possession or receipt of stolen property, as specified. A violation of these prohibitions is punishable as either a misdemeanor or a felony.

This bill makes it a crime for a person to unlawfully possess property that was acquired through one or more acts of theft from a vehicle, unlawful entry of a vehicle, burglary of a locked vehicle, or vehicle tampering, if the property is not possessed for personal use and the person has the intent to sell or exchange the property, or the intent to act with another person to sell or exchange the property, and the value of the possessed property exceeds \$950.

The bill, for the purpose of determining the value, allows the aggregation of the value of other illegally obtained property possessed by the person within the past 2 years. The bill makes this crime punishable as a misdemeanor or a felony.

**Status:** Chapter 170, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 2)

Assembly Appropriations - (9 - 4)

Assembly Public Safety - (8 - 0)

Senate Floor - (37 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**[SB-982 \(Wahab\) - Crimes: organized theft.](#)**

(Amends Section 490.4 of the Penal Code.)

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft.

This bill extends the operation of the crime of organized retail theft indefinitely.

**Status:** Chapter 171, Statutes of 2024

**Legislative History:**

Assembly Floor - (72 - 0)

Assembly Appropriations - (9 - 4)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

## **SB-1144 (Skinner) - Marketplaces: online marketplaces.**

(Amends, repeals, and adds Sections 1749.8 and 1749.8.4 of, and adds Section 1749.8.9 to the Civil Code.)

Existing law generally requires an online marketplace to require a high-volume third-party seller on the online marketplace to make certain disclosures, and to suspend future sales activity of a high-volume third-party seller that is not in compliance with those information sharing requirements, as specified. Existing law imposes certain information retention and security requirements on an online marketplace and prohibits specified uses of that information. Existing law generally defines a “high-volume third-party seller,” for purposes of the above-described provisions, as a third-party seller who has entered into a certain number of consumer product sales transactions through an online marketplace for which payment is processed by the online marketplace, as specified. Existing law defines an “online marketplace,” for purposes of those provisions, as a consumer-directed, electronically accessed platform that includes features that allow for, facilitate, or enable, and are used by, a third-party seller to engage in the sale, purchase, payment, storage, shipment, or delivery of a consumer product and that has a contractual relationship with consumers governing their use of the platform to purchase consumer products.

This bill revises the types of transactions that qualify a third-party seller as a “high-volume third-party seller,” for those purposes. Specifically, the bill removes the conditions that the transactions be made through an online marketplace and that the online marketplace process the payment and, instead, add the condition that the transactions were made utilizing an online marketplace. The bill also revises the definition of “online marketplace” by removing the conditions that the above-described features be used by third-party sellers, and that the platform have the above-described contractual relationship with consumers. Existing law requires a high-volume third-party seller to disclose and certify to the online marketplace certain identification, contact, and payment information of the seller, as specified.

This bill requires an online marketplace to establish and maintain a policy prohibiting the sale of stolen goods on the marketplace and to provide a mechanism to notify the marketplace of the sale of stolen goods, as specified. The bill also requires an online marketplace to alert local, regional, or state law enforcement agencies in California if it knows or should know that a third-party seller is selling or attempting to sell stolen goods to a California resident, except as specified.

Existing law requires a person or entity who violates the above-described provisions to be liable for a civil penalty not to exceed \$10,000 for each violation and reasonable attorney’s fees and costs and to be subject to preventive relief, as specified. Existing law limits recovery and relief to a civil action brought by the Attorney General, as specified.

This bill expands recovery and relief to a civil action brought by a district attorney in any county, a city attorney in any city or city and county, or a county counsel in any county, and makes its provisions operative on July 1, 2025.

**Status:** Chapter 172, Statutes of 2024

**Legislative History:**

Assembly Floor - (73 - 0)	Senate Floor - (38 - 0)
Assembly Appropriations - (10 - 4)	Senate Floor - (33 - 1)
Assembly Judiciary - (11 - 0)	Senate Appropriations - (5 - 2)
Assembly Privacy and Consumer Protection - (11 - 0)	Senate Judiciary - (10 - 1)
	Senate Public Safety - (4 - 0)

**[SB-1416 \(Newman\) - Sentencing enhancements: sale, exchange, or return of stolen property.](#)**

(Adds and repeals Section 12022.10 of the Penal Code.)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crime of burglary, which consists of entering specified buildings, places, or vehicles with the intent to commit grand or petty theft or a felony.

This bill, until January 1, 2030, creates sentencing enhancements for selling, exchanging, or returning for value, or attempting to sell, exchange, or return for value, any property acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property value exceeds specified amounts. The bill additionally makes these enhancements apply to any person acting in concert with another person to violate these provisions.

**Status:** Chapter 174, Statutes of 2024

**Legislative History:**

Assembly Floor - (59 - 6)	Senate Floor - (37 - 1)
Assembly Appropriations - (8 - 5)	Senate Floor - (39 - 0)
Assembly Public Safety - (8 - 0)	Senate Appropriations - (7 - 0)
	Senate Public Safety - (5 - 0)

**AB-1779 (Irwin) - Theft: jurisdiction.**

(Amends Section 786.5 of the Penal Code.)

Existing law defines types of theft, including petty theft, grand theft, and shoplifting. Existing law also defines the crimes of robbery and burglary. Existing law sets forth specific rules relating to the jurisdiction for the prosecution of theft by fraud, organized retail theft, and receiving stolen property, including that the jurisdiction for prosecution includes the county where an offense involving the theft or receipt of the stolen merchandise occurred, the county in which the merchandise was recovered, or the county where any act was done by the defendant in instigating, procuring, promoting, or aiding or abetting in the commission of a theft offense or other qualifying offense. Existing law jurisdictionally limits prosecution of each of the above to criminal actions brought by the Attorney General.

This bill no longer limits the jurisdictional rules for the above crimes to criminal actions brought by the Attorney General. If a case is brought by someone other than the Attorney General and multiple offenses are committed by the same defendant in multiple jurisdictions, the bill allows a criminal action to be brought in any of those jurisdictions subject to a hearing on consolidation of the offenses, as specified. The bill requires the prosecution to present written evidence at the hearing that all district attorneys in counties with jurisdiction over the offenses agree to the venue. The bill requires charged offenses from jurisdictions where there is not a written agreement from the district attorney to be returned to that jurisdiction.

**Status:** Chapter 165, Statutes of 2024

**Legislative History:**

Assembly Floor - (71 - 1)

Assembly Floor - (71 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (5 - 0)

Senate Public Safety - (4 - 0)

**AB-1802 (Jones-Sawyer) - Crimes: organized theft.**

(Amends Section 490.4 of, and repeals Section 13899.1 of, the Penal Code.)

Existing law, until January 1, 2026, makes a person guilty of organized retail theft, punishable as a misdemeanor or a felony, as specified, if the person acts in concert with one or more persons to steal merchandise from one or more merchant's premises or online marketplaces with the intent to sell or return the merchandise for value, acts in concert with 2 or more persons to receive, purchase, or possess merchandise knowing or believing it to have been stolen, acts as an agent of another to steal merchandise from one or more merchant's premises or online marketplaces as part of an organized plan to commit theft, or recruits, coordinates, organizes, supervises, directs, manages, or finances another to undertake acts of theft.

This bill extends the operation of the crime of organized retail theft indefinitely.

Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment.

The bill extends the operation of the regional property crimes task force indefinitely.

**Status:** Chapter 166, Statutes of 2024

**Legislative History:**

Assembly Floor - (74 - 0)

Senate Floor - (38 - 0)

Assembly Floor - (72 - 0)

Senate Appropriations - (1 - 3)

Assembly Appropriations - (15 - 0)

Senate Appropriations - (5 - 0)

Assembly Public Safety - (8 - 0)

Senate Public Safety - (4 - 0)

**[AB-1960 \(Soria\) - Sentencing enhancements: property loss.](#)**

(Adds and repeals Section 12022.6 of the Penal Code.)

State law, repealed as of January 1, 2018, required a court to impose an additional term of imprisonment, as specified, on a person who takes, damages, or destroys property in the commission or attempted commission of a felony, as specified.

This bill, until January 1, 2030, creates sentencing enhancements for taking, damaging, or destroying property in the commission or attempted commission of a felony, as specified.

**Status:** Chapter 220, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 4)

Senate Floor - (34 - 2)

Assembly Floor - (60 - 5)

Senate Appropriations - (1 - 3)

Assembly Appropriations - (10 - 0)

Senate Appropriations - (5 - 0)

Assembly Public Safety - (7 - 0)

Senate Public Safety - (4 - 0)

**AB-1972 (Alanis) - Regional property crimes task force.**

(Amends Section 13899 of the Penal Code.)

Existing law authorizes the Governor to appoint and commission individuals designated by a railroad company to serve as police officers. Existing law, until January 1, 2026, requires the Department of the California Highway Patrol to coordinate with the Department of Justice to convene a regional property crimes task force to identify geographic areas experiencing increased levels of property crimes and assist local law enforcement with resources, such as personnel and equipment.

This bill requires the task force to assist railroad police and would specify cargo theft as a property crime for consideration by the regional property crimes task force.

**Status:** Chapter 167, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)

Assembly Floor - (70 - 0)

Assembly Appropriations - (14 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (7 - 0)

Senate Public Safety - (5 - 0)

**AB-2943 (Zbur) - Crimes: shoplifting.**

(Amends Sections 487, 836, 853.6, and 1001.82 of, and adds Sections 372.7, 496.6, and 1203g to, the Penal Code.)

(1) Existing law divides theft into grand theft and petty theft. Existing law punishes petty theft as a misdemeanor while grand theft is punished as either a misdemeanor or a felony. Existing law lists specific types of theft which are grand theft and all other cases of theft as petty theft. Existing law authorizes a person to be charged with grand theft if the property taken exceeds \$950 over the course of distinct but related acts.

This bill clarifies that those related acts include acts committed against multiple victims or in counties other than the county of the current offense. The bill also clarifies that evidence that distinct acts are motivated by one intention, one general impulse, and one plan may include, but is not limited to, evidence that the acts involve the same defendant or defendants, are substantially similar in nature, or occur within a 90-day period.



(2) Existing law prohibits the possession or receipt of stolen property, as specified. A violation of this prohibition is punishable as either a misdemeanor or a felony, depending on the value of the property and whether the offender has certain prior convictions.

This bill makes it a crime for any person to possess property unlawfully that was acquired through one or more acts of shoplifting, theft, or burglary from a retail business, if the property is not possessed for personal use and the person has intent to sell, exchange, or return the merchandise for value, or the intent to act in concert with one or more persons to sell, exchange, or return the merchandise for value, and the value of the possessed property exceeds \$950.

The bill, for the purpose of determining the value of the property, aggregates the property with any other property possessed by the person with that intent within the prior 2 years and with any property possessed by another person acting in concert with the first person to sell, exchange, or return the merchandise for value, if that property was also acquired unlawfully.

The bill makes this crime punishable as a misdemeanor or a felony.

(3) Existing law prohibits shoplifting, defined as entering a commercial establishment with intent to commit theft while that establishment is open during regular business hours, where the value of the property that is taken or intended to be taken does not exceed \$950. Existing law requires an act that falls within this definition to be charged as shoplifting and not as burglary or theft. Under existing law, shoplifting is punishable as a misdemeanor, except when the defendant has prior convictions, as specified.

Existing law authorizes a peace officer to make a warrantless arrest for a misdemeanor when the officer has probable cause to believe the person to be arrested has committed the misdemeanor in the officer's presence. Existing law also authorizes a private person to make an arrest for a misdemeanor committed in their presence, and requires the person to deliver the arrested person to a peace officer or magistrate. Existing law additionally authorizes a merchant to detain a person for a reasonable time and in a reasonable manner to determine if a person has unlawfully taken merchandise.

Existing law authorizes a peace officer to make a warrantless arrest for specified misdemeanors relating to domestic violence, violation of a restraining order, and carrying a concealed firearm at an airport that did not occur in the officer's presence.

This bill authorizes a peace officer to make a warrantless arrest for a misdemeanor shoplifting offense not committed in the officer's presence if the officer has probable cause to believe that person has committed shoplifting, as specified.

The bill clarifies that local law enforcement or a local jurisdiction is prohibited from bringing a nuisance action against a business solely for the act of reporting retail crime, unless the report is knowingly false.

(4) Existing law requires a peace officer to release upon a signed promise to appear any person arrested for a misdemeanor, unless the person demands to be taken before a magistrate. Existing law provides certain reasons a person arrested for a misdemeanor shall not be released including that the person is intoxicated or in need of medical attention, the person is unable to provide satisfactory proof of identification, or there are outstanding arrest warrants for the person. Additionally, existing law exempts from this provision persons arrested for specified crimes including domestic violence, stalking, threatening a witness, and, until January 1, 2026, organized retail theft.

This bill extends that exemption for organized retail theft until January 1, 2031.

(5) Existing law, until January 1, 2026, authorizes a city or county prosecuting authority 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.

This bill extends that authorization until January 1, 2031.

(6) Existing law authorizes the court to suspend a criminal sentence and make and enforce terms of probation for a period not to exceed 2 years, and in misdemeanor cases, for a period not to exceed one year. Existing law authorizes the court to make and enforce the terms of probation for specified theft cases for a period not to exceed 3 years.

This bill, for an offense of shoplifting or petty theft, authorizes the court to make and enforce the terms of probation for a period not to exceed 2 years. The bill requires a court that imposes a term longer than one year to consider referring the defendant to a collaborative court or rehabilitation program that is relevant to the underlying factor or factors that led to the commission of the offense, as specified. For a defendant under 25 years of age, the bill requires the court, to the extent such a program is available, to refer the defendant to a program modeled on healing-centered, restorative, trauma-informed, and positive youth development approaches that is provided in collaboration with community-based organizations

**Status:** Chapter 168, Statutes of 2024

**Legislative History:**

Assembly Floor - (64 - 4)

Assembly Floor - (66 - 0)

Assembly Appropriations - (10 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (36 - 1)

Senate Appropriations - (1 - 3)

Senate Appropriations - (5 - 0)

Senate Public Safety - (4 - 0)

**AB-3209 (Berman) - Crimes: theft: retail theft restraining orders.**

(Amends Section 6380 of the Family Code, and to add Section 490.8 to the Penal Code.)

Existing law prohibits the theft of merchandise from a retail establishment. Existing law authorizes a court, upon sentencing a person for specified offenses, including stalking and elder abuse, to issue a criminal protective order prohibiting the person from contacting any victim of their offense.

This bill authorizes a court, when sentencing a person for an offense involving theft from a retail establishment, vandalism of a retail establishment, or battery of an employee of a retail establishment, to issue a criminal protective order prohibiting a person from entering the retail establishment, including any parking lots and including other franchise or chain locations of the retail establishment, as specified.

The bill also authorizes a prosecuting attorney, city attorney, county counsel, or attorney representing a retail establishment to file a petition for the issuance of a criminal protective order of this type against a person who has been arrested, including, but not limited to, the issuance of a citation in lieu of a custodial arrest, 2 or more times for any of the offenses at the same retail establishment, as specified. The bill also makes conforming changes.

The bill makes a violation of these orders punishable as a misdemeanor.

Existing law requires a person arrested for a misdemeanor to be issued a written notice to appear and to be released upon their signed promise to appear, except as otherwise provided.

This bill exempts a violation of a retail establishment restraining order from that requirement.

**Status:** Chapter 169, Statutes of 2024

**Legislative History:**

Assembly Floor - (69 - 5)

Assembly Floor - (68 - 1)

Assembly Appropriations - (10 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (38 - 0)

Senate Appropriations - (2 - 3)

Senate Appropriations - (5 - 0)

Senate Public Safety - (4 - 0)

# Vehicles and Driving Under the Influence (DUI)

## [AB-1978 \(Sanchez\) - Vehicles: speed contests.](#)

(Amends Section 22651, and adds Section 23109.3 to, the Vehicle Code)

Existing law prohibits a person from engaging in a motor vehicle speed contest or exhibition of speed on a highway or in an offstreet parking facility. Existing law also prohibits a person from obstructing or placing a barricade or obstruction upon a highway or in an offstreet parking facility for the purpose of facilitating or aiding any motor vehicle speed contest or exhibition, as specified.

This bill authorizes a peace officer to not take a person into custody for a violation of obstructing or placing a barricade or obstruction upon a highway or in an offstreet parking facility for the purpose of facilitating or aiding a motor vehicle speed contest or exhibition of speed, as specified, if the peace officer causes the removal and seizure of the vehicle used to commit that offense.

Existing law authorizes a peace officer or a regularly employed and salaried employee who is engaged in directing traffic or enforcing parking laws and regulations to remove a vehicle when, among other things, the officer arrests a person driving or in control of a vehicle for an alleged offense, and the officer is, by the Vehicle Code or other law, required or permitted to take, and does take, the person into custody.

This bill revises these provisions to authorize a peace officer to remove a vehicle pursuant to these provisions without taking a person into custody when the alleged offense is a violation of obstructing or placing a barricade or obstruction upon a highway or in an offstreet parking facility for the purpose of facilitating or aiding a motor vehicle speed contest or exhibition of speed, as specified.

**Status:** Chapter 501, Statutes of 2024

### **Legislative History:**

Assembly Floor - (72 - 0)

Assembly Floor - (65 - 0)

Assembly Appropriations - (14 - 0)

Assembly Transportation - (15 - 0)

Assembly Public Safety - (5 - 0)

Senate Floor - (37 - 2)

Senate Floor - (33 - 0)

Senate Public Safety - (4 - 0)

Senate Transportation - (15 - 0)

### **AB-2186 (Wallis) - Vehicles: impoundment.**

(Amends Section 23109.2 of the Vehicle Code.)

Existing law allows a peace officer to arrest a person and seize the motor vehicle of the person if a peace officer determines that the person was engaged in a motor vehicle speed contest, reckless driving, or an exhibition of speed on a highway. Existing law allows a vehicle seized under this provision to be impounded for up to 30 days.

This bill expands this provision to include an exhibition of speed that occurs in an offstreet parking facility, as specified.

**Status:** Chapter 502, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (71 - 0)

Assembly Appropriations - (15 - 0)

Assembly Transportation - (15 - 0)

Senate Floor - (40 - 0)

Senate Public Safety - (5 - 0)

Senate Transportation - (15 - 0)

### **AB-2645 (Lackey) - Electronic toll collection systems: information sharing: law enforcement.**

(Amend Section 31490 of the Streets and Highways Code.)

Existing law prohibits a transportation agency, as defined, from selling or otherwise providing to any other person or entity, with certain exceptions, personally identifiable information of a person who subscribes to an electronic toll collection system or who uses a toll bridge, toll lane, or toll highway that employs an electronic toll collection system. Under existing law, a transportation agency is authorized to make personally identifiable information of a person available to a law enforcement agency only pursuant to a search warrant, except under certain circumstances. Existing law defines “personally identifiable information” for these purposes and provides that it includes, among other things, a license plate number. Existing law authorizes a law enforcement agency to request the Department of the California Highway Patrol (CHP) to activate the Emergency Alert System within the appropriate area if that agency determines that a child 17 years of age or younger, or an individual with a proven mental or physical disability, has been abducted and is in imminent danger of serious bodily injury or death, and there is information available that, if disseminated to the general public, could assist in the safe recovery of that person. Existing law also authorizes the CHP, upon the request of a law enforcement agency, to activate various other alerts for missing individuals meeting certain criteria and alerts following an attack upon a law enforcement officer or a hit-and-run fatality.

This bill authorizes a transportation agency that employs an electronic toll collection system to provide the date, time, and location of a vehicle license plate read captured by the system to a peace officer in response to one of these alerts.

**Status:** Chapter 730, Statutes of 2024

**Legislative History:**

Assembly Floor - (76 - 0)

Assembly Floor - (68 - 0)

Assembly Appropriations - (15 - 0)

Assembly Transportation - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (39 - 0)

Senate Appropriations - (7 - 0)

Senate Transportation - (15 - 0)

Senate Public Safety - (5 - 0)

**[AB-2807 \(Villapudua\) - Vehicles: sideshows and street takeovers.](#)**

(Amends Section 23109 of the Vehicle Code)

Existing law prohibits a person from engaging in a motor vehicle exhibition of speed on a highway or aiding or abetting in a motor vehicle exhibition of speed on a highway. Upon conviction, existing law punishes a person by imprisonment in a county jail for not more than 90 days, by a fine of not more than \$500, or by both that fine and imprisonment. Existing law, commencing July 1, 2025, authorizes the court to order the privilege to operate a motor vehicle suspended for 90 days to 6 months and restrict the person's operation of a motor vehicle for the purposes of their employment if the violation occurred as part of a sideshow, as defined. Existing law requires the court to consider a person's hardships, as specified, when deciding to either suspend or restrict a driver's license.

This bill clarifies that a "sideshow" is also known as a "street takeover."

**Status:** Chapter 503, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Assembly Floor - (66 - 0)

Assembly Transportation - (15 - 0)

Senate Floor - (40 - 0)

Senate Public Safety - (5 - 0)

Senate Transportation - (15 - 0)

### **AB-3085 (Gipson) - Vehicles: removal and impoundment.**

(Amends Section 14602.7 of the Vehicle Code.)

Existing law requires a magistrate to issue a warrant or order authorizing a peace officer to immediately seize and cause the removal of a vehicle if the magistrate is presented with a peace officer's affidavit establishing reasonable cause to believe that the vehicle was an instrumentality used in the peace officer's presence in violation of specified offenses, including, among others, a person who, while operating a motor vehicle and with the intent to evade, willfully flees or otherwise attempts to elude a pursuing peace officer's motor vehicle. Existing law makes it a crime for a person to engage in a motor vehicle speed contest or exhibition of speed on a highway or in an offstreet parking facility, as specified.

This bill includes this crime in the list of offenses for which a peace officer may impound a vehicle pursuant to a warrant or order issued by a magistrate, and make other technical changes, as specified.

**Status:** Chapter 504, Statutes of 2024

#### **Legislative History:**

Assembly Floor - (66 - 0)

Assembly Transportation - (15 - 0)

Senate Floor - (33 - 0)

Senate Public Safety - (5 - 0)

Senate Transportation - (15 - 0)

### **AB-3168 (Gipson) - Department of Motor Vehicles: confidential records.**

(Amends Section 1808.4 of the Vehicle Code.)

Existing law prohibits the disclosure of the home addresses of certain public employees and officials that appear in records of the Department of Motor Vehicles, except to a court, a law enforcement agency, an attorney in a civil or criminal action under certain circumstances, and certain other official entities. Existing law requires that following termination of office or employment, a confidential home address be withheld from public inspection for 3 years, unless the termination is the result of conviction of a criminal offense. Existing law provides that if a termination or separation from office or employment is the result of the filing of a criminal complaint, the confidential home address shall be withheld from public inspection during the time in which the terminated individual may file an appeal from termination, while an appeal from termination is ongoing, and until the appeal process is exhausted. If the termination or separation is upheld, existing law grants employing agencies with discretion to maintain the confidentiality of the terminated individual's home address.

This bill authorizes an employing agency to request that the department remove the confidentiality protections described above following the termination of employment if no appeal to the termination is filed or if the termination or separation is upheld. The bill requires an employing agency in its request to certify that no appeal to the termination has been filed or that the termination or separation has been upheld. If the terminated individual files an appeal from termination, this bill requires that the individual's home address be withheld from public inspection while the appeal from termination is ongoing and until the appeal process is exhausted. The bill requires the department to comply with these requests within 45 days of receipt. The bill specifies that these provisions shall not apply to terminations of employment resulting from the filing of a criminal complaint.

**Status:** Chapter 225, Statutes of 2024

**Legislative History:**

Assembly Floor - (77 - 0)

Senate Floor - (40 - 0)

Assembly Floor - (71 - 0)

Senate Public Safety - (5 - 0)

Assembly Appropriations - (15 - 0)

Assembly Transportation - (15 - 0)

## **Victims and Restitution**

### **[AB-1186 \(Bonta\) - Restitution fines.](#)**

(Amends Sections 1465.9, 2085.5, 2085.6, and 2085.7 of the Penal Code, and amends Sections 223.2 and 730.6 of, and repeals Sections 1752.81 and 1752.82 of, the Welfare and Institutions Code.)

(1) Existing law requires a court, when a defendant is convicted of a crime, to order the defendant to pay restitution to the victim or victims, and to additionally pay a restitution fine to be deposited in the Restitution Fund. Existing law generally provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation Board from the Restitution Fund.

This bill makes the outstanding balance of any restitution fines, including any collection fees, unenforceable and uncollectible 10 years after the date of imposition of an order for a restitution fine.



(2) Existing law establishes the jurisdiction of the juvenile court over minors who are between 12 and 17 years of age, inclusive, who have violated a federal, state, or local law or ordinance, as specified, and over minors under 12 years of age who have been alleged to have committed specified crimes. Existing law authorizes a juvenile court to adjudge a person under these circumstances to be a ward of the court. Existing law generally requires that the minor pay a restitution fine to be deposited into the Restitution Fund and restitution to any victim of the minor's conduct, as specified.

The bill removes the requirement that a minor adjudged to be a ward of the court pay a restitution fine and would make the outstanding balance of any restitution fines, including any collection fees, unenforceable and uncollectible 10 years after the date of imposition of a restitution fine. The bill makes additional conforming changes.

Existing law requires the juvenile court, when issuing the order of restitution, to identify on the court order, any co-offenders who are jointly and severally liable for victim restitution. The bill requires, for the purposes of victim restitution, that each minor be held severally liable, as specified, and would prohibit a minor from being held jointly and severally liable as co-offenders. The bill prohibits the aggregate amount of apportioned liability for all minors involved from exceeding 100% in total.

(4) Existing law establishes the distribution of trust funds of a ward committed to the Division of Juvenile Justice, including payment of restitution orders and restitution fines. Under existing law, the Division of Juvenile Justice closed on June 30, 2023. This bill repeals these provisions.

**Status:** Chapter 805, Statutes of 2024

**Legislative History:**

Assembly Floor - (61 - 13)

Assembly Floor - (57 - 13)

Assembly Appropriations - (11 - 4)

Assembly Public Safety - (7 - 0)

Senate Floor - (31 - 9)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 1)

Senate Appropriations - (5 - 2)

Senate Public Safety - (4 - 0)

## **AB-2432 (Gabriel) - Corporations: criminal enhancements.**

(Amends Section 1202.4 of, to add Section 1398 to, and to add Article 5 (commencing with Section 13839) to Chapter 4 of Title 6 of Part 4 of, the Penal Code.)

Existing federal law, the Victims of Crime Act of 1984, creates the Crime Victims Fund and authorizes federal financial assistance to states for the purpose of supporting eligible crime victim assistance programs. Existing law creates various programs under the Office of Emergency Services related to crime prevention and education, including, among other things, programs concerning family violence prevention and domestic violence prevention.

This bill, the California Victims of Crime Act, establishes the California Crime Victims Fund in the State Treasury and would require that moneys deposited in the fund be continuously appropriated to the Office of Emergency Services to support crime victim's services. The bill requires the Office of Emergency Services to seek advisement from the Victims of Crime Act Steering Committee on priorities for utilizing the funds and would require the Treasurer to provide an annual report to the Legislature on the amounts deposited into the fund.

Existing law establishes the aggravated white-collar crime enhancement which imposes enhanced penalties against a person who commits 2 or more related felonies, a material element of which is fraud or embezzlement, that involve a pattern of related felony conduct, and the pattern of related felony conduct involves the taking or loss of more than \$100,000, as specified.

This bill authorizes a court to impose an additional fine, known as the corporate white collar criminal enhancement, against a corporation that is convicted of a misdemeanor or felony. The bill authorizes the court to determine the amount of the fine, but would set specified limits. The bill requires the court to consider certain factors when determining the amount of the fine, including, among other things, the nature and seriousness of the offense and the corporation's assets, liabilities, and net worth, as specified. The bill requires that any moneys collected under this provision be deposited into the California Crime Victims Fund.

The California Constitution entitles the victim of a crime to restitution. Existing law requires the court in each criminal case to order a convicted defendant to pay full restitution to the victim and a separate restitution fine, as specified.

This bill, if a corporation is convicted of a misdemeanor or felony offense, requires the court to impose a separate and additional restitution fine, as specified. The bill would authorize the court to determine the amount of the restitution fine, but would impose specified maximums. The bill requires any moneys collected under this provision to be distributed to the California Crime Victims Fund and the prosecuting agency that brought the criminal prosecution, as specified.

**Status:** Chapter 651, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)	Senate Floor - (40 - 0)
Assembly Floor - (71 - 0)	Sen Public Safety - (5 - 0)
Assembly Appropriations - (12 - 0)	
Assembly Banking and Finance - (8 - 0)	
Assembly Public Safety - (8 - 0)	

## **Warrants and Orders**

**[SB-918 \(Umberg\) - Law enforcement contact process: search warrants.](#)**

(Adds Chapter 31.6 (commencing with Section 22946) to Division 8 of the Business and Professions Code.)

Existing law generally regulates a social media platform, including by requiring a social media platform to clearly and conspicuously state whether it has a mechanism for reporting violent posts that is available to users and nonusers of the social media platform and to include a link to that reporting mechanism, as prescribed.

This bill requires a social media platform to maintain a law enforcement contact process that, among other things, makes available a staffed hotline for law enforcement personnel for purposes of receiving, and responding to, requests for information. Except as prescribed, the bill also requires a social media platform to comply with a search warrant within 72 hours if the search warrant is provided to the social media platform by a law enforcement agency, the subject of the search warrant is information associated with an account on the social media platform, and that information is controlled by a user of the social media platform. This bill does not apply to social media platforms with fewer than 1,000,000 discrete monthly users and its provisions become operative on July 1, 2025.

**Status:** Chapter 985, Statutes of 2024

**Legislative History:**

Assembly Floor - (75 - 0)	Senate Floor - (39 - 1)
Assembly Privacy and Consumer Protection - (11 - 0)	Senate Public Safety - (5 - 0)
	Senate Floor - (39 - 0)
	Senate Judiciary - (11 - 0)

**AB-1892 (Flora) - Interception of electronic communications.**

(Amends Section 629.52 of the Penal Code.)

Existing law, until January 1, 2030, requires an application for an order authorizing the interception of wire or electronic communications to be made in writing upon the personal oath or affirmation of the Attorney General, Chief Deputy Attorney General, or Chief Assistant Attorney General, Criminal Law Division, or of a district attorney or person designated to act as district attorney. Until January 1, 2030, existing law authorizes a court to issue an order authorizing interception of wire or electronic communications if the judge finds, among other things, that there is probable cause to believe an individual is committing, has committed, or is about to commit one of several specified offenses, including murder or possession or sale of controlled substances.

This bill additionally authorizes a court to issue an order authorizing interception of wire or electronic communications if the judge finds that there is probable cause to believe an individual is committing, has committed, or is about to commit a felony violation of specified statutes relating to the distribution of obscene matter depicting a person under 18 years of age.

**Status:** Chapter 363, Statutes of 2024

**Legislative History:**

Assembly Floor - (69 - 0)

Assembly Appropriations - (15 - 0)

Assembly Public Safety - (8 - 0)

Senate Floor - (40 - 0)

Senate Public Safety - (5 - 0)

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