
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 1330 **Hearing Date:** April 7, 2026
Author: Arreguín
Version: February 20, 2026
Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Assault and battery: utility workers*

HISTORY

Source: San Diego Gas & Electric Company
Southern California Gas Company

Prior Legislation: SB 431 (Arreguín) held in Assembly Appropriations, 2025
AB 977 (Rodriguez), Ch. 937, Stats. of 2024
SB 1416 (Bradford), not heard in Senate Public Safety, 2020
SB 513 (Bradford), vetoed, 2017
AB 172 (Rodriguez), vetoed, 2015
AB 1959 (Rodriguez), held in Assembly Appropriations, 2016
SB 390 (La Malfa), Ch. 249, Stats. of 2011
SB 406 (Lieu), Ch. 250, Stats. of 2011

Support: American Federation of State, County and Municipal Employees, AFL-CIO; Arcadia Police Officers' Association; Bay Area Council; Brea Police Association; Burbank Police Officers' Association; California American Water; California Civil Liberties Advocacy; California Labor Federation, AFL-CIO; California Municipal Utilities Association; California Product Stewardship Council; California Reserve Peace Officers Association; California State Association of Electrical Workers; California Water Association; California Water Service; City of Roseville; Claremont Police Officers Association; Coalition of California Utility Employees; Corona Police Officers Association; Culver City Police Officers' Association; East Bay Municipal Utility District; Engineers and Scientists of California, IFPTE Local 20, AFL-CIO; Fullerton Police Officers' Association; Golden State Water Company; Great Oaks Water Company; International Brotherhood of Electrical Workers, Local 1245; Liberty Utilities; Murrieta Police Officers' Association; Newport Beach Police Association; Pacific Gas and Electric Company; Palos Verdes Police Officers Association; Placer County Deputy Sheriffs' Association; Pomona Police Officers' Association; Riverside Police Officers Association; Riverside Sheriffs' Association; San Gabriel Valley Water Company; San Jose Water Company; Southern California Edison; Suburban Water Systems

Opposition: ACLU California Action; Courage California; Justice2jobs Coalition; LA Defensa; Los Angeles County Public Defender's Union, Local 148; Rubicon Programs; San Francisco Public Defender

PURPOSE

The purpose of this bill is to increase the penalty for assault and battery committed against a utility worker, as defined, while engaged in the performance of their duties.

Existing law defines “assault” as an unlawful attempt, coupled with a present ability, to inflict a violent injury upon another person, and makes the offense punishable by up to six months in the county jail, by a fine not exceeding \$1,000, or by both. (Pen. Code, §§ 240 & 241, subd. (a).)

Existing law defines “battery” as the willful and unlawful use of force or violence upon another person, and makes the offense punishable by up to six months in the county jail, by a fine not to exceed \$2,000, or by both. (Pen. Code, §§ 242 & 243, subd. (a).)

Existing law provides that any person who commits an assault upon another by any means of force likely to produce great bodily injury shall be punished by imprisonment in a county jail for up to one year, or in the state prison for two, three, or four years, or by a fine not exceeding \$10,000, or by both the fine and imprisonment. (Pen. Code, § 245, subd. (a)(4).)

Existing law provides that when an assault is committed against a peace officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, and the perpetrator knows or reasonably should know that the victim is a member of one of the specified professions engaged in the performance of their duties, or rendering emergency medical care (whichever is applicable to the profession), the assault is punishable by a fine of up to \$2,000, or by imprisonment in a county jail not exceeding one year, or by both. (Pen. Code, § 241, subd. (c).)

Existing law provides that when an assault is committed against a “highway worker,” as defined, engaged in the performance of their duties, the offense is punishable by a fine not exceeding \$2,000, or by imprisonment in a county jail not exceeding one year, or by both. (Pen. Code, § 241.5.)

Existing law provides that when a battery is committed upon any person and serious bodily injury is inflicted upon that person, the offense is punishable as a “wobbler” with a possible sentence of up to one year in the county jail, or for two, three, or four years in the county jail. (Pen. Code, § 243, subd. (d).)

Existing law provides that when a battery is committed against a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, and the person committing the offense knows, or reasonably should

know, that the victim is a member of one of the specified professions engaged in the performance of their duties, or rendering emergency medical care (whichever is applicable to the profession), the offense is punishable by a fine of up to \$2,000, or by imprisonment in a county jail for up to one year, or by both. (Pen. Code, § 243, subd. (b).)

Existing law provides that any person who personally inflicts great bodily injury on any person other than an accomplice in the commission, or attempted commission, of a felony shall be punished by an additional and consecutive term of imprisonment for three years. (Pen. Code, § 12022.7, subd. (a).)

Existing law defines “great bodily injury” as “a significant or substantial physical injury.” (Pen. Code, § 12022.7, subd. (g).)

Existing law defines “public utility” as “every common carrier, toll bridge corporation, pipeline corporation, gas corporation, electrical corporation, telephone corporation, telegraph corporation, water corporation, sewer system corporation, and heat corporation, where the service is performed for, or the commodity is delivered to, the public or any portion thereof.” (Pub. Util. Code, § 216, subd. (a)(1).)

This bill makes an assault or battery against a utility worker punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both.

This bill defines “utility worker” as “a person employed by, or who is a contractor to, an investor-owned or publicly owned water corporation, electrical corporation, gas corporation, electric cooperative, local publicly owned electric utility, as defined, or a public water system, as defined, that performs services for or delivers a commodity to the public or any portion thereof and the service performed is the construction, alteration, demolition, installation, maintenance, or repair of water, electrical, or gas infrastructure.”

COMMENTS

1. The Need for This Bill

The author writes:

Our public utility workers play an important role in maintaining the infrastructure that communities rely on every day, including electricity and water services. While performing this essential work in the field, utility workers have reported incidents of harassment and assault that often create unsafe and stressful work environments, further complicating their ability to perform their duties. At least for one major utility employer, since 2022, 81 incidents have occurred in which weapons were brandished at their employees during work operations in the field.

Like other classes of workers who already have protections against assault or battery under the State Penal Code (e.g. police officer, firefighter, nurse or doctor), public utility workers equally face threats to their safety when performing their essential work. SB 1330 seeks to provide our utility workers these same protections, ensuring that they can perform their work and service the public without fear.

2. Background

An assault is “an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.” (Pen. Code, § 240.) A battery is “any willful and unlawful use of force or violence upon the person of another.” (Pen. Code, § 242.) Put simply, assault is attempted battery. “Simple” assault is included in the offense of battery, and a conviction of the latter would subsume the assault. By definition, one cannot commit battery without also committing a “simple” assault, which is nothing more than an attempted battery. (*People v. Fuller* (1975) 53 Cal. App. 3d 417.) An example of an assault would be if a person swung at another person without hitting them, whereas if the person did strike the other person, the conduct would become a battery.

This bill addresses assaults and batteries that do not involve infliction of serious injury or the likelihood of great bodily injury. Such an assault would typically be referred to as a “simple” assault and a similar battery would typically be termed a “simple” battery. Simple assaults and batteries on most individuals are misdemeanors punishable by up to 6 months in jail, a fine of up to \$1,000, or both.

Existing law imposes higher penalties for simple assaults and batteries against workers who are engaged in public safety activities or performing other public functions. (Pen. Code, § 241, subd. (c); Pen. Code, § 243, subd. (b).) These penalties are intended to deter people from interfering with public safety services, emergency medical care, or other similar public services. The defendant must know, or should know, that the victim belonged to one of these protected classes of workers to be guilty of this elevated offense. (*Ibid.*) The punishment for an assault or battery committed against these protected workers is up to one year in jail, a fine of up to \$2,000, or both. (*Ibid.*)

3. Assaults Against Utility Workers

Utility workers sometimes face threats, harassment, and assault, often because the public is frustrated by the inconveniences they associate with these utilities. After the recent Palisades Fire, the Los Angeles Department of Water and Power informed police of some incidents where their employees were threatened. (Richard Winton & Dakota Smith, *DPW says workers have been threatened with bodily harm and, possibly, a rifle*, Los Angeles Times (Jan. 15, 2025) <<https://www.latimes.com/california/story/2025-01-15/threats-to-los-angeles-dwp-workers>>.) In 2025, a city electrician in Fresno was attacked unprovoked by a stranger and left in critical condition. (ABC 30 Action News, *City employee attacked while at work remains in critical condition* (Apr. 15, 2025) <<https://abc30.com/post/city-victim-attacked-work-remains-critical-condition/16172858/>>.) A suspect in that Fresno case was arrested and charged with attempted murder. (Ben Morris, *Proceedings paused as man who attacked Fresno employee to have psych evaluation*, KSEE24/CBS47+ (Apr. 16, 2025) <<https://www.yourcentralvalley.com/news/local-news/proceedings-paused-as-man-who-attacked-fresno-employee-to-have-psych-evaluation/>>.) In 2022, a Pacific Gas and Electric (PG&E) worker was stabbed while marking gas lines in San Francisco. (Bay City News, *Man faces charges for stabbing of PG&E worker* (Jun. 14, 2024) <<https://www.kron4.com/news/man-faces-charges-for-stabbing-of-pge-worker/>>.) In a separate incident in 2022, a driver shouted racist slurs and physically assaulted a San Diego Gas and Electric (SDG&E) worker controlling traffic around a repair site. (Matt Meyer, *Man charged with hate crime, accused of racist tirade at SDG&E worker*, FOX KUSI Now News (Mar. 4, 2025) <<https://fox5sandiego.com/news/local-news/man-charged-with-hate-crime-accused-of->

racist-tirade-at-sdgc-worker/>.) In all these incidents, the individuals who committed the crimes were apprehended and faced criminal charges.

4. The Effect of This Bill and Policy Implications

This bill increases the penalty for assault and battery against a utility worker to one year, a fine of up to \$2,000, or both. “Utility worker” is defined to mean a person employed by, or who is a contractor to, an investor-owned or publicly owned water corporation, electrical corporation, gas corporation, electric cooperative, local publicly owned electric utility, or a public water system, that performs services for or delivers a commodity to the public or any portion thereof and the service performed is the construction, alteration, demolition, installation, maintenance, or repair of water, electrical, or gas infrastructure. Notably, this bill defines utility workers more broadly than other professions who are already protected by this higher penalty; it includes within the definition not only actual utility employees but also contract workers. The bill does not include wastewater and solid waste utility workers, which some stakeholders, such as the City of Roseville, would like to see included in the definition.

Like other first responders, utility workers deliver public goods—energy, water—that are critical to the survival of Californians. Thus, there is a reasonable justification to include them among this class of protected workers.

5. Prior Legislation

This bill is substantially similar to SB 431 (Arreguín) from 2025. That bill would have added public utility employees and workers engaged in essential infrastructure work to the list of professions protected under this statute. SB 431 was held in Assembly Appropriations.

AB 977 (Rodriguez), Chapter 937, Statutes of 2024, added emergency medical personnel to the statute. SB 390 (La Malfa), Chapter 249, Statutes of 2011 added search and rescue personnel to the statute. SB 406 (Lieu), Chapter 250, Statutes of 2011 added security officers and custodial assistants.

6. Argument in Support

The Coalition of California Utility Employees writes:

Despite the essential nature of their work, utility workers increasingly face threats, harassment, and physical violence while performing their duties in the field. Under current law, enhanced penalties exist for assaults against certain professionals such as peace officers, firefighters, and emergency medical personnel—recognizing the risks they face while serving the public. SB 1330 appropriately extends these same protections to utility workers, who similarly operate on the front lines, often in unpredictable and high-risk environments.

By clarifying that assault or battery against a utility worker engaged in their duties is subject to enhanced penalties, SB 1330 sends a strong and necessary message: violence against workers who maintain California’s critical infrastructure will not be tolerated. This bill helps deter harmful conduct, promotes worker safety, and ensures that those who keep essential services running can do their jobs without fear of attack.

Importantly, SB 1330 applies to a broad range of utility workers, including those involved in the construction, installation, maintenance, and repair of water, electrical, and gas infrastructure, whether employed directly by utilities or working as contractors. This comprehensive definition reflects the modern utility workforce and ensures that all individuals performing this essential work are afforded equal protection.

7. Argument in Opposition

The San Francisco Public Defender's Office writes:

Existing laws already provide penalties for assault and battery against all individuals, regardless of their profession. Carving out additional categories of protected workers creates a tiered system of justice that undermines the principle of equal protection under the law. Public utility employees, like all individuals, deserve safety and security in their workplace, but enhancing penalties for crimes against one group over another leads to inequitable outcomes in our criminal justice system.

...

This is not the first time the Legislature has pursued this approach. During the 2025 session, Senator Arreguín carried SB 431, which contained nearly identical provisions. Despite unanimous Senate passage, SB 431 was held in the Assembly Appropriations Committee, a clear signal that the Legislature harbored serious doubts about the bill's approach and fiscal impact. Notably, the author has not cited documented incidents or data demonstrating that existing assault and battery laws have failed to protect utility workers, raising the question of whether this measure is driven by evidence or other interests.

California's history with tough-on-crime policies demonstrates that escalating penalties do not improve public safety. Instead, they contribute to costly mass incarceration without preventing harmful behavior. SB 1330 follows this flawed path. Increasing jail time for individuals who cause harm to public utility workers will not prevent such incidents and may worsen community relations with utility providers.

When Governor Brown vetoed a similar bill, AB 172 (Rodriguez, 2015), he stated: "If there were evidence that an additional six months in county jail (three months, once good-time credits are applied) would enhance the safety of these workers or serve as a deterrent, I would sign this bill. I doubt that it would do either. We need to find more creative ways to protect the safety of these critical workers. This bill isn't the answer." This reasoning holds equally true today, SB 1330 is not the answer.

Last session, the Legislature held SB 431, the near-identical predecessor to this bill, in the Assembly Appropriations Committee, citing the state's \$12 billion budget deficit. Reintroducing the same measure without addressing those fiscal concerns is not a responsible use of limited state resources, which would be far

better directed toward proven worker safety solutions such as de-escalation training, workplace safety assessments, and community-based conflict resolution programs.

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