

Date of Hearing: August 7, 2024

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1000 (Ashby) – As Amended June 24, 2024

Policy Committee:	Privacy and Consumer Protection	Vote:	11 - 0
	Judiciary		11 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires an account manager of an internet-connected device and a vehicle manufacturer to, upon request by a survivor of domestic violence (“survivor”), disable access to the device or vehicle for a perpetrator of domestic violence (“perpetrator”). The bill also requires a vehicle manufacturer to include, in each vehicle sold in California, a mechanism that any driver can use to disable remote vehicle technology from inside the car.

Specifically, among other provisions, this bill:

- 1) Requires an account manager to, within two days of a request by a survivor, terminate or disable a perpetrator’s access to a connected device or account.
- 2) Requires a vehicle manufacturer to immediately terminate or disable remote vehicle technology upon receipt of a device protection request from a survivor.
- 3) Requires a vehicle manufacturer that offers a vehicle for sale, rent, or lease in California that includes remote vehicle technology to ensure a driver of the vehicle can immediately disable the remote vehicle technology from inside the car without a password or login information.
- 4) Requires a survivor to submit a vehicle separation notice to a vehicle manufacturer within seven days of manually disabling remote vehicle technology. Requires the notice to include information about the vehicle, the perpetrator, and supporting documentation.
- 5) Authorizes enforcement of a violation of the bill through a civil action filed by a public prosecutors or a person injured by the violation, and establishes a civil penalty of up to \$2,500 for each violation.

FISCAL EFFECT:

- 1) Cost pressures (General Fund) to the Department of Justice (DOJ) of an unknown but potentially significant amount if the Attorney General brings civil actions to enforce violations of this bill. If DOJ files enforcement actions under this bill, the department may experience a significant workload increase in excess of \$150,000 annually, depending on the number of enforcement actions filed and the amount of time needed for each case. If DOJ chooses not to pursue enforcement as authorized by this bill, DOJ would likely not incur any costs.

- 2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate civil enforcement actions. The bill authorizes civil suits to be filed by public prosecutors or any person who is injured by a violation of the bill's provisions. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a need for increased funding for courts from the General Fund. The fiscal year 2024-25 state budget provides \$37.3 million ongoing General Fund to backfill declining revenue to the Trial Court Trust Fund.

According to the Legislative Analyst's Office, the General Fund faces a structural deficit in the tens of billions of dollars over the next several fiscal years.

COMMENTS:

- 1) **Purpose.** According to the author:

Domestic violence organizations continue to raise concerns about the increasing number of abuse cases related to internet-connected devices and shared accounts. Victims report escalating issues of virtual abuse, including loss of autonomy over everyday household items such as doors, speakers, thermostats, lights, cameras, and even vehicles. While modern technology offers convenience and connectivity, it has unfortunately become a tool for perpetrators to exert control over their victims remotely. SB 1000 addresses the urgent need to stop this alarming new trend.

- 2) **Background.** This is one of three bills currently pending in the Legislature that attempts to help survivors of domestic violence escape the reach of remote vehicle technology and internet-connected devices, which can be used by perpetrators to track, harass, and harm them. The other two bills – AB 3139 (Weber) and SB 1394 (Min) – pertain only to remote vehicle technology. This bill requires vehicle manufacturers to include, in all vehicles offered for sale or lease in California, a mechanism that can be used by a driver to manually disable any remote vehicle technology in the vehicle without a password or any login information. At this point, all three bills contain similar provisions requiring a mechanism that can immediately and manually disable remote vehicle technology. AB 3139 is currently pending the Senate Appropriations Committee. SB 1394 is currently pending in this committee.

This bill also requires an account manager for an internet-connected device to block a perpetrator's access to a connected device or account within two days of receiving a request from a survivor, and establishes the process and documentation that must accompany such a request. These provisions apply to internet-connected devices like cell phones, appliances, smart speakers, thermostats, and home security systems.