

Date of Hearing: May 7, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1137 (Krell) – As Amended April 21, 2025

Policy Committee:	Privacy and Consumer Protection	Vote:	13 - 0
	Judiciary		11 - 0

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

SUMMARY:

This bill authorizes enforcement of the child sexual abuse material (CSAM) reporting law by public prosecutors, allows any person to report CSAM content to a social media platform, and requires related social media company audits to be conducted by a third party auditor and made public.

FISCAL EFFECT:

- 1) Possible costs (General Fund, special funds) to the Department of Justice (DOJ) of an unknown amount. Actual costs will depend on whether the Attorney General pursues enforcement actions, and, if so, the level of additional staffing DOJ needs to handle the related workload. If DOJ hires staff to handle enforcement actions authorized by this bill, the department would incur significant costs, likely in the low hundreds of thousands of dollars annually at a minimum. If DOJ does not pursue enforcement as authorized by this bill, the department would likely not incur any costs.
- 2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate civil enforcement actions authorized by this bill. 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 demand 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.

COMMENTS:

In 2023, the Legislature enacted AB 1394 (Wicks), Chapter 579, Statutes of 2023, which requires a social media platform to remove CSAM (sometimes referred to as child pornography) when a person depicted in the material notifies the platform and requests its removal. If a platform fails to do so, as specified in the law, the person depicted in the material may file a lawsuit against the platform.

This bill expands reporting of CSAM to platforms and enforcement of a platform's failure to comply with the exiting law. It requires a social media platform to accept reports of CSAM from any user of the platform (not just from a person depicted in the material) requires the platform to provide a human review (rather an automated review) of specified reports of CSAM, and

authorizes civil enforcement by public prosecutors, with civil penalties of up to \$250,000 for each day a social media platform's CSAM reporting mechanism is nonoperational.

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