

Date of Hearing: April 8, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1535 (Davies) – As Amended March 5, 2026

Policy Committee: Public Safety Vote: 8 - 0

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

SUMMARY:

This bill establishes a criminal act committed because of the actual or perceived political affiliation of the victim may serve as an aggravating factor during sentencing.

FISCAL EFFECT:

Costs (General Fund) to the California Department of Corrections and Rehabilitation (CDCR) to incarcerate people for longer periods of time. As described in more detail below, this bill permits a judge to impose a longer prison sentence for crime motivated by a victim's actual or perceived political affiliation. The annual incidence of felony convictions in these circumstances is unknown. The Legislative Analyst's Office estimates the average annual cost to incarcerate one person in state prison is \$128,000. CDCR estimates the annual cost is \$135,921. If even two people serve an additional one year each in prison because of this bill, the resulting incarceration costs to CDCR would exceed this committee's suspense threshold. Actual costs will depend on the number of relevant offenses and judicial discretion.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

1) **Author's statement.** According to the author,

Our nation was founded on political freedoms, however, political violence is detrimental to our democracy and shouldn't be tolerated. Leaders are required to cool the temperature, not fan the flames. AB 1535 isn't just about protecting Californians; it's about a cultural reset. It's a commitment to the idea that every Californian has the right to their political views without fear of being targeted by those who see them as an enemy rather than a neighbor. This measure ensures that our justice system recognizes political violence for exactly what it is: a hate-motivated crime.

2) **Background.** As described in greater detail in the Assembly Public Safety's analysis of this measure, political violence is a growing problem—and is raising significant concern with Americans of all political affiliations. This bill provides discretionary authority to increase sentence lengths in cases of political motivated violence.

3) **Support and Opposition.** There is no known support for this measure. Opponents of the bill, including the American Civil Liberties Union and the Ella Baker Center for Human Rights, argue that this bill could penalize people for their beliefs, in violation of the First Amendment. They argue that, “the expression of political disagreement with another person should not be construed as bias-motivated conduct, particularly in the absence of any demonstrated intent to cause harm.”

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