

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1544 (Krell) – As Amended April 9, 2026

Policy Committee: Judiciary

Vote: 12 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill provides that no judicial officer, peace officer, or law enforcement officer may prohibit a member of the press or public from entering a courtroom or court facility where a public proceeding is being conducted, except as necessary to maintain order under existing law and Rules of Court. The bill establishes that a violation is actionable under the Tom Bane Civil Rights Act (Civil Code Section 52.1).

FISCAL EFFECT:

No significant state costs. The bill codifies and clarifies existing constitutional and statutory rights of public access to court proceedings. It does not create new programs, positions, or mandates requiring state expenditure. The civil penalty provision references the existing Bane Act enforcement framework and does not establish new penalties. To the extent the bill generates Bane Act litigation against courts or law enforcement officers who deny access to public proceedings, there could be minor costs to the courts (Trial Court Trust Fund) or to state or local agencies for defense of such claims. The Bane Act authorizes civil penalties of \$25,000 per violation when an action is brought by the Attorney General, a district attorney, or a city attorney, as well as private actions for damages. These costs are speculative and contingent on the volume of violations, which is expected to be minimal.

COMMENTS:

- 1) **Purpose.** According to the author, public access to court proceedings is a longstanding constitutional right under both federal and California law, but recent federal actions restricting access to immigration courts have underscored the need to strengthen state protections. The bill ensures that state courts remain open and accessible to the public and the press.
- 2) **Background.** Both the First Amendment and Article I, Section 13 of the California Constitution protect public access to court proceedings. Existing law under Code of Civil Procedure Section 124 already requires court sittings to be public and prohibits courts from substituting remote access for physical access unless health or safety concerns require it. This bill adds an express prohibition on judicial officers, peace officers, or law enforcement officers barring the public or press from open proceedings, and makes violations actionable under the Bane Act. Assembly Judiciary committee amendments broadened the bill from protecting only credentialed media representatives to covering all members of the press and

public, addressing concerns raised by the First Amendment Coalition that the original language could have led to disputes over media credentials.

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