

Date of Hearing: March 3, 2026  
Deputy Chief Counsel: Stella Choe

ASSEMBLY COMMITTEE ON PUBLIC SAFETY  
Nick Schultz, Chair

AB 1568 (Alanis) – As Amended February 23, 2026

**As Proposed to be Amended in Committee**

**SUMMARY:** Makes various changes to the petition process for termination from the sex offender registry. Specifically, **this bill:**

- 1) Specifies that a court may order a petitioner to appear, either personally or by video, at a hearing requested by the prosecutor to determine whether to order continued registration.
- 2) Adds as a factor for the court to consider when determining whether continued registration would significantly enhance community safety that the offender was in a position of trust or authority in relation to any victim.
- 3) Provides that the court shall verify, in a manner subject to its discretion, the petitioner's participation in or completion of sex-offender specific treatment or successful completion of a Sex Offender Management Board (CASOMB)-certified sex offender treatment program.
- 4) States that if the court is unable to obtain verification of participation in or successful completion of treatment, the court may order State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) static, dynamic, and violence risk assessments to aid in its determination of the petitioner's current risk of sexual or violent reoffense.

**EXISTING LAW:**

- 1) Requires persons convicted of specified crimes to annually register as a sex offender for a minimum term of ten or twenty years, or life. (Pen. Code, § 290.)
- 2) Requires persons convicted of specified sex offenses to register as a sex offender, or re-register if the person has been previously registered, upon release from incarceration, placement, commitment, or release on probation. States that the registration shall consist of all of the following:
  - a) A statement signed in writing by the person, giving information as shall be required by the Department of Justice (DOJ) and giving the name and address of the person's employer, and the address of the person's place of employment, if different from the employer's main address;
  - b) Fingerprints and a current photograph taken by the registering official;

- c) The license plate number of any vehicle owned by, regularly driven by or registered in the name of the registrant;
  - d) Notice to the person that he or she may have a duty to register in any other state where he or she may relocate; and, copies of adequate proof of residence, such as a California driver's license or identification card, recent rent or utility receipt or any other information that the registering official believes is reliable. (Pen. Code, § 290.015, subd. (a).)
- 3) Provides that willful violation of any part of the registration requirements constitutes a misdemeanor if the offense requiring registration was a misdemeanor, and constitutes a felony if the offense requiring registration was a felony or if the person has a prior conviction of failing to register. (Pen. Code, § 290.018, subd. (a) and (b).)
  - 4) Provides that within three days thereafter, the registering law enforcement agency or agencies shall forward the statement, fingerprints, photograph, and vehicle license plate number, if any, to DOJ. (Pen. Code, § 290.015, subd. (b).)
  - 5) States that a misdemeanor failure to register shall be punishable by imprisonment in a county jail not exceeding one year, and a felony failure to register shall be punishable in the state prison for 16 months, two or three years. (Pen. Code, § 290.018, subd. (a) and (b).)
  - 6) Provides that a court can require a person not otherwise required to register if the court finds at the time of conviction or sentencing that the person committed the offense as a result of sexual compulsion or for the propose of sexual gratification. (Pen. Code, § 290.006)
  - 7) States that DOJ is required to make information about registered sex offenders available to the public via an Internet website, as specified. (Pen. Code, § 290.46.)
  - 8) Provides that DOJ is required to include on this website a registrant's name and known aliases, a photograph, a physical description, including gender and race, date of birth, criminal history, any other information that DOJ deems relevant unless expressly excluded under the statute. Requires DOJ to include on its Internet website either the home address or zip code of residence of persons who are required to register as sex offenders based upon their registration offense. (Pen. Code, §§ 290.46, subds. (b)(2) and (d)(2).)
  - 9) Requires people who are sex offender registrants to disclose this status to the licensee of a community care facility before becoming a client of that facility. (Health & Saf. Code, § 1522.01.)
  - 10) Imposes specified restrictions on persons registered as sex offenders with respect to employment in certain areas, such as in education (Ed. Code, §§ 35021, 44345), community care facilities (Health & Saf. Code, § 1522), residential care facilities (Health & Saf. Code, § 1568.09), residential care facilities for the elderly (Health & Saf. Code, § 1569.17), day care facilities (Health & Saf. Code, § 1596.871), engaging in the business of massage (Gov. Code, § 51032), physicians and surgeons (Bus. & Prof. Code, § 2221 ), registered nurses (Bus. & Prof. Code, § 2760.1), and others.

- 11) Establishes a process, starting July 1, 2021, where persons required to register as a sex offender as a tier-1 or a tier-2 offender may petition the court for termination of the requirement to register after the minimum statutory time-period of 10 or 20 years depending on the underlying conviction. (Pen. Code, § 290.5.)
- 12) Requires the petition to be served on the registering law enforcement agency and the district attorney in the county the petition is filed and the county of conviction if different from the registering county and requires the registering law enforcement agency to report receipt of service of a filed petition to DOJ. (Pen. Code, § 290.5, subd. (a)(2).)
- 13) Requires the registering law enforcement agency, within 60 days of receipt of the petition, to report to the prosecutor and the court whether the person has met the requirements for termination as required under statute. (*Ibid.*)
- 14) Authorizes the prosecutor to request a hearing and present evidence to establish that community safety would be significantly enhanced by requiring continued registration. (Pen. Code, § 290.5, subd. (a)(2)-(3).)
- 15) States that if no hearing is requested, the petition for termination shall be granted if the court finds the required proof of current registration is presented in the petition, provided that the registering agency reported that the person met the requirement for termination, as specified, there are no pending charges against the person which could extend the time to complete the registration requirements of the tier or change the person's tier status, and the person is not in custody or on parole, probation, or supervised release. (Pen. Code, § 290.5, subd. (a)(2).)
- 16) States that if the court denies a petition for termination, the court must set the time period, from one to five years, after which the petitioner can re-petition and state its reasons for the time period selected. (Pen. Code, § 290.5, subd. (a)(4).)
- 17) Created the Sex Offender Management Board (CASOMB) under the jurisdiction of the Department of Corrections and Rehabilitation (CDCR), and shall consist of 17 members. The membership of the board shall reflect, to the extent possible, representation of northern, central, and southern California as well as both urban and rural areas. (Pen. Code, § 9001, subd. (a).)
- 18) Requires CASOMB to address any issues, concerns, and problems related to the community management of adult sex offenders. The main objective of CASOMB, which shall be used to guide the board in prioritizing resources and use of time, is to achieve safer communities by reducing victimization. (Pen. Code, § 9002.)
- 19) States that CASOMB shall develop and update standards for certification of sex offender management professionals. All those professionals who provide sex offender management programs and risk assessments, as specified, shall be certified by the board according to these standards. The standards shall be published on the board's Internet website. Professionals may apply to the board for certification on or after August 1, 2011. (Pen. Code, § 9003, subd. (a).)
- 20) Requires on or before July 1, 2011, CASOMB to develop and update standards for certification of sex offender management programs, which shall include treatment and

dynamic and future violence risk assessments, as specified. The standards shall be published on the board's Internet web site. All those programs shall include polygraph examinations by a certified polygraph examiner, which shall be conducted as needed during the period that the offender is in the sex offender management program. Only certified sex offender management professionals whose programs meet the standards set by the board are eligible to provide sex offender management programs, as specified. (Pen. Code, § 9003, subd. (b).)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) **Author's Statement:** According to the author, "Assembly Bill 1568 strengthens California's sex offender registration laws to better protect communities by requiring tier one and tier two sex offenders to provide proof of completing a state-approved sex offender treatment program before they can petition a court to be removed from the registry. The current system lacks verification by which the court and the prosecution can confirm that an offender has completed a sex offender treatment program, placing an undue burden on prosecutors to prove ongoing risk—often impossible in older cases due to lost records. AB 1568 addresses deficiencies by requiring proof of completion of a CASOMB-certified program, ensuring offenders have undergone evidence-based rehabilitation to reduce reoffending risks. This will make Californians safer by preventing these individuals from being removed from the registry without demonstrating behavioral change, while making the criminal justice system more equitable by applying uniform rehabilitation standards and enhancing community protections for vulnerable families and neighborhoods."
- 2) **History of Sex Offender Registration:** California was the first state to require sex offender registration in 1947. The stated purpose for sex offender registration is to deter offenders from committing future crimes, provide law enforcement with an additional investigative tool, and increase public protection. (*Wright vs. Superior Court* (1997) 15 Cal.4th 521, 526; Alissa Pleau (2007) *Review of Selected 2007 California Legislation: Closing a Loophole in California's Sex Offender Registration Laws*, 38 McGeorge L.Rev. 276, 277; *Hatton vs. Bonner* (2004) 365 F. 3d 955, 961.) California's sex offender registration law historically required *lifetime registration* by persons convicted of specified sex crimes. (Pen. Code, § 290 subd. (a).)

In 1996, California enacted "Megan's Law" allowing the public to access an address list of registered sex offenders. Before 2003, members of the public could only obtain the information on the Megan's Law list by calling a "900" number or visiting certain designated law enforcement agencies and reviewing a CD-ROM. However, in 2003, California required DOJ to put the Megan's Law list of offenders on a public access website with the offender's address, photo and list of offenses. (See Pen. Code, § 290.46, subd. (a).) For some offenders with less serious offenses, only their ZIP code is listed. Now, a citizen can enter their address and see if there are registered sex offenders living in the community or even next door.

*a) Creation of Tiered Sex Offender Registry*

In 2017, California modified its sex registry to a three-tiered registration system based on seriousness of the crime, risk of sexual reoffending, and criminal history. (SB 384 (Wiener), chapter 541, statutes of 2017.) The recommendation to move to a tiered system came from

CASOMB's 2010 recommendations report.<sup>1</sup> According to the committee's analysis for the bill which started off as SB 421 (Wiener) of that same year<sup>2</sup>:

Based on a survey of several municipal law enforcement agencies in California, it is estimated that local law enforcement agencies spend between 60-66% of their resources dedicated for sex offender supervision on monthly or annual registration paperwork because of the large numbers of registered sex offenders on our registry. If we can remove low risk offenders from the registry it will free up law enforcement officers to monitor the high risk offenders living in our communities. Law enforcement cannot protect the community effectively when they are in the office doing monthly or annual paperwork for low risk offenders, when they could be out in the community monitoring high risk offenders. Furthermore, the public is overwhelmed by the number of offenders displayed online in each neighborhood and do not know which offenders are considered low risk and which offenders are considered high risk and therefore truly dangerous. (Sen. Com. on Public Safety, Analysis of Senate Bill No. 421 (2017-18 Reg. Sess.) as amended Apr. 17, 2017, p. 9.)

A tier one offender is someone who is required to register for a misdemeanor sex offense or a felony conviction that is not a serious or violent felony. Tier one requires a person to register for a minimum of 10 years. (Pen. Code, § 290, subd. (d)(1).) A tier two offender is a person who is required to register for a felony that is defined as a serious or violent felony or other specified sex offenses, unless the person is otherwise required to register under tier three. Tier two requires a person to register for a minimum of 20 years. (Pen. Code, § 290, subd. (d)(2).) A tier three offender is a person who is convicted a specified offense or under the one-strike sex law, or is designated as a sexually violent predator or habitual sex offender, in addition to other qualifying offenses and circumstances. (Pen. Code, § 290, subd. (d)(3).)

Sex offenders are required to register annually within five working days of their birthday. (Pen. Code, § 290 subd. (b).) If the offender has no fixed address, they are required to register every 30 days. (Pen. Code, § 290.011 subd. (a).) A person is also required to notify law enforcement of any change of address within five days of moving. (Pen. Code, § 290.013.) A person who fails to register as a sex offender within the period required by law is guilty of a felony punishable by 16 months, 2 or 3 years. (Pen. Code, § 290.018, subd. (b).) A person who changes their name is required to inform law enforcement within five working days. (Pen. Code, § 290.14, subd. (a).) The minimum time for completion of the required registration period in tier one or tier two begins on the date of the person's release from incarceration or other commitment on the registerable offense. The registration time period is tolled during any period of subsequent incarceration or commitment, except that arrests not resulting in conviction, adjudication or revocation of supervision shall not toll the registration period. The minimum time period shall be extended by one year for each misdemeanor conviction of failing to register under this act, and by three years for each felony conviction of failing to register under this act, without regard to the actual time served in custody for the conviction. (Pen. Code, § 290, subd. (e).)

Although most registerable offenses are felonies, there some alternate felony/misdemeanor penalties and a few straight misdemeanors. (See ~~Pen. Code, § 243.4~~ (sexual battery); Pen. Code, § 266c (obtaining sexual consent by fraud); ~~Pen. Code, §§ 311.1, 311.2, subd. (c), 311.4, 311.11~~ (child pornography); ~~Pen. Code § 647.6~~ (annoying or molesting a child); and Pen. Code, § 314, (1) & (2) (indecent exposure).) Certain offenses where the act was engaged in voluntarily, albeit without consent because minors cannot legally consent, only require sex offender registration

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<sup>1</sup> See [https://casomb.org/docs/CASOMB%20Report%20Jan%202010\\_Final%20Report.pdf](https://casomb.org/docs/CASOMB%20Report%20Jan%202010_Final%20Report.pdf) (Jan. 2010), p. 50 (accessed Apr. 14, 2025).

<sup>2</sup> SB 421 (Wiener) was held in the Assembly Appropriations Committee's suspense file. The majority of its contents was later amended into SB 384 (Wiener) which was signed into law in 2017.

when there is more than a 10-year age gap between the defendant and the minor. (Pen. Code, § 290, subd. (c)(2).)

Generally, a court may also order a person not otherwise required to register as a sex offender if they find that the person committed the offense as a result of sexual compulsion or for the purposes of sexual gratification. (Pen. Code, § 290.006.)

*b) Petitioning for Removal from the Registry*

Existing law, commencing July 1, 2021<sup>3</sup>, authorizes a person who has completed the minimum registration period of 10 or 20 years to petition the court for termination from the sex offender registry if the person meets certain criteria. (Pen. Code, § 290.5.) The registering agency shall report to the court whether the person met the minimum time period required including any period of tolling or extensions based on new convictions<sup>4</sup>, there are no pending charges against the person which could extend the time to complete the registration requirements of the tier or change the person's tier status, and the person is not in custody or on parole, probation, or supervised release. (Pen. Code, §290.5, subd. (a)(2).)

The prosecution may request a hearing and present evidence to establish that community safety would be significantly enhanced by requiring continued registration. (Pen. Code, § 290.5, subd. (a)(3).) The law specifies that in determining whether to order continued registration, the court shall consider: the nature and facts of the registerable offense; the age and number of victims; whether any victim was a stranger at the time of the offense (known to the offender for less than 24 hours); criminal and relevant noncriminal behavior before and after conviction for the registerable offense; the time period during which the person has not reoffended; successful completion, if any, of a Sex Offender Management Board-certified sex offender treatment program; and the person's current risk of sexual or violent reoffense, including the person's risk levels on SARATSO static, dynamic, and violence risk assessment instruments, if available.

At the hearing, the prosecution bears the burden to prove that a person's continued registration "appreciably increases society's safety" because the person poses a current risk of reoffending based on all of the factors, not just the facts of the underlying crime. (*People v. Thai* (2023) 90 Cal.App.5th 427, 432-433.)

If the court denies the petition for termination, it must set the time period, from one to five years, after which the petitioner can re-petition and state its reasons for the time period selected. (Pen. Code, § 290.5, subd. (a)(4).) The court may also summarily deny a petition if the court determines the petitioner does not meet the statutory requirements for termination of sex offender registration or if the petitioner has not fulfilled the filing and statute's service requirements. The court must also state the reasons the petition is being summarily denied. (Pen. Code, § 290.5, subd. (a)(2).)

- 3) **CASOMB-Certified Treatment:** CASOMB was created in 2006 under the jurisdiction of the CDCR through AB 1015 in 2006 "to provide the Governor and the State Legislature as well as relevant state and local agencies with an assessment of current sex offender

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<sup>3</sup> SB 384 authorized a person to petition the court for termination from the sex offender registry on or after their next birthday after July 1, 2021.

<sup>4</sup> Pen. Code, § 290, subd. (e).

management practices and recommended areas of improvement.”<sup>5</sup> The main objective of CASOMB is to decrease sexual victimization and increase community safety.<sup>6</sup>

CASOMB is also tasked with developing and updating standards for certification of sex offender management programs. According to data pulled from CASOMB’s year-end report for 2025, as of December 31, 2025, CASOMB has a total of 69 certified treatment provider agencies representing 411 providers which include independent providers, associate providers, and students, for the period of time between December 31, 2024 to December 31, 2025.<sup>7</sup> Associate providers and students must be supervised by an independent provider when providing treatment, there are just 179 independent providers who can provide treatment without additional clinical supervision.<sup>8</sup>

- 4) **SARATSO Assessments:** According to the SARASTO Committee, which chooses the official risk assessment instruments authorized for use in California, there are three different evidence-based risk instruments that assess risk of reoffending by adult males.<sup>9</sup> These risk assessments use (1) static (unchanging factors) such as criminal history; (2) dynamic factors in the offender’s life affecting reoffending, such as current alcohol abuse; and (3) risk factors which predict future violence.

Individual risk assessment identifies offenders who are in a group at statistically higher risk of committing another sex crime. Risk assessment is meant to inform appropriate sentencing and supervision decisions, as well as assist treatment providers. SARATSO is also required to develop a plan for the static risk assessment of registered sex offenders who are not on probation or parole supervision.<sup>10</sup>

- 5) **Effect of this Legislation:** This bill makes various changes to the petition process for termination from the sex offender registry. First, the bill specifies that a court may order a petitioner to appear, either personally or remotely by video, at the hearing requested by the prosecutor. According to the sponsor of this bill, the petitioner’s presence at the hearing would allow the court and prosecutor to obtain information relevant to the factors that the court is required to consider. As currently written, the bill requires personal appearance. Opponents argue that this requirement should only be used if the court believes the person’s presence at the hearing is needed and that a remote option should be available. The proposed amendment to be adopted in committee would instead state that the court may order the petitioner’s appearance at the hearing which would be at the court’s discretion.

Second, the bill includes as an additional factor for the court to consider when determining whether to require continued registration that the offender was in a position of trust or authority in relation to the victim. This factor is already found in other parts of Penal Code 290.5 regarding

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<sup>5</sup> *Recommendations Report*, CASOMB (Jan. 2010) p. 5.

<sup>6</sup> *Ibid.*

<sup>7</sup> *2025 Year End Report*, CASOMB, p. 5.

<sup>8</sup> *Ibid.*

<sup>9</sup> Currently, there is no validated or cross-validated risk instrument for sexual recidivism risk by female offenders but an instrument to predict violent re-offense is valid for use with female offenders. (*2024 SARATSO Committee Publication on Background and Importance of Referral for Scoring by the Courts*, SARATSO <https://saratso.org/index.cfm?pid=1363> [accessed Feb. 26, 2026].)

<sup>10</sup> *Id.*

persons who are required to register as a tier-2 offender for an offense committed when the offender was under 21 years of age with a victim aged 14 years of age or older. (Pen. Code, § 290.5, subd. (b).) Adding the factor to subdivision (a)(3) would arguably bring consistency to the rest of the statute.

The bill also amends the existing factor that the court is required to consider regarding successful completion, if any, of a CASOMB-certified sex offender treatment program. (Pen. Code, § 290.5, subd. (a)(3).) Instead, the bill states that the court shall consider proof of participation in or successful completion of sex offender-specific treatment by the offender; and proof of successful completion of a Sex Offender Management Board-certified sex offender treatment program by the offender, if the offender was required to complete that program, verification of which shall be obtained by the court in a manner subject to its discretion. Additionally, the bill provides that if the court is unable to obtain such verification, the court may order a SARATSO static, dynamic, and violence risk assessments, or as the court otherwise deems necessary, to aid in its determination of the person's current risk of sexual or violent reoffense.

According to the sponsor of this bill, existing law does not require verification of participation in or successful completion of treatment and this change in language would allow the court to ask for verification and provide another avenue to order a risk assessment if such verification cannot be obtained. As noted in the *Thai* case discussed above in note 2), the prosecution can already seek a current risk assessment but this bill would make clear under what circumstances the court can order a current risk assessment. According to opponents of the bill, this provision does not specify who would pay for those evaluations and this could come at a great cost to the person or entity who would ultimately be responsible.

6) **Argument in Opposition:** According to *California Public Defenders Association*, who has an oppose unless amended position, "By requiring the petitioner to be present, AB 1568 would impose significant hardship and expense on some indigent and/or elderly individuals who might not have transportation to get to court in rural counties or in large urban counties where the petitions are heard in courthouses all over the county. For example, in Los Angeles County, the petitions are filed and heard at the courthouse where the original case was filed so if someone lived in Lancaster and the petition was filed in the Pomona courthouse, they might not be able to attend without access to a car. Some elderly individuals may be quite infirm and unable to drive or navigate public transportation. Not every county has robust public transportation.

"Moreover, instead of one size fits all, the court should retain discretion to decide if it is helpful to their decision making to have the individual present. If the court decides that the individual should be present, then they should be allowed to appear remotely if they waive their right to be personally present. By their very nature, proceedings pursuant to Penal Code section 290.5 are postconviction proceedings and in most, if not all, postconviction proceedings individuals are allowed to appear remotely if they waive their right to be personally present. (Penal Code sections 977(c)(1)(A), 1473(f).)

"AB 1568 would make it impossible for nondangerous indigent individuals ordered to obtain risk assessments to be removed from the registry. The cost of obtaining risk assessments conducted by psychologists or psychiatrists would be prohibitive. Risk assessments are usually conducted as part of court ordered probation or parole ordered sex offender treatment programs."

7) **Related Legislation:** None

8) **Prior Legislation:**

- a) SB 118 (Committee on Budget and Fiscal Review), Chapter 29, Statutes of 2018, relevant to this bill, authorized a person to file a petition for termination from the sex offender registry on or after their next birthday after July 1, 2021 following the expiration of their mandated minimum registration period. SB 118 also required the registering law enforcement agency to report receipt of service of a filed petition to DOJ, in a manner prescribed by DOJ.
- b) SB 384 (Wiener), Chapter 541, Statutes of 2017, established a tiered sex offender registration system and authorized, starting July 1, 2021, persons to petition the court for termination from the registry upon expiration of their mandated minimum registration period if certain conditions were met.
- c) SB 421 (Wiener), of the 2017-2018 Legislative Session, would have established a tiered sex offender registration system and authorized, starting July 1, 2021, persons to petition the court for termination from the registry upon expiration of their mandated minimum registration period if certain conditions were met. SB 421 was held in Assembly Appropriations Committee's suspense file

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

None submitted

### **Opposition**

Alliance for Constitutional Sex Offense Laws  
California Attorneys for Criminal Justice  
California Public Defenders Association  
Ella Baker Center for Human Rights  
Initiate Justice  
Justice2jobs Coalition  
LA Defensa  
Legal Services for Prisoners With Children / All of US or None  
Local 148 LA County Public Defenders Union  
San Francisco Public Defender  
5 Individuals Opposed

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