
SENATE COMMITTEE ON BUDGET AND FISCAL REVIEW

Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No:	AB 160	Hearing Date:	September 10, 2025
Author:	Committee on Budget		
Version:	September 8, 2025 As amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Jessica Uzarski		

Subject: Background Checks

Summary: This trailer bill regarding background checks contains the necessary changes to implement provisions adopted as part of the Budget Act of 2025.

Proposed Law: This bill makes various statutory changes to implement the provisions of the Budget Act of 2025. Specifically, this bill makes the following statutory changes:

- 1) Makes statutory adjustments to continue enabling the University of California, the California State Summer School for the Arts, the State Department of Education, California State University, Exposition Park, the Department of FI\$Cal, the Secretary of State's Office, the California Department of Tax and Fee Administration, the Department of Veteran's Affairs, the Department of Parks and Recreation, and others, to conduct federal background checks and fingerprinting.
- 2) In regards to California Penal Code Section 11105, removes terms that the Federal Bureau of Investigation (FBI) has identified as being too broad, in addition to terms authorizing the receipt of federal criminal history information by certain entities not authorized to receive such information. The bill ensures that California Department of Justice (DOJ) will continue to disseminate state and federal criminal history in accordance with state and federal law.
- 3) Within Section 11105 of the Penal Code, removes undefined terms which are no longer necessary and removes references to the "Designated Drivers Association", which is no longer in existence.
- 4) Prohibits DOJ from disseminating criminal history information to an unauthorized private entity, and removes the undefined terms 'officer' and 'official.'
- 5) Maintains the current Section 11105.2 without amendment, allowing Federal "Rap Back" services to continue uninterrupted. The bill also allows a parallel amended Section 11105.2 to be submitted to the FBI for review and compliance with federal law. Federal "Rap Back" is an FBI service that allows authorized government agencies to receive notification of activity on individuals who hold positions of trust or who are under criminal justice supervision or investigation.
- 6) Separates the requirement that the DOJ provide state and federal subsequent arrest and disposition information to the State Department of Social Services, the

Medical Board of California, and the Osteopathic Medical Board of California from the DOJ's authority to provide such notification to all applicant agencies.

- 7) Recasts requirements that peace officers undergo fingerprint-based state and federal criminal history background checks for employment (Section 1030 of the Government Code) and conforms to other provisions that define the state summary criminal history process.
- 8) Establishes statutory authority necessary to continue requiring criminal justice agency employees, contractors, and volunteers to undergo a fingerprint-based state and national criminal history background check, as required by state regulation.
- 9) Allows a law enforcement agency to submit fingerprint images and related information for a retiring or retired peace officer seeking an endorsement for the officer to carry a concealed firearm, in order to fulfill the respective agency's duty to deny or revoke that endorsement for good cause.
- 10) Makes various other technical and conforming changes related to background check authority.

Fiscal Effect: This bill would, for the 2025-26 fiscal year, appropriate the sum of \$10,000 to the Department of Justice for purposes of administering the fingerprint requirements described above.

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