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THIRD READING

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Bill No: AB 1632  
Author: Johnson (R)  
Amended: 3/19/26 in Assembly  
Vote: 21

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SENATE PUBLIC SAFETY COMMITTEE: 6-0, 6/9/26  
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 63-0, 5/7/26 - See last page for vote

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**SUBJECT:** Trespass

**SOURCE:** City of Riverside

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**DIGEST:** This bill removes the requirement that trespass letters of authorization be submitted in notarized writing on a law enforcement agency (LEA)-provided form and instead requires that the form be signed under penalty of perjury.

**ANALYSIS:**

Existing law:

- 1) Provides that a person is guilty of misdemeanor trespass if they enter and occupy real property or structures of any kind without the consent of the owner, the owner's agent, or the person in lawful possession (hereafter "owner"). (Pen. Code, § 602, subd. (m).)
- 2) Punishes trespass as a misdemeanor, punishable by imprisonment in county jail for up to six months, a fine of up to \$1,000, or both. (Penal (Pen.) Code, §§ 19, 602.)
- 3) Provides that a person is guilty of misdemeanor trespass if they refuse or fail to leave land, real property, or structures belonging to, or lawfully occupied by, another and not open to the general public, upon being requested to leave by the

owner, or by a peace officer at the request of the owner upon being informed by the officer that they are acting at the request of the owner. (Pen. Code, § 602, subd. (o).)

- 4) Requires the owner to make a separate request to an officer on each occasion when an officer's assistance in dealing with a trespass is requested. (Pen. Code, § 602, subd. (o).)
- 5) Authorizes an owner to make a single request for an officer's assistance, made in a notarized writing on an LEA-provided form, to cover up to 12 months or a period determined by local ordinance, whichever is shorter, and identified by specific dates, during a period where there is a fire hazard or the owner is absent from the premises or property. (Pen. Code, § 602, subd. (o).)
- 6) Authorizes an owner to make a single request for an officer's assistance, made in a notarized writing on an LEA-provided form, to cover up to 12 months when the premises or property is closed to the public and posted as being closed. (Pen. Code, § 602, subd. (o).)
- 7) Requires the requester to inform the LEA to which the request was made, in writing, if assistance is no longer desired before the 12-month authorization period expires. (Pen. Code, § 602, subd. (o).)
- 8) Specifies that this offense does not apply to persons engaged in lawful labor union activities that are permitted to be carried out on the property, as specified. (Pen. Code, § 602, subd. (o).)
- 9) Provides that land, real property, or structures owned or operated by a housing authority for tenants, as defined, constitutes property not open to the general public, although this offense does not apply to persons on the premises who are engaging in constitutionally protected activities, or who are there at the request of a resident or management and who are not loitering or otherwise suspected of violating a law or ordinance. (Pen. Code, § 602, subd. (o).)
- 10) Provides that a request for a peace officer's assistance shall expire upon transfer of ownership of the property or upon a change in the person in lawful possession. (Pen. Code, § 602, subd. (o).)
- 11) Provides that a request for an officer's assistance in dealing with a trespass may be submitted electronically, and a local government may accept electronic submissions of requests. (Pen. Code, § 602, subd. (o).)

- 12) Establishes numerous other trespass crimes, as specified. (Pen. Code, § 602, subds. (a)-(y).)
- 13) Establishes that every person who, having taken an oath that he or she will testify, declare, depose, or certify truly before any competent tribunal, officer, or person, in any of the cases in which the oath may by law of the State of California be administered, willfully and contrary to the oath, states as true any material matter which he or she knows to be false, and every person who testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which the testimony, declarations, depositions, or certification is permitted by law of the State of California under penalty of perjury and willfully states as true any material matter which he or she knows to be false, is guilty of perjury. (Pen. Code, § 118.)
- 14) States that perjury is punishable as a realigned felony with imprisonment in county jail for two, three, or four years.

This bill:

- 1) Eliminates the requirement that the written request for officer assistance in dealing with a trespass be notarized.
- 2) Requires that the written request be signed under penalty of perjury.

### **Background**

As a general rule, a person who enters and occupies real property or structures of any kind without the consent of the owner is guilty of misdemeanor trespass. (Pen. Code, § 602, subd. (m).) Trespass is typically a misdemeanor, though California law does include a felony for aggravated trespass. (Pen. Code, § 601.) For misdemeanor trespass, the penalty is up to six months of jail time or up to a \$1,000 fine, or both. (Pen. Code, §§ 19, 602.) California's primary trespass statute—Penal Code section 602—has nearly an entire alphabet of subdivisions. Most of the subdivisions in Section 602 define separate crimes, typically each with slightly different elements than the other subdivisions.

Most relevant to this bill, a person is guilty of misdemeanor trespass if they refuse or fail to leave land, real property, or structures belonging to, or lawfully occupied by, another and not open to the general public, upon being requested to leave by the owner or by a peace officer at the request of the owner. (Pen. Code, § 602, subd. (o).) Owners of such property may request law enforcement assistance in ejecting trespassers from their property. Owners are generally required to submit a separate request to law enforcement for each occasion where law enforcement

assistance in ejecting the trespasser is required. However, during a period where there is a fire hazard or the owner is absent, or when the premises or property is closed to the public and posted as such, a single request for assistance may be valid for the shorter of either 12 months or a period determined by local ordinance. Such requests must be made in a notarized writing on an LEA-provided form and may be submitted electronically. A request for assistance expires upon transfer of ownership of the property or upon a change in the person in lawful possession. Lastly, the owner must inform the LEA to which the request was made, in writing, when assistance is no longer desired, before the period not exceeding 12 months expires. (*Ibid.*)

Requests for law enforcement assistance in enforcing trespass laws are generally made via a “Trespass Letter of Authority.” These letters, also known as “602 Letters,” authorize local authorities to enter the premises to enforce trespass laws in the owner’s absence.

Criminal trespass laws, enforced in part through trespass authorization letters, are often used to address homelessness. For example, in 2019, Bakersfield officials proposed a program to fight homelessness by more aggressively prosecuting and incarcerating trespassers. In 2025, San Jose voted to adopt a new ordinance subjecting an unhoused person to arrest for trespass if that person has rejected three offers for shelter.

Critics argue that trespass authorization letters exacerbate homelessness by disproportionately targeting homeless individuals. According to a report by the ACLU, “trespass letters of authorization enable police, local businesses, public services, and even homelessness service providers to work together to control the movements of unhoused people and exclude them from both public and private spaces.” In a case study conducted in Laguna Beach, the ACLU found that “[s]eventy percent of trespass letters of authorization reference unhoused people as an impetus for the letter” and that from 2020 to April 2021, “three-quarters of all trespassing citations were issued to people that police officers identified as being unhoused.”

Trespass letters can constitute a significant portion of the total citations issued to unhoused persons. According to the ACLU Report, of the 97 citations issued to unhoused people in Laguna Beach from January 2020 to April 2021, 67 (69 percent) resulted from trespass authorization letters. Such strict enforcement of trespass laws can contribute to a cycle of arrests, hearings, and fines that make emerging from homelessness more difficult.

This bill removes a procedural requirement that applies to trespass authorization letters for the trespass offense of refusing or failing to leave private property upon being requested to leave by the owner or a peace officer. Specifically, it removes the requirement that the request for assistance in dealing with a trespasser be made in a notarized writing on an LEA-provided form, during a period where there is a fire hazard or the owner is absent, or when the premises or property is closed to the public and posted as such. The author contends that this notarization requirement is onerous and overly burdensome. This notarization requirement was recently added by SB 602 (Archuleta, Chapter 404, Statutes of 2023), and has only been in effect for approximately two years. This requirement largely functions to protect the credibility of 602 Letter submissions by verifying the identity of the owner submitting the letter.

Instead of notarization, this bill now requires these forms to be signed under penalty of perjury, which is a felony punishable but two, three, or four years in county jail.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: No Local: No

**SUPPORT:** (Verified 6/23/26)

City of Riverside (Source)  
Arcadia Police Officers' Association  
Brea Police Association  
Burbank Police Officers' Association  
California Association of Realtors  
California Police Chiefs Association  
California Reserve Peace Officers Association  
City of Corona  
City of Eastvale  
City of Norwalk  
City of Palm Desert  
Claremont Police Officers Association  
Corona Police Officers Association  
Culver City Police Officers' Association  
Fullerton Police Officers' Association  
League of California Cities  
Murrieta Police Officers' Association  
Newport Beach Police Association  
Palos Verdes Police Officers Association  
Placer County Deputy Sheriffs' Association

Pomona Police Officers' Association  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
The California Baptist Capitol Ministry

**OPPOSITION:** (Verified 6/9/26)

ACLU California Action  
California Public Defenders Association  
Housing California  
Initiate Justice  
Justice2Jobs Coalition  
La Defensa  
Los Angeles County Public Defender's Union, Local 148

**ARGUMENTS IN SUPPORT:** The City of Riverside writes:

Under current law, property owners must obtain a notarized form to allow peace officers to act on their behalf when trespass occurs. This creates unnecessary delays and costs for residents and imposes a significant administrative burden on local law enforcement agencies. For Riverside, the notarization mandate has had real operational impacts. Since the requirement took effect, the Riverside Police Department has processed roughly 1,400 notarizations, each taking about 30 minutes of Community Service Officer time at a billable rate of \$54.02 per hour, totaling over \$37,800 in staff costs. The City also spent \$8,177.68 to certify additional employees as notaries to meet demand. These resources are better directed toward public safety work rather than duplicative paperwork.

**ARGUMENTS IN OPPOSITION:** ACLU California Action writes:

As a case study for the harms unhoused people experience with California Penal Code 602 citations for trespass, the ACLU report shows that trespassing citations issued in Laguna Beach demonstrates that unhoused people are overwhelmingly targeted for enforcement. From the beginning of 2020 through April 22, 2021, a full three-quarters of all trespassing citations were issued to people that police officers identified as being unhoused (see Figure 11). In some of the remaining cases, the housing status of the person issued the citation is unknown. Most of the citations issued to unhoused people resulted from trespass letters: of the 97 citations issued to unhoused people, 67

(69 percent) resulted from trespass letters of authorization. Moreover, a full 87 percent of all citations resulting from trespass letters of authorization were issued to people police officers identified as being unhoused (See Figure 12.)

Finally, this policy would fall disproportionately on people experiencing homelessness, and extensive evidence shows it would likely exacerbate and prolong their homelessness. Trespassing is often one of the most common offenses used to cite people experiencing homelessness. Yet the arrests, citations, and fines that arise from these offenses often make it harder for people to move back into housing—one recent study showed citations and arrests prolonged a person’s homelessness for nearly two years, even when controlling for other factors.

ASSEMBLY FLOOR: 63-0, 5/7/26

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Ellis, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Irwin, Jackson, Johnson, Krell, Lackey, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wilson, Zbur, Rivas  
NO VOTE RECORDED: Arambula, Bonta, Bryan, Caloza, Chen, Elhawary, Flora, Hart, Hoover, Kalra, Lee, McKinnor, Petrie-Norris, Celeste Rodriguez, Wallis, Ward, Wicks

Prepared by: Marshal Lawler / PUB. S. /  
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\*\*\*\* END \*\*\*\*