

Date of Hearing: April 8, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1660 (Schiavo) – As Introduced January 29, 2026

Policy Committee: Judiciary

Vote: 9 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill requires a court to impose monetary sanctions of at least \$1,000 per violation on a financial institution or other person that fails to provide information or surrender property to a public administrator, public guardian, or public conservator as required by existing law.

FISCAL EFFECT:

- 1) Likely minor costs. CalPERS estimates one-time costs of approximately \$20,000 (Public Employees' Retirement Fund) for a system enhancement to prioritize certificate of authority requests. CalPERS reports that these requests represent less than one percent of the requests it receives monthly and are generally processed within 15 to 30 calendar days. However, CalPERS states it is contemplating the system change in response to the bill's mandatory sanctions provision.
- 2) Likely minor costs related to noncompliance. Both the author and CalPERS indicate there is little evidence of noncompliance by CalPERS with existing law; the bill is primarily directed at private financial institutions. However, to the extent any state agency were found noncompliant and subject to the bill's mandatory sanctions of at least \$1,000 per violation, those costs would be borne by the agency's respective trust or operating fund — not the General Fund. Other state agencies that hold property or accounts on behalf of decedents, minors, or conservatees could face similar minor costs to adjust processing workflows.
- 3) To the extent sanctions motions increase the volume of court filings, costs to the courts likely would be minor and absorbable within existing resources.

COMMENTS:

- 1) **Purpose.** According to the author,

There is no penalty for financial institutions to comply with the legal requests of Public Conservators to transfer or access accounts. As a result, some financial institutions delay transfers or require repeated documentation, even when lawful authority is clear. Any delay in this access can lead to unpaid bills, late fees, slowed probate, and in some cases, disrupted care for vulnerable individuals.

- 2) **Background.** Existing law establishes the offices of the Public Administrator, Public Guardian, and Public Conservator. These offices manage the estates of people who die

without a will or willing relatives, provide guardianship for minors with substantial assets, and arrange care and estate management for persons unable to manage their own affairs. Existing law authorizes these officials to take possession of property by issuing a certificate of authority and requires financial institutions to provide information and surrender property upon presentation of the certificate, without inquiring into the truth of the certification. However, existing law does not impose any penalty for noncompliance. This bill would add a mandatory court-ordered sanction of at least \$1,000 per violation for failure to comply. The bill does not impose new substantive requirements on financial institutions—it adds an enforcement mechanism for existing obligations.

- 3) **Proposed Amendments.** The committee and the author’s office have agreed to amendments authorizing, rather than requiring, a court to award sanctions. The amendments strike out “shall” and insert “may.”

Analysis Prepared by: Shiran Zohar / APPR. / (916) 319-2081