

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1664 (Jackson) – As Amended April 16, 2026

Policy Committee: Elections

Vote: 6 - 2

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires certain local entities to provide written notice to the Secretary of State (SOS) and Attorney General (AG) within one business day of becoming aware of a legal investigation of the entity's election records or voting systems and authorizes the AG to intervene in court.

Specifically, this bill:

- 1) Requires a local agency, political subdivision, or elections official to provide written notice to the SOS and AG no later than one business day after becoming aware of a warrant, subpoena, or active law enforcement investigation pertaining to election records or voting systems under the entity's custody or control.
- 2) Authorizes the AG to intervene in, or initiate, a court proceeding to challenge such a warrant or subpoena on valid grounds and seek appropriate relief, with such an action entitled to calendar preference in court.
- 3) Provides that the SOS or AG is not required to take action in light of a written notice.
- 4) Repeals these provisions on January 1, 2030.

FISCAL EFFECT:

- 1) By requiring certain local entities to notify the SOS and AG of certain elections-related investigations, this bill may create a state-mandated local program. If the Commission on State Mandates determines the provisions of this bill create a new program or impose a higher level of service for which the state must reimburse local costs, the local entity could seek reimbursement from the state (General Fund). However, any such notification costs are likely minor and absorbable.
- 2) Likely minor and absorbable costs to the SOS to receive the written notification.
- 3) Cost pressures of an unknown, but potentially significant amount, in excess of \$150,000, to the AG to intervene in elections-related legal investigations (General Fund or special fund). The Department of Justice (DOJ) reports no significant impact from this bill. However, actual costs will depend on the frequency of such notices, how often the AG pursues such intervention, and the level of additional staffing DOJ may need to handle the related workload. In light of heightened political distrust and hostility in our nation and state, such legal investigations may become increasingly common. If DOJ hires staff to handle

interventions authorized by this bill, DOJ would incur significant costs, likely in the low hundreds of thousands of dollars annually at a minimum. If DOJ does not pursue interventions as authorized by this bill, DOJ would likely not incur any costs.

- 4) Ongoing cost pressures of an unknown amount to the courts in additional workload if this bill makes it more likely the AG will intervene in elections-related legal investigations that also receive precedence when filed in court (GF or Trial Court Trust Fund (TCTF)). It is unclear how many interventions may occur statewide and how much court time may be needed to resolve each case, but it generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF. The state budget provides annual GF backfills to the TCTF to offset revenue reductions, totaling approximately \$117.3 million in fiscal year 2025-26.

The Legislative Analyst's Office recently warned of GF structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

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

When law enforcement agencies search, seize, or retain election records and voting systems without proper oversight, they risk disrupting the very machinery of democratic participation and eroding the public's trust in election outcomes...it is our responsibility as legislators to ensure that the [SOS] and the [AG], the state's chief elections, and law officers, are empowered to respond swiftly when that system comes under scrutiny. By requiring local agencies and elections officials to notify state authorities within one business day of any warrant, subpoena, or active investigation touching election materials, this bill ensures that the state can intervene, protect critical records, and uphold the rule of law.

- 2) **Seizure of Ballots in Riverside County.** In February 2026, the Riverside County Sheriff's Department applied to the Riverside County Superior Court for a search warrant authorizing a search of the Riverside County Registrar of Voters office and the seizure of all ballots from the November 2025 statewide special election. In March 2026, AG Rob Bonta filed a petition in the California Court of Appeal, Fourth Appellate District, Division Two, seeking an immediate stay on the sheriff's investigation and warrant. The Court of Appeal denied the requested relief, concluding that the AG should have first sought relief in the Riverside County Superior Court. The AG subsequently petitioned the California Supreme Court for relief, which granted review, ordered a pause in the investigation, and directed all seized materials be preserved. Proceedings remain ongoing, and court has indicated the matter will be considered on an expedited basis.

As noted in the Assembly Elections Committee's analysis of this bill, "The conditions under which those ballots are being stored, and the steps taken – if any – to preserve their chain of custody, are unclear." This bill requires certain local entities to provide written notice to the SOS and AG within one business day of becoming aware of a legal investigation of the

entity's election records or voting systems and authorizes the AG to intervene and seek appropriate relief, with such an action entitled to calendar preference in court.

- 3) **Related Legislation.** SB 73 (Cervantes) prohibits an elections official from allowing a federal government agency or the agency's employees to inspect a voting system or device, unless authorized by a federal court order. SB 73 is pending hearing by the Assembly Elections Committee.

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