

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1816 (Davies) – As Amended March 26, 2026

Policy Committee: Public Safety

Vote: 8 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill authorizes courts to extend probation by up to one additional year for an offender granted probation and ordered to register as a sex offender pursuant to Penal Code Section 290(c), where the probation department files a petition and the court finds that the defendant has not successfully completed probation and additional time is necessary to complete programming.

FISCAL EFFECT:

- 1) Unknown, potentially minor costs to county probation departments for continued supervision of offenders whose probation is extended by up to one year under this bill. The bill's fiscal impact depends on the number of felony probationers with a Section 290(c) registration requirement whose probation departments petition for an extension. That figure is not tracked but is likely small given the narrow trigger: the probation department must file a petition and the court must find that the defendant has not successfully completed probation and that additional time is necessary for programming. Probation supervision costs are borne by county general funds and are potentially reimbursable as a state-mandated local program.
- 2) Unknown, potentially minor costs to trial courts (Trial Court Trust Fund) for additional hearings on petitions to extend probation and for other probationary review hearings that would occur during the extended supervision period. According to the Judicial Council, additional court workload would be minor. The Judicial Council did not identify costs on AB 1087 (Joe Patterson), Chapter 180, Statutes of 2025, which extended probation by a longer period for vehicular manslaughter while intoxicated.
- 3) Unknown cost pressure on county jails. To the extent the bill results in longer probation terms, it increases the likelihood that offenders will violate probation and be incarcerated in county jail — even for technical violations that are not criminal offenses. These county jail costs are not reimbursable state mandates but place additional pressure on the General Fund to provide funding to alleviate jail overcrowding. The bill provides that, if the Commission on State Mandates determines that it contains costs mandated by the state, reimbursement shall be made pursuant to existing statutory provisions.

COMMENTS:

- 1) **Purpose.** According to the author, existing law's two-year cap on felony probation results in the premature release of sex offenders before they have completed required rehabilitative

programming. This bill provides a pathway for courts to extend probation when programming goals have not been met.

- 2) **Background.** AB 1950 (Kamlager), Chapter 328, Statutes of 2020, limited felony probation to two years and misdemeanor probation to one year, with exceptions for violent felonies and offenses with specific probation lengths. The bill's sponsor, the Chief Probation Officers of California, argues that AB 1950's two-year cap shifted probation from an evidence-based model to a time-based model, limiting the time available to complete statutorily required sex offender treatment programs. This bill applies to offenders ordered to register under Penal Code Section 290(c), which governs discretionary registration — cases where the court determines registration is warranted based on the circumstances of the offense, as opposed to mandatory registration under Section 290(b) for enumerated sex offenses. Because the 290(c) population is a subset of all sex offense probationers, the number of individuals affected by this bill is relatively small. Existing law requires sex offenders who must register under Section 290 to complete an approved sex offender management treatment program; the probation period may end before this requirement is met.
- 3) **Related Legislation.** AB 2237 (Patterson) exempts sex offense probationers ordered to register under Section 290(c) from the felony and misdemeanor probation caps established by AB 1950, allowing courts to impose probation terms of up to three years. That bill failed passage in Assembly Public Safety.

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