
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1816 (Davies) - Probation: duration

Version: June 25, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 4 - 1

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 1816 would, for an offender required to register as a sex offender, authorize the court to order the term of probation to continue for a period not exceeding one year upon a finding and filing by the probation department.

Fiscal Impact: Unknown costs to the counties if an extended term of probation is imposed. Formal (felony) probation generally involves strict conditions, regular check-ins, drug testing, counseling, community services and fees. Informal (summary) probation is lighter supervision and often only requires compliance with court terms. The average annual cost for all forms of probation is an estimated \$20,000 to \$40,000 annually compared to approximately \$78,000 for a year in county jail. In 2021 Los Angeles County budgeted \$1.3 billion for jail costs with \$90,000 per incarcerated person. Actual incarceration costs will depend on the number of convictions and the length of each sentence up to one year. Generally, county probation costs are not reimbursable state mandates pursuant to Proposition 30 (2012). However, increased local incarceration increases pressure to provide funding to alleviate jail overcrowding. (General Fund)

Potentially significant costs to the courts to adjudicate new petitions depending on unknowns, including the numbers of people charged and the factors unique to each case. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and increase pressure to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

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.

Background: Existing law requires registered sex offenders to complete an approved sex offender management treatment program; the probation period may end before this

requirement is met. Defendants convicted of misdemeanors, and most felonies, are eligible for probation based on the discretion of the court. When considering the imposition of probation, the court evaluates the safety of the public, the nature of the offense, the interests of justice, the loss to the victim, and the needs of the defendant.

According to the Public Safety Committee, in California, about 382,700 adults were under correctional supervision at the state or county level in 2024. This included 255,100 people at the county level and 127,600 at the state level. At the state level, 92,600 adults were held in prison, while 35,000 adults were supervised in the community on parole. In county jails, 196,700 adults were supervised in the community while on probation for a felony or misdemeanor, including 37,000 adults in Post-Release Community Supervision and 7,800 adults in mandatory supervision; the remainder of adults, 58,300 were held in county jails.

Proposed Law: This bill expands the number of offenses that are exempt from the current term limits on probation. This bill applies to defendants granted probation and ordered to register as sex offenders, as specified. For those defendants, the probation cap could increase by up to a year if the court makes a finding that a defendant has not successfully completed probation and needs additional time for programming. This bill, therefore, could increase the number of incarcerated persons as violation of probation is a crime.

Proposed Author Amendments: The author has suspense file amendments which would authorize the court to consider the probationer's progress in treatment, compliance with other terms of supervision, and whether an extension serves in the interest of public safety and rehabilitation.