
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1854 (Krell) - Legally protected health care activities

Version: May 18, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 1, JUD. 11 - 2

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 1854 would clarify and expand state protections against the enforcement of laws of other jurisdictions that intend to punish individuals regarding legally protected health care activities.

Fiscal Impact: No to significant costs to the extent the Attorney General (AG) commences an action to enforce these provisions. (General Fund).

Background: This bill increase state privacy protections for individuals obtaining these services by requiring any person or entity that receives a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons for information regarding abortion or gender-affirming health care activities, to refrain from responding to such requests until several conditions are met, specifically that notice is provided to the AG. This will allow the AG to decide if they need to intervene or bring a separate cause of action to ensure that rights of individuals protected under the California Constitution and state laws are not infringed upon.

Proposed Law: The AG may engage in any of the following provisions:

If the receiver of the request notifies the AG, as required, within seven days of receipt and indicates whether the person or entity intends to comply with or provide information in response.

If a person or entity that is located, headquartered, incorporated, or otherwise conducting business in California receives, is served with, or is subject to a civil, criminal, or regulatory investigation, subpoena, or summons for information regarding abortion or gender-affirming health care services and they institute a civil action to protect against compliance with or the providing of information in response to the investigation, subpoena, or summons, the AG may intervene in the action.

If the AG commences a civil action for noncompliance:

- a) The submission of a false affidavit is punishable by a penalty of \$15,000 in addition to any other remedies or penalties.
- b) The AG may commence an action to enforce these provisions, including, but not limited to, an application or motion for an order enjoining ongoing or subsequent.
- c) The AG is not to commence an action unless the AG has reason to believe the defendant or respondent intends to comply or has complied with an

investigation, subpoena, or summons regarding abortion or gender-affirming health care services.

- d) A court is required to assess a statutory penalty of \$10,000 for a first violation and \$15,000 for each subsequent violation against any person found to have intentionally, knowingly, willingly, or recklessly complied with a request for information.

Any action by the AG is to be commenced within six years of the date on which the AG received notice of the request and a court is to award costs and attorney's fees to the AG.

This bill would prohibit a state or local law enforcement agency or officer from knowingly arresting or participating in the arrest of any person who the Governor has declined to surrender. Once the extraction request is denied by the Governor, state or local law enforcement cannot arrest. There is no cost to the AG or the Department of Justice in that sequence of events. To date, the Governor has received one request for extradition.

Related Legislation: AB 1930 (Zbur) would add similar notification and enforcement provisions to the Civil Code. That bill is pending in this committee.