
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1872 (Ta) - False reporting

Version: February 12, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 0

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 1872 would make a second or subsequent violation of swatting an alternate felony-misdemeanor. The bill would extend liability provisions for the reasonable costs of an emergency response to include property damage incurred as a result of the emergency response.

Fiscal Impact: Unknown costs to the counties to incarcerate if the felony sentence is imposed. This felony is punishable by 16 months, 2 year or 3 years in county jail. The average annual cost to incarcerate one person in county jail is approximately \$80,000. In 2021 Los Angeles County budgeted \$1.3 billion for jail costs with \$90,000 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).

Unknown, potentially significant costs to the courts to adjudicate new penalties depending on many 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 would put pressure on the General Fund 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).

Proposed Law: This bill provides that a second or subsequent offense of (1) reporting an "emergency" to a government entity, knowing that the report is false or telephoning or using an electronic communication device to contact 911 with the intent to annoy or harass another person is an alternate felony-misdemeanor. The increased penalties for a second or subsequent offense for swatting does not apply to a person who was under 18 years of age at the time they committed the prior offense or offenses.

Related Legislation: AB 327 (Ta), 2025, proposed increasing the penalty for a second or subsequent offense of swatting from a misdemeanor to an alternative felony-misdemeanor. AB 327 was held on the committee's suspense file.

AB 2609 (Ta), 2024, was substantially similar to AB 327 (Ta) but did not alter a swatting defendant's liability for damages. AB 2609 was held on the Assembly Appropriations Committee's suspense file.