

Date of Hearing: April 29, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1927 (Krell) – As Amended April 6, 2026

Policy Committee: Public Safety

Vote: 8 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill, the Bail Consumer Protection Act, prohibits bail agents and persons impersonating bail agents from engaging in unauthorized solicitation of bail bond services directed at family members or known contacts of arrested individuals, establishes civil penalties enforceable by the Attorney General, makes a violation an unfair and deceptive trade practice under the Unfair Competition Law, and authorizes a private right of action for damages, injunctive relief, and attorney's fees.

FISCAL EFFECT:

- 1) Approximately \$600,000 annually and ongoing General Fund costs to the Department of Justice (DOJ) for investigation and enforcement of the bill's provisions. According to DOJ, the Consumer Protection Section within the Public Rights Division will require one deputy attorney general, one special investigator, and one legal secretary beginning January 1, 2027, and DOJ indicates it will be unable to absorb these costs within existing resources.
- 2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to adjudicate any additional filings. The volume of such actions is difficult to predict. To the extent civil penalties are collected, they would partially offset enforcement costs. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. 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 the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26.

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

COMMENTS:

- 1) **Purpose.** According to the author, while existing regulations prohibit bail agents from soliciting bail services absent a prior request from the arrestee or their family, existing law does not provide explicit remedies for those affected by violations. The bill establishes civil penalties and enforcement mechanisms to ensure that arrestees and their family members are adequately protected.

- 2) **Background.** Bail is a contract for the release of a person from jail upon a promise to appear at future court hearings. The promise is backed by a bond issued through a bail agent, and a bailed defendant is considered to be in the constructive custody of the bail agent. Bail agents are licensed and regulated by the California Department of Insurance (CDI). Existing regulations prohibit bail agents from soliciting persons in jails or detention facilities, from obtaining arrest information through arrangements with jail inmates or law enforcement, and from soliciting an arrestee or their family before receiving a bona fide request for services. In *People v. Martinez* (2023) 15 Cal.5th 326, the California Supreme Court upheld CDI's authority to enforce these restrictions, finding that the prohibition on bail agents obtaining inside information about new arrestees was a valid, narrowly tailored restriction on commercial speech. Despite these existing regulations, the bill's sponsor argues that modern practices — particularly automated scraping of booking data combined with commercial data broker services to identify and contact family members — have outpaced the existing regulatory framework.

This bill codifies and expands the existing regulatory prohibitions by adding them to the Penal Code, explicitly extending them to family members and known contacts of arrestees, and creating a statutory enforcement scheme enforceable by the Attorney General with civil penalties of \$1,000 to \$5,000 for a first violation and \$5,000 to \$10,000 for subsequent violations. A violation is also actionable under the Unfair Competition Law. Aggrieved individuals may bring a civil action for actual damages, injunctive relief, and reasonable attorney's fees.

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