

ASSEMBLY THIRD READING

AB 1927 (Krell)

As Amended May 18, 2026

Majority vote

SUMMARY

Creates the Bail Consumer Protection Act and prohibits a bail agent or someone impersonating a bail agent from engaging in authorized solicitation of bail to a family member or known contact of an arrested individual for purposes of bail bond services.

Major Provisions

- 1) Prohibits a bail agent or impersonator from engaging in unauthorized solicitation of bail to any family member or known contact of an arrested person for the purpose of engaging the recipient in bail bond services.
- 2) States the prohibitions of a bail agent or impersonator applies regardless of whether the bail agent or impersonator obtained the personal information of the family member or known contact from public records, arrest booking information, or any other source.
- 3) Authorizes solicitation for bail services in the following circumstances:
 - a) Where the communication to any family member or known contact in response to a voluntary inquiry or bona fide request for bail bond services initiated by the same family member or known contact.
 - b) When the communications occur through written advertisements or publicly accessible websites, if the communications do not target specific family members or known contacts without consent.
- 4) Mandates a first violation of unauthorized solicitation of bail be punishable as a civil penalty of not less than \$1,000 and not more than \$5,000 for each unauthorized solicitation.
- 5) Requires a second violation or subsequent violation of unauthorized solicitation of bail be punishable as a civil penalty of not less than \$5,000 and not more than \$10,000 for each unauthorized solicitation.
- 6) Authorizes the Department of Justice (DOJ) or any public prosecutor to investigate complaints, impose penalties, and seek injunctive relief for unauthorized solicitation of bail.
- 7) Defines the following terms:
 - a) "Arrested individual" means a person who has been taken into custody by a law enforcement agency on suspicion of committing a criminal offense.
 - b) "Bail agent" means any person licensed to engage in the business of bail for the release of persons from custody, including any licensed or unlicensed person or entity acting at the direction or on behalf of a bail agent.
 - c) "Family member" means a spouse, domestic partner, parent, child, sibling, grandparent, grandchild, or other person related by blood, marriage, or adoption to the arrested

individual, or any person identified in public records or arrest notifications as a known emergency contact or cohabitant of the arrested individual.

- d) "Impersonator" means any person or entity impersonating a bail agent or government law enforcement agency for the purpose of engaging in the unauthorized solicitation of bail, as specified.
- e) "Known contact" means any person identified in the arrested individual's booking records, emergency contact information, or other publicly available arrest-related data as a potential point of contact for the arrested individual.
- f) "Unauthorized solicitation of bail" means any telephone call, text, email, or other form of communication to an arrestee, an arrestee's family, or adult personal contacts initiated by a bail agent or impersonator to solicit the purchase of bail where the recipient has not previously requested bail.

8) States the provisions of the bill are severable.

COMMENTS

According to the Author

"Bail is founded on the presumption of innocence and the right to personal freedom. Reflective of this, the right to bail is enshrined in our State Constitution, and it serves a vital role in navigating the court system. More often than not, Californians rely on bail agents and consumer bail bonds to post bail. Recognizing the sensitivities of the bail industry, California regulates when and under what circumstances bail agents can solicit bail. Unfortunately, many individuals, consisting of both licensed bail agents and unlicensed scammers, illegally solicit bail. Currently, while prohibited by existing regulations, existing law does not provide any explicit remedies to those impacted. AB 1927, the Bail Consumer Protection Act, would provide these remedies and bolster enforcement to ensure that arrestees and their family members are adequately protected and have recourse in case of unlawful actions."

Arguments in Support

According to *National Association of Bail Agents (NABA)*, "NABA is the principal national organization representing licensed secured bail professionals across the United States. We commend the California Bail Agents Association and the bill's author for advancing this critical measure, which addresses one of the most harmful practices currently undermining the integrity of the secured bail profession: the unsolicited data mining of arrest records and cold calling of arrestees' family members for commercial solicitation without any prior request. Using automated scraping software, bad actors harvest real-time booking data, trace family members through commercial data broker services, and place unsolicited calls — sometimes within minutes of arrest — to parents and spouses who are frightened and wholly unprepared to evaluate a financial contract. The documented harms are severe:

- 1) Emotional exploitation during acute crisis: California courts have recognized that families of the newly arrested are in a "stressful setting" where they "may be vulnerable to pressure to make an immediate decision" (*People v. Dolezal*, 2013).

- 2) Predatory pricing: Cold-call solicitors frequently lure families with illegal below-rate premiums, then layer hidden fees that leave families paying far more than represented.
- 3) Unlicensed operator access: The same public booking data is equally accessible to unlicensed individuals posing as bail agents, enabling outright fraud targeting families in crisis.
- 4) Privacy exploitation: Automated jail-roster scraping combined with commercial data broker services exploits personal information made public for governmental accountability — not commercial targeting.

"NABA emphasizes that ethical licensed professionals are harmed — not protected — by these practices. Reputational damage from predatory solicitation falls on the entire profession, and illegal below-rate discounting creates unfair competition that compliant agents cannot match. AB 1927 levels the field and protects both consumers and ethical practitioners. California's existing CCR framework (Sections 2074–2079.1), affirmed in *People v. Martinez* (2023), does not explicitly reach the modern practice of independent automated scraping followed by data-broker-assisted family contact — precisely the gap AB 1927 closes. Minnesota's 2016 consent decrees offer a proven national model. NABA urges a favorable vote and stands ready to provide additional testimony or research at the Committee's request."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 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.

VOTES

ASM PUBLIC SAFETY: 8-0-1

YES: Schultz, Alanis, Mark González, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ABS, ABST OR NV: Haney

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

ABS, ABST OR NV: Hoover, Dixon, Ta, Tangipa

UPDATED

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CONSULTANT: Kimberly Horiuchi / PUB. S. / (916) 319-3744

FN: 0002914