

CONCURRENCE IN SENATE AMENDMENTS

AB 1927 (Krell)

As Amended August 20, 2026

Majority vote

SUMMARY

Creates a new crime for impersonating or falsely holding oneself out to be a licensed bail agent, and while doing so solicit or attempt to solicit bail from any person; or the person hires another person or company to solicit bail when the person knew or should have known that the other person or company is impersonating a licensed bail agent and that company solicits or attempts to solicit bail from any individual.

Senate Amendments

- 1) Delete the prior version of the bill and instead creates a new crime for impersonating a licensed bail agent while soliciting or attempting to solicit bail.
- 2) State that impersonating a licensed bail agent while soliciting or attempting to solicit bail or hires another to impersonate a licensed bail agent when the person knew or should have known they were impersonating a licensed bail agent shall be punished as an alternate felony-misdemeanor by up to one year in county jail or up to three years in state prison, a fine of not more than \$10,000, or by both imprisonment and fine.
- 3) Define the following terms:
 - a) "Licensed bail agent" means a person licensed pursuant to the Insurance Code, as specified.
 - b) "Solicit" includes, but is not limited to, phone calls, robocalls, text messages, emails, and in-person communications.
- 4) Clarify the penalties created in this bill are cumulative and do not restrict the application of any other law, including any criminal penalties that may be imposed for any theft of the Insurance Code or any rules and regulations related to the Insurance Code.

COMMENTS

As Passed by the Assembly, this bill: Created 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) Prohibited 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) Stated 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) Authorized 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) Mandated 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) Required 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) Authorized the Department of Justice (DOJ) or any public prosecutor to investigate complaints, impose penalties, and seek injunctive relief for unauthorized solicitation of bail.
- 7) Defined 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) Stated the provisions of the bill are severable.

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 Senate Appropriations Committee, "Estimated \$110,000 in FY 2026-27, \$240,000 in FY 2027-28 and \$200,000 in FY 2028-29 annually, ongoing to the Department of Insurance to investigate complaints involving bail agents. (Insurance Fund)

"Unknown costs to the counties to incarcerate if a one year misdemeanor sentence is imposed. 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. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).

"Potentially significant costs to the courts to adjudicate new penalties depending on 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)."

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

ASSEMBLY FLOOR: 78-0-2

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Muratsuchi, Celeste Rodriguez

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

UPDATED

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