

CONCURRENCE IN SENATE AMENDMENTS

AB 1930 (Zbur)

As Amended August 18, 2026

Majority vote

SUMMARY

Requires a person or entity to provide notice to the Attorney General before responding to various requests for information regarding abortion or gender-affirming health care services.

Major Provisions

- 1) Provides that a person or entity that is located, headquartered, incorporated, or otherwise conducting business in California and receives, is served with, or is subject to a subpoena, discovery request, or other request for information that is part of a legal process related to a civil, criminal, regulatory or legislative investigation regarding abortion or gender-affirming health care services that are legally protected health care activities secured by the Constitution or laws of California must provide notice to the Attorney General at least seven business days prior to producing records in response to the request unless a shorter response time is required by federal law, or other federal obligation, including a contract, grant requirement, or Medicare condition of participation. Specifies that if a shorter response time is required, the responding person or entity must provide notice to the Attorney General no later than contemporaneously with producing the responsive records.
- 2) Requires the notice to the Attorney General to include a copy of the subpoena, discovery request, or other request for information received by the person or entity. Allows the person or the entity providing the relevant copy to redact any identifying information or confidential information related to specific individuals, patients, or individual providers for confidentiality or as required by applicable state and federal law.
- 3) Specifies that the above requirements shall not apply if the subpoena, discovery request, or other request for information regarding abortion or gender-affirming health care services meets any of the following requirements:
 - a) Is ordered by a court of competent jurisdiction.
 - b) Is issued by a California state or local agency.
 - c) Is accompanied by an attestation verifying that the use or disclosure of the requested information meets any of the following requirements:
 - i. The requested information will not be used to conduct a criminal, civil, or administrative investigation or impose any other liability on any person or entity for seeking, obtaining, providing, or facilitating abortion or gender-affirming health care services that are lawful in this state.
 - ii. The requested information is related to an investigation or proceeding regarding activity that is unlawful under California civil or criminal law, and it identifies the California law under which the activity is unlawful.

- iii. The requested information is related to an investigation or proceeding regarding activity that is grounds for professional discipline in California, and it identifies the grounds for professional discipline.
 - d) Information regarding abortion or gender-affirming health care services may be included in responsive records but is incidental to the civil, criminal, regulatory, or legislative investigation.
- 4) Specifies that a person or entity who is not subject to the exemptions described in 4) cannot produce responsive records until at least seven business days after providing notice to the Attorney General unless a shorter response time is required by federal law or other obligation, including a contract, grant requirement, or Medicare condition of participation. Specifies that if a shorter response time is required, the responding person or entity must make best efforts to deliver the responsive records on the date on which the person or entity is required to respond to the request.
 - 5) Allows the Attorney General to make reasonable attempts to notify the individual who provided, sought, received, facilitated, or otherwise engaged in the abortion or gender-affirming health care service pertaining to the request.
 - 6) Authorizes the Attorney General to commence a civil action against a person or entity that submits a false attestation pursuant to this bill's provisions.
 - 7) Provides that the attachment of a false attestation pursuant to this bill's provisions is punishable by a civil penalty up to fifteen thousand dollars (\$15,000).
 - 8) Authorizes the Attorney General to commence an action to enforce the provisions of this bill, including but not limited, to an application or motion for an order enjoining ongoing or subsequent violations of this bill.
 - 9) Authorizes a court of this state to assess a statutory penalty of up to ten thousand dollars (\$10,000) for the first violation and fifteen thousand dollars (\$15,000) for each subsequent violation against any person or entity found to have intentionally, knowingly, willingly, or recklessly violated this bill's provisions. Specifies that these statutory penalties can be assessed in addition to any other legal or equitable remedies at law.
 - 10) Requires an action brought by the Attorney General pursuant to this bill's provisions to be commenced within six years of the date on which the Attorney General received the notice of the subpoena, discovery request or other request for information at issue.
 - 11) Requires a court to award court costs and attorney's fees to the Attorney General in any civil action in which the court imposes any penalty authorized by this section.

Senate Amendments

- 1) Delete the provisions of the bill prohibiting entities from responding to or complying with requests for information regarding abortion or gender-affirming health care services, unless specified conditions are met.
- 2) Narrow the notice requirements under the bill to require notice to the Attorney General only.

- 3) Allow entities to redact identifying or confidential information from a request for information before providing a copy to the Attorney General.
- 4) Allow the Attorney General to make attempts to notify an individual who is the subject of a request for information of the request.
- 5) Replace the term “affidavit” with “attestation.”
- 6) Make other technical and clarifying changes.

COMMENTS

Recent attempts by the federal government and other states to penalize individuals providing, receiving, or otherwise facilitating the provision of reproductive and gender-affirming health care services, have prompted states, including California, to enact various types of shield laws to protect their residents from exposure to harassment and potential litigation.

In 2025, the federal Department of Justice announced that it had sent more than 20 subpoenas to doctors and clinics providing gender-affirming health care to minors. (United States Department of Justice, Department of Justice Subpoenas Doctors and Clinics Involved in Performing Transgender Medical Procedures on Children, (Jul. 9, 2025) available at: <https://www.justice.gov/opa/pr/departments-justice-subpoenas-doctors-and-clinics-involved-performing-transgender-medical>.) Along with other states, California's Attorney General has worked to prevent the federal government and out-of-state officials from obtaining these kinds of records. (See California Department of Justice (DOJ), Attorney General Bonta Joins Multistate Opposition to United States DOJ's Attempt to Subpoena Gender-Affirming Care Records, (Oct. 22, 2025) available at: <https://oag.ca.gov/news/press-releases/attorney-general-bonta-joins-multistate-opposition-us-doj%E2%80%99s-attempt-subpoena>.) However, the ability of the Attorney General to successfully prevent disclosure is directly tied to the Attorney General having notice of an inquiry in the first instance and the authority to intervene before disclosure.

This bill requires any person or entity that is located, headquartered, or otherwise conducting business in California to provide notice to the Attorney General at least seven business days prior to responding to a subpoena, discovery request, or other request for information that is part of a legal process related to a civil, criminal, regulatory, or legislative investigation regarding abortion or gender-affirming health care services that are legally protected under the Constitution or California law unless a shorter response time is required by federal law or some other federal obligation. The bill requires the notice to include a copy of the request and allows the person or entity providing the copy to redact any identifying or confidential information related to specific individuals, patients, or individual providers as required by applicable state and federal law.

A person or entity is exempt from providing notice to the Attorney General if the request meets any of the following criteria:

- a) It is ordered by a court of competent jurisdiction;
- b) It is issued by a California state or local agency;
- c) It is accompanied by an attestation verifying that the use or disclosure of the requested information meets certain requirements; or

- d) Information regarding abortion or gender-affirming health care services may be included in responsive records but is incidental to the relevant investigation.

Further, the bill specifies that persons or entities who are not subject to one of these exemptions cannot produce responsive records to these kinds of requests until at least seven business days after the providing notice to the Attorney General, unless a shorter time is required by federal law or other federal obligations. If a shorter time is required, the bill requires responding parties to make their best efforts to deliver the responsive records on the date which the person or entity is required to respond to the subpoena, discovery request, or other request for information. Finally, the bill authorizes the Attorney General to make attempts to notify an individual who may be the subject of a request for information of the request.

Under the bill, the Attorney General is authorized to bring a civil action to enforce the bill's provisions and civil penalties may be imposed on those found to be in violation. If the Attorney General is successful, a court must award attorney's fees and **court** costs.

According to the Author

Across the country, we are seeing increasing efforts to bully and intimidate patients and providers who deliver or need reproductive health care and gender-affirming care. Out-of-state subpoenas have raised serious concerns about privacy, and threaten not only the safety of patients, but also the safety of providers and their ability to continue practicing. In the case of Children's Hospital LA, a subpoena contributed to the closure of the hospital's Center for Trans Youth Health and Development and Gender-Affirming Care Program, devastating families and drastically reducing access to health care for transgender patients across the region.

AB 1930 will help the Attorney General defend health care access and enforce California's protected health activities laws for all who provide and receive care in California. Specifically, this bill will protect transgender patients and all patients receiving gender-affirming care, patients who receive reproductive health care services, and their health care providers by requiring business entities in California to notify the Attorney General before they respond to a subpoena or inquiry regarding legally protected health care activity. This bill will also authorize the Attorney General to intervene. Together, this will allow the Attorney General to know when protected healthcare is under attack and protect all those who seek and provide this kind of care in California.

Arguments in Support

Attorney General Rob Bonta, one of the sponsors of the bill, submits:

After the overturn of *Roe v. Wade*, California passed several shield laws to protect people who provide, receive, or help others obtain health care that is legal in California. This type of care is known under California law as "legally protected health care activity," and it includes abortion and gender-affirming care. California shield laws limit when and how California agencies and certain business entities share information relating to legally protected health care activity.

Recent actions by federal and out-of-state officials have raised concerns about attempts to obtain private medical information or prosecute individuals involved in legally protected health care. Without strong safeguards, subpoenas, investigations, and other legal demands may be used to circumvent California law and undermine the rights of patients and providers.

AB 1930 would address these issues by expanding shield law coverage to more California entities and individuals who receive demands for information and would establish a notification process so the Attorney General can intervene and stop improper disclosures.

Similarly, Equality California, the other sponsor writes:

California law protects the right to access reproductive health care and gender-affirming care and includes safeguards for patients, their families, and health professionals against retaliation by hostile out-of-state actors. AB 1930 strengthens California's existing protections by establishing clear safeguards when a business entity receives a subpoena or inquiry seeking information related to legally protected health care activity. If a California entity plans to respond to such a request, AB 1930 would require them to: (1) notify the Attorney General within seven days of receiving the inquiry; (2) make reasonable attempts to notify any individuals to whom the inquiry pertains within 30 days; and (3) delay responding until at least 30 days after notifying the Attorney General. Additionally, AB 1930 explicitly authorizes the Attorney General to intervene and enforce the provisions of the bill, including through civil action and civil penalties.

By establishing these critical safeguards, AB 1930 helps ensure that patients and providers in California are not exposed to harassment or legal threats from out-of-state actors seeking to undermine access to lawful health care.

This bill also enjoys the support of a coalition of women's health advocates, health non-profits, civil rights organizations, and legal aid organizations. Generally, they contend that the bill ensures that patients and providers are not exposed to harassment or legal threats from out-of-state actors when they seek or provide lawful health care services.

Arguments in Opposition

This measure is opposed by a group of anti-choice advocates. They contend that this bill is unconstitutional and represents overreach on the part of this state. Similarly, the bill is opposed by a number of opponents of gender-affirming care. They too contend the bill is unconstitutional, and claim that it will obstruct investigations into the provision of gender-affirming care to minors.

This measure is also opposed by the California Chamber of Commerce, which states:

Functionally, AB 1930 contains two provisions governing subpoena responses for covered California businesses. First proposed subsection 1798.309(a)(1) provides that a federal subpoena or inquiry must include an affidavit attesting to certain facts ((a)(1)(A)-(C)), or else the businesses cannot comply. Second, proposed subsection 1798.309(a)(2) requires that the responding entity must provide notice to the Attorney General (within seven days) and delay in responding to allow the Attorney General to have an opportunity to intervene in the action (at least 30 days subsequent to notice).

We are concerned that both of these provisions might generate liability for California businesses under federal law. Under the first provision, a business will be placed in the position of demanding federal law enforcement comply with a state law – or they will refuse to comply. We are legally uncertain as to whether a state law can shape the requirements of a federal subpoena, and are concerned that this conflict will force businesses into litigating a state vs federal law dispute in order to comply with AB 1930. Under the second provision,

we are concerned that the minimum delay in response of 37 days for the covered entity may be longer than the timeline for response included in the federal subpoena (say, 30 days). As a result, we are concerned that the business will be compelled to delay past the deadline for the federal subpoena, forcing a violation of either federal law (if they comply with *AB 1930*) or state law (if they comply with the federal subpoena in a timely manner).

FISCAL COMMENTS

The Senate Appropriations Committee analysis states “[n]o to significant costs to the extent a person or entity in the state is subject to a civil, criminal, or regulatory investigation, subpoena or summons regarding a legally protected health activity and the Attorney General (AG) is notified and intervenes. (General Fund).”

VOTES:

ASM JUDICIARY: 9-3-0

YES: Kalra, Lee, Bryan, Connolly, Harabedian, Pacheco, Papan, Stefani, Zbur

NO: Macedo, Dixon, Sanchez

ASM PUBLIC SAFETY: 7-0-2

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

ABS, ABST OR NV: Alanis, Lackey

ASM APPROPRIATIONS: 11-4-0

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

NO: Hoover, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 60-17-3

YES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO: Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Macedo, Patterson, Sanchez, Ta, Tangipa

ABS, ABST OR NV: Alanis, Lackey, Celeste Rodriguez

SENATE FLOOR: 29-10-1

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Hurtado

UPDATED

VERSION: July 2, 2026

CONSULTANT: Kristian Wright / JUD. / (916) 319-2334

FN: 0004046