

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2018 (Ramos) – As Amended April 7, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill extends the Department of Justice (DOJ) Missing Persons DNA Program to all cases involving the report of an unidentified person, whether living or deceased, authorizes the retention of DNA extracted from a living person in specified circumstances, and authorizes DOJ to outsource processing of unidentified persons' samples to other laboratories.

FISCAL EFFECT:

- 1) Ongoing workload costs to the Department of Justice (Missing Persons DNA Database Fund), unknown but likely in the low to mid six figures annually, to process an expanded universe of cases now eligible for the Missing Persons DNA Program — including additional sample intake, DNA testing (autosomal STR, Y-STR, and mitochondrial DNA), CODIS uploads, and case management. Costs are funded by the existing \$2 fee on death certificates under Penal Code Section 14251, which supports laboratory infrastructure, sample storage, analysis, and related labor costs. The bill expressly authorizes DOJ to outsource processing of unidentified persons' samples to other laboratories. To the extent DOJ exercises this authority, outsourced processing could reduce in-house workload but would shift costs to contracts with third-party laboratories, with net fiscal impact dependent on per-sample pricing. The DOJ was unable to provide a cost estimate at this time.
- 2) Minor ongoing potential state liability associated with the \$5,000 civil damages (plus attorney's fees) remedy under existing law for failure to destroy retained samples or unauthorized disclosure. DOJ is liable for employee violations.

COMMENTS:

- 1) **Purpose.** According to the author:

AB 2018 modernizes California's Missing Persons DNA Program to reflect significant technological advancements in science. By expanding and updating the state's approach to missing persons DNA analysis and identification, the bill would strengthen the Department of Justice's ability to resolve missing persons cases, deliver answers to families, and remain a national leader in the field. This modernization is particularly urgent given the disproportionate number of missing persons of color in California, particularly Indigenous communities impacted by the MMIP crisis.

- 2) **Background.** Existing law requires DOJ to maintain a DNA database for cases involving unidentified deceased persons or “high-risk missing persons,” defined as persons missing under stranger abduction, suspicious or unknown circumstances, or where there is reason to assume the person is in danger or deceased and has been missing more than 30 days. Samples from unidentified remains are compared against DNA from personal articles of missing persons and from voluntarily submitted samples by relatives. Profiles are uploaded to the federal Combined DNA Index System (CODIS). Existing law keeps the Missing Persons DNA Program separate from the Criminal Offender DNA database, restricts disclosure of samples and profiles, and generally requires destruction of retained samples from living persons after positive identification, subject to specified exceptions. Existing law also provides for \$5,000 civil damages per violation for unauthorized disclosure or failure to destroy.

The existing program is funded under Penal Code Section 14251 by an existing \$2 fee on death certificates directed to the Missing Persons DNA Database Fund, which supports laboratory infrastructure, sample storage, DNA analysis, and labor costs. The bill retains this funding structure and amends Section 14251 to cover “unidentified persons” consistent with the scope expansion, and expressly authorizes DOJ to outsource sample processing to other laboratories at its discretion.

This bill removes the “high-risk” threshold and extends the program to all cases involving a report of an unidentified person, whether living or deceased. The bill also adds a new exception to the mandatory destruction rule to allow retention of DNA from living contributors — typically relatives of a missing person — in cases where identified human remains are incomplete and additional remains may be found in the future.

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