

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2104 (Carrillo) – As Amended March 9, 2026

Policy Committee: Public Safety

Vote: 8 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill requires a court presiding over a proceeding involving the commitment of a sexually violent predator (SVP) that is open to the public to provide the public with a remote access option that allows members of the public to remotely observe the proceeding.

FISCAL EFFECT:

Unknown, but potentially significant, costs to courts (Trial Court Trust Fund). It is unclear how many SVP proceedings are open to the public and would fall within the ambit of this bill. To the extent this bill's "observe" requirement implies video streaming, the Judicial Council notes that it would require installation of additional equipment in courtrooms that currently lack it. The Judicial Council indicates it would need to survey courts statewide to determine the full scope of the technology costs, and does not yet have a definitive estimate. The Judicial Council also identifies ongoing workload costs associated with managing livestreams of proceedings in which confidential mental health information may require the court to suspend the stream during closed portions of the hearing. The Judicial Council notes that audio-only streaming could be accomplished with existing court infrastructure at minimal cost. 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:

AB 2104 improves access to justice by requiring that court hearings related to sexually violent predators (SVPs), that are already open to the public provide a remote access option. Court determinations regarding SVP placement directly affect the residents of the communities where placement may occur, and our constituents have a fundamental right to stay informed about the decision-making process.

- 2) **Background.** The Sexually Violent Predator Act (SVPA) authorizes the involuntary civil commitment of persons convicted of sexually violent offenses who have a diagnosed mental disorder making them likely to reoffend. Upon completion of a prison sentence, CDCR may refer an inmate to the Department of State Hospitals (DSH) for evaluation. If two independent evaluators agree the person meets the statutory criteria, the county district attorney may petition for civil commitment. If the court or jury finds the person is an SVP, the person is committed to a state mental hospital for an indeterminate term. A committed SVP may petition for conditional release or unconditional discharge after one year of commitment. SVP proceedings involve confidential mental health evaluations. The Confidentiality of Medical Information Act and Welfare and Institutions Code section 5328 generally prohibit public disclosure of information obtained in the course of providing mental health services. In *People v. Dixon* (2007) 148 Cal.App.4th 414, the court held that SVP proceedings are not ordinary civil cases open to the public, as they involve primarily personal and confidential mental health matters. The California Rules of Court separately prohibit remote public access to records in mental health proceedings. Because SVP proceedings are generally closed under existing law, the bill's operative requirement — remote access for proceedings that are open to the public — may have limited practical application. The Judicial Council confirms that it is uncertain whether any portions of SVP proceedings are typically open to the public, though it is possible that some portions of a hearing could be open while others remain closed, which would require the court to start and stop the remote stream mid-hearing.

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