
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2104 (Carrillo) - Sexually violent predators

Version: June 25, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 6 - 0

Mandate: No

Consultant: Bob Franzoia

Bill Summary: AB 2104 would require a court presiding over any public proceeding involving a petition for conditional release by a person who is determined to be a sexually violent predator (SVP) to provide the public with a remote access option.

Fiscal Impact: Major one time cost, likely in the millions of dollars, to purchase, install, maintain equipment and facilities to provide livestreaming remote access. Major annual costs to the extent feasible to operate the equipment and provide remote access in a manner consistent with statutory requirement relating to SVP caselaw.

While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund 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).

Proposed Law: This bill adds Welfare and Institutions Code 6600.2 to require that If a court is unable to provide a remote access option that includes video due to technological limitations that are not reasonably within the control of the court, the court shall make the audio of the proceeding accessible to the public, until January 1, 2028, at which time all courts shall provide a remote access option with a visual feed.

Staff Comments: Apart from the cost to make available remote access in any public proceeding involving a petition by an SVP, the operation of the access is problematic. Caselaw surrounding the right of public access to SVP proceedings suggests that the inclusion of mostly sensitive information, such as the defendant's psychological treatment and testimony from victims of sex crimes, serves as, "a compelling basis for arguing that involuntary civil commitment proceedings under the SVPA are not ordinary civil proceedings that must be open to the public." (People v. Dixon (2007) 148 Cal.App.4th 414, 429.)

Because "such proceedings are aimed at determining the status of a person's mental health, they involve primarily personal and confidential matters." The initial psychiatric evaluations to classify a defendant as an SVP, the trial proceedings, and release evaluations each involve confidential information to varying degrees which will require courts to carefully examine constitutional precedent to determine which proceedings must be open or closed. This bill inserts a general mandate to livestream proceedings that conflicts with constitutional requirements. Such a general rule would require courts to repeatedly start and stop the livestream, which would place an unnecessary burden on SVPA proceedings.

Proposed Author Amendments: The author has a suspense file amendment as follows:

On page 2, in lines 3 and 4, strike out “any proceeding held pursuant to this article” and insert:

a proceeding held pursuant to Section 6608

Staff Notes Welfare and Institutions Code Section 6608 provides that a person committed as an SVP shall be permitted to petition the court for conditional release.