
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2318 (Elhawary) - Law enforcement: facilitating medical care

Version: June 25, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 1

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 2318 would prohibit a law enforcement officer from denying, delaying, obstructing, or failing to facilitate access to medical evaluation and treatment for an individual under law enforcement control. The bill would require law enforcement to document the basis of the denial within 72 hours and would authorize administrative discipline against a law enforcement officer who violates these provisions. By creating a new crime and by increasing the duties on law enforcement, the bill imposes a state mandated local program.

Fiscal Impact: Potential costs in the hundreds of thousands of dollars in administrative work for state law enforcement entities. The fiscal impact is difficult to quantify due to the capacity for administrative, civil or criminal penalties for any failure to comply with the provisions of the bill. Written documentation within 72-hours each time an officer delays or denies access to medical care may equate into thousands of new reports annually, expanded review, storage and oversight systems that likely would result in a cost of hundreds of thousands of dollars in administrative work. Likely greater impacts on local law enforcement entities. Penalty and reporting costs for each instance will likely be low, but costs could be significant in the aggregate statewide, with actual costs dependent on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates. (special funds, General Fund)

Potentially significant costs to the California Peace Officers Standards and Training (POST) to the extent the curriculum update triggers additional training hours that agencies claim for reimbursement. The Peace Officer Training Fund (POTF) has a structural deficit as criminal fine and penalty assessment collections have declined, and POST's operations are increasingly supported by General Fund appropriations. (Peace Officers Training Fund, General Fund)

Minor and absorbable costs to POST to incorporate the new guidance into existing training curricula. POST reports that California peace officers are already required to render first aid in use-of-force situations under existing law and POST guidelines, and that the bill is largely duplicative of existing requirements. (General Fund)

Minor and absorbable costs to the Department of Justice (DOJ) and the Office of the Inspector General to review law enforcement conduct. (General Fund)

Costs of an unknown but likely minor and ongoing amount for local law enforcement agencies to prepare the required 72-hour documentation in cases where access to medical care is denied or delayed while a medical professional is present, subject to the bill's investigation- and safety-based disclosure carve-out. The volume of work depends on how frequently denial or delay occurs in practice. Costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates. (General Fund)

Background: Existing law requires each law enforcement agency to maintain a policy that provides a minimum standard on the use of force including a requirement that officers promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.

POST is required to set minimum standards for the recruitment and training of peace officers, develop training courses and curriculum, and establish a professional certificate program that awards different levels of certification based on training, education, experience and other relevant prerequisites.

A course or courses of the regular basic course for law enforcement officers shall include using public service, including the rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

Proposed Law: The bill would make it unlawful for any law enforcement officer to deny, delay, obstruct, or fail to facilitate access to medical evaluation or treatment for an individual under law enforcement control if it is safe and reasonable to provide access to the treatment and a medical professional has been requested or is present and is willing to render care to the individual.

For any incident, if access to medical evaluation or treatment is denied or delayed when a medical professional is present and is willing to assist, law enforcement shall document the basis for the denial within 72 hours of the incident and include the following information:

- 1) The basis for denial or delay.
- 2) A detailed incident narrative that includes, but is not limited to, time of the incident, location of the incident, and personnel involved in the incident.
- 3) Any available supporting evidence, including body-worn camera footage, radio transmissions, or written incident reports.
- 4) Reporting pursuant to this subdivision shall be provided to the relevant civilian oversight body responsible for reviewing law enforcement conduct, the Office of the Inspector General, or the Attorney General.

Failure to comply with 1 and 2 above may result in administrative discipline, including suspension or termination.