
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2321 (Ortega) - Bureau of Investigations

Version: June 29, 2026

Urgency: No

Hearing Date: August 13, 2026

Policy Vote: L., P.E. & R. 4 - 1

Mandate: Yes

Consultant: Robert Ingenito

Bill Summary: AB 2321 would (1) modify case review procedures for the Division of Occupational Safety and Health (Cal/OSHA) and its Bureau of Investigations (BOI) to follow when investigating workplace injuries, and (2) create, upon Legislative appropriation, a five-year pilot program transferring investigative responsibilities from the BOI to the district attorneys in Alameda and Santa Clara counties for workplace health and safety violations that result in death in those counties.

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

The following information is revised to reflect amendments
adopted by the committee on August 13, 2026

Fiscal Impact:

- The Department of Industrial Relations (DIR) would incur one-time implementation costs of an unknown amount for Cal/OSHA and BOI to develop required case review, referral, and case transmittal procedures, and likely minor ongoing costs for the BOI to report additional staffing vacancy information (Occupational Safety and Health Fund).
- By imposing specified new duties on the District Attorneys of Santa Clara and Alameda Counties, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs. The magnitude is unknown, but could exceed \$50,000 per year (General Fund).
- This bill may result potentially significant cost pressures to the courts; the magnitude is unknown (Trial Court Trust Fund (TCTF)). The specific number of new actions that could be filed under the bill also is unknown; however, it generally costs about \$10,500 per day to operate a courtroom. Courts are not funded on the basis of workload, and increased pressure on TCTF may create a need for increased funding for courts from the General Fund. The enacted 2026-27 budget includes \$70 million in ongoing support from the General Fund to continue to backfill TCTF for revenue declines.

Author Amendments:

- Authorize the chief of Cal/OSHA to share certain information obtained in connection with any inspection or proceeding with law enforcement officers or prosecutors in any law enforcement investigation or prosecution.

- Require first responders to notify the local district attorney of workplace fatalities and other serious injuries or illnesses.
- Make other clarifying changes.

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