
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2384 (Lowenthal) - Crimes: records: sealing

Version: May 18, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 5 - 1

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 2384 would authorize a person who was arrested for, or was charged with, any offense that did not result in conviction or was convicted of an eligible offense, to petition the court to have their records of arrest, charge, or conviction, sealed if four years have elapsed since the date on which the person was arrested or completed any sentence or probation and the person has not committed another offense.

Fiscal Impact: Estimated \$1.55 million in FY 2026-27, \$3.75 million in FY 2027-28, \$5.5 million in FY 2028-29, \$5.4 million in FY 2029-30 and FY 2030-31, \$3.25 million in FY 2031-32 and \$2.5 million ongoing to the Department of Justice (DOJ). Costs for information technology systems would be for permanent and consultant positions for data analysts, Java/SQL consultants, procurement and contract management. Costs for the Division of Criminal Law would be for deputy attorney generals to assess and respond to petitions for record relief in cases where DOJ was the prosecuting agency and handling appeals of denials of petitions. Unknown but potentially significant amount to seal records and make required notifications, including forwarding orders to the FBI.

Potentially similar cost as DOJ to the California Department of Corrections and Rehabilitation (CDCR). CDCR has reported that the potential volume of discharged cases that could be ordered sealed is substantial, and that Case Records staff would need to receive and review each court order, verify eligibility, and enter the required information into CDCR systems. To comply with the 90-day processing timeline, CDCR reports that it would need to contract with a vendor to modify existing systems and establish batch-processing capability to identify and seal eligible records. CDCR anticipates a substantial multi-year surge of eligible cases following implementation, which would require a temporary augmentation of limited-term positions, followed by a smaller level of ongoing staffing to address continuing petition volume.

Potentially significant court cost pressures by requiring a court that receives a petition for sealing to serve the prosecuting agency, hold a hearing if the petition is opposed, make a "best interest of justice" determination, and issue a sealing order. Actual costs will depend on the number of petitions filed, the amount of court time needed to adjudicate each petition, and court resources needed to issue and maintain records of sealing orders. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding. The FY 2026-27 Budget Act provided \$70 million from the General Fund to offset revenue reductions. (Trial Court Trust Fund, General Fund)

Likely reimbursable costs of an unknown amount to local prosecutorial agencies and law enforcement agencies to review and respond to petitions within the 45-day response window, appear at hearings, and seal records upon court order. Costs will depend on whether the duties constitute a reimbursable mandate. (General Fund)

Background: “Sealing and destruction relief” means that the arrest and any adjudications or convictions suffered by the petitioner are deemed not to have occurred and that all records in the case are sealed and destroyed. The court informs the petitioner that they may thereafter state that they were not arrested for the charge or adjudicated or convicted of the charge that was granted relief. This bill provides sealing relief, only.

Proposed Law: This bill expands existing relief by allowing a person arrested of any offense that did not result in conviction, or who was charged with an offense that did not result in conviction, to petition the court for sealing relief of their arrest, charges, or conviction. Relief can be sought if the statute of limitations has run on every offense, the person completed a diversion program, or if an accusatory pleading was filed and the charge was dismissed, the person was acquitted, or a conviction was later vacated. The sealing may be ordered four years after the arrest, end of diversion, acquittal, or dismissal of the charge.

This bill provides that “eligible offense” means an offense that is not one of the following:

- An offense listed in the violent felony list or for which the person is required to register as a sex offender.
- Any offense specified in the serious felony list.
- Any felony domestic violence offense.
- A wet reckless, as defined.
- A DUI.
- A DUI causing injury.
- Any offense that may be pled and proved as a prior offense for purposes of imposing an increased sentence or enhancement upon conviction.

Staff Comments: This bill may conflict with federal law by inadvertently approving federal funding to federally ineligible In Home Support Service (IHSS) providers and foster care placements. This could lead to an unknown, but potentially major fiscal impact, possibly in the tens to hundreds of millions of dollars, due to potential loss of annual federal financial participation; audits and fines from the federal government; and multi-year repayment of federal funding for IHSS and Title IV-E noncompliance.

Related Legislation: SB 834 (Durazo) 2025 proposed requiring local court records to be updated to match DOJ records relating to arrests and convictions. SB 834 was held on the Assembly Appropriations Committee’s suspense file.

AB 704 (Lowenthal) 2025 proposed establishing a process for individuals who were arrested or convicted of a crime before they were 26 years old to seal and destroy records of their convictions and arrests. AB 704 was held on the Senate Appropriations Committee’s suspense file.