

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
AB 2428 (Celeste Rodriguez) – As Amended April 20, 2026

Policy Committee: Public Safety

Vote: 8 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill repeals or limits the authority to assess specified administrative fees imposed in connection with criminal arrests, prosecutions, or convictions, including trial court filing fees for incarcerated persons, returned-check fees on criminal court-ordered debt, charges for inmate temporary removal and house-confinement guard services, fees to participate in court-ordered community service, traffic violator school payment plan and amnesty program administrative fees, and county recovery of jail medical care costs. The bill also repeals juvenile court wardship fine authority. Beginning January 1, 2027, the unpaid balance of court-imposed costs under the affected provisions is unenforceable and uncollectible, and any portion of a judgment imposing those costs is vacated.

FISCAL EFFECT:

- 1) Likely minor revenue reductions to the Trial Court Trust Fund (TCTF), with potential General Fund backfill depending on aggregate impact. The Judicial Council reports that the affected fee streams are largely minor and that no individual section is expected to produce notable trial court revenue impact, but indicates it would seek backfill through the established trial court funding process if notable losses materialize. Unlike AB 1869 (Committee on Budget), Chapter 92, Statutes of 2020, which included an annual \$65 million General Fund appropriation through 2025-26 to backfill county revenues lost from the repeal of fees, the current version of this bill does not include a backfill appropriation. To the extent the Legislature determines that backfill is appropriate to address county or trial court revenue losses identified through implementation, an appropriation in subsequent budget action would be required.
- 2) One-time workload costs to the trial courts (TCTF, General Fund), likely spread across two fiscal years, to cancel fees previously assessed under affected provisions, terminate ongoing collection activities, vacate affected portions of judgments as required by the bill's January 1, 2027, judgment-vacating provisions, and provide updated notices to affected individuals. The Judicial Council has not provided a magnitude estimate for this workload. The judgment-vacating structure mirrors the approach taken in AB 1869 and AB 177 (Committee on Budget), Chapter 257, Statutes of 2021.
- 3) Ongoing minor workload costs to the trial courts (TCTF, General Fund), for processing returned checks tendered for court-ordered debt without the ability to recover bank charges or clerk processing time. California Rules of Court, Rule 10.821, generally requires courts to accept checks; the bill leaves that obligation in place while removing the ability to recoup

returned-check costs under Government Code Section 71386, which applies to court payments generally. For court-ordered debt relating to criminal proceedings specifically, Government Code Section 6157 also makes acceptance of checks discretionary, though courts remain bound by Rule 10.821. Whether courts will respond by limiting the practical availability of check payment is uncertain.

- 4) Costs (TCTF, General Fund) of an unknown amount to the trial courts from a potential increase in civil filings by incarcerated persons under amended Government Code Section 68635. Existing law requires incarcerated persons to pay trial court filing fees on a partial-payment schedule; this bill would prohibit those fees for filings related to the person's incarceration for the underlying criminal conviction. Current filing fee revenue from this population is not a meaningful revenue source for the courts. However, the Judicial Council reports that the existing fee structure — coupled with the inability of incarcerated persons to apply for fee waivers in these matters — may be functioning as a de facto barrier to filing. Removal of the fee could result in a meaningful increase in civil filings, including filings against the California Department of Corrections and Rehabilitation, with corresponding workload pressure on trial court calendaring. The magnitude of the increase is unknown and depends on filing behavior post-implementation. It generally costs approximately \$1,000 to operate a courtroom for one hour. 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 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:

Despite leading efforts to eliminate harmful monetary sanctions, California continues to attempt to fund its court system by assessing burdensome criminal administrative fees on California's most vulnerable communities, trapping them in cycles of debt. [...] AB 2428 provides the solution of eliminating 16 fees that disproportionately affect low-income Californians.

- 2) **Background.** Beginning with AB 1869, the Legislature has repealed a broad range of criminal administrative fees and provided that prior unpaid balances of those fees are unenforceable and uncollectible. AB 1869 repealed 23 fees and appropriated \$65 million annually from the General Fund through 2025-26 to backfill county revenue losses. AB 177 (Committee on Budget), Chapter 257, Statutes of 2021, repealed an additional 19 fees, and AB 199 (Committee on Budget), Chapter 57, Statutes of 2022, reduced civil assessments from up to \$300 to up to \$100, made unpaid pre-July 2022 civil assessments unenforceable and uncollectible, and redirected civil assessment revenue from the Trial Court Trust Fund to the General Fund. The Policy Advocacy Clinic at UC Berkeley Law has reported that approximately \$6.9 billion in fee debt has been discharged statewide pursuant to AB 1869, AB 177, and AB 199. This bill continues that line of legislation, repealing or limiting an additional set of administrative fees and applying the same judgment-vacating structure to

pre-2027 unpaid balances. The sponsor argues that the California Supreme Court's December 2025 decision in *People v. Kopp* requires ability-to-pay determinations for all of the fees affected by this bill and will further reduce collections. *Kopp* does not directly address the fees affected by this bill, though the Court urged the Legislature to revisit court-ordered ancillary payments in criminal cases comprehensively.

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