

ASSEMBLY THIRD READING

AB 2691 (Addis)

As Amended March 16, 2026

Majority vote

SUMMARY

Prohibits a person who has been convicted of a felony involving sexual assault or human trafficking, as defined, from being eligible to be elected to any state or local elective office.

Major Provisions

- 1) Prohibits a person from being a candidate for, or from being elected to, any state or local elective office if the person has been convicted of a felony involving any crime of sexual assault or human trafficking.
- 2) Defines, for the purposes of this bill, the terms "human trafficking" and "sexual assault" through cross-references to specified crimes identified in the Penal Code.

COMMENTS

The California Constitution provides that a person convicted of bribery involving an election or appointment cannot hold elected office. It also directs the Legislature to create laws that "exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries." Although that provision is mandatory, it is not self-executing and requires legislation to give it effect. To effectuate the constitutional prohibitions, various state laws were enacted. AB 2410 (Fuentes), Chapter 160, Statutes of 2012, enacted Elections Code Section 20 which lists various types of felony convictions that prevent a person from being eligible to be elected to office. The disqualifying crimes are ones that are sometimes referred to as "public trust" crimes – that is, illegal acts that involve the breach of the ethical obligation that a public servant is expected to exercise their public responsibilities in a manner that prioritizes the public interest over private gain. Elections Code Section 20 is, to some extent, an implementing statute for Article VII, Section 8 of the California Constitution.

This bill expands the existing limitations on candidate eligibility and prohibits a person who has been convicted of a felony involving sexual assault or human trafficking, as defined, from being eligible to be elected to any state or local elective office. The author contends that public trust is about more than ensuring elected officials aren't using their public office to commit crimes for financial gain or power, but also about ensuring that elected officials aren't committing incredibly serious crimes that endanger public safety. Moreover, serious crimes of sexual violence and exploitation involve an imbalance of power, coercion, and harm to vulnerable people. These crimes demonstrate that an individual is willing to abuse their power to violate the rights of others.

If this bill is signed into law, it could set a precedent for extending similar restrictions to individuals convicted of other felonies, thereby narrowing eligibility for public office. For instance, others may contend that a conviction for a serious crime such as murder warrants disqualification from public office. Once the list of disqualifying offenses is expanded to include crimes that do not involve a breach of a public servant's ethical obligations when exercising public responsibilities, it is less clear what standard should be used for determining which types of criminal convictions should disqualify a person from holding elective office.

Please see the policy committee analysis for a full discussion of this bill.

According to the Author

"Elected offices are privileged positions of influence and authority. People who commit the most serious crimes, those involving sexual violence and exploitation, must be barred from holding these powerful positions of public trust."

Arguments in Support

In support of this bill, the County of Monterey, writes: "In California, certain felony convictions preclude a person from running for or holding state or local elected office. These crimes, often referred to as "public trust" crimes, involve the breach of a public official's obligation to exercise their responsibility in a manner that prioritizes the public interest over private gain.

"The County of Monterey agrees with the author that public trust requires elected officials to have a basic level of integrity so that the public can have confidence in their government and their leaders and that people with a history of serious sexual misconduct should not be permitted to hold elected office. This bill ensures that individuals that have committed the most serious crimes that jeopardize public safety will not be afforded positions of public trust."

Arguments in Opposition

None received.

FISCAL COMMENTS

None. This bill is keyed non-fiscal by the Legislative Counsel.

VOTES**ASM ELECTIONS: 7-0-1**

YES: Pellerin, Gallagher, Bennett, Berman, Johnson, Solache, Stefani

ABS, ABST OR NV: Elhawary

UPDATED

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CONSULTANT: Nichole Becker / ELECTIONS / (916) 319-2094

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