

CONCURRENCE IN SENATE AMENDMENTS

AB 2691 (Addis)

As Amended August 4, 2026

Majority vote

SUMMARY

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

Senate Amendments

Add legislative findings and declarations and define sexual assault to mean a crime that requires a person to register as a tier 3 sex offender.

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.

The Senate amendments add legislative findings and declarations and define sexual assault to mean a crime that requires a person to register as a tier 3 sex offender. This bill, as amended in the Senate, is consistent with prior Assembly actions.

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 a prior version of this bill, the County of Santa Cruz Board of Supervisors, wrote: "Public offices come with significant authority, influence, and access. The public should be able to trust that those who hold these positions meet a basic standard of integrity and conduct."

"Felony sexual assault and human trafficking are particularly heinous crimes that involve exploitation, coercion, abuse of power, and serious harm to others. We believe convictions for these crimes are fundamentally incompatible with holding elected office and the responsibility that comes with it."

"County government depends on public confidence and honesty. Residents need to believe that the people representing them are worthy of that trust, particularly when government is responsible for protecting survivors, delivering public safety services, and serving people in vulnerable circumstances. AB 2691 is a reasonable and important step to protect the integrity of public office, support survivors, and strengthen confidence in government institutions."

Arguments in Opposition

In opposition to a prior version of this bill, the League of Women Voters of California, wrote: "While California law already prohibits people convicted of some offenses from running for and serving in public office, the existing statute is narrowly tailored to felonies that directly correlate with holding public office. Specifically, the statute prohibits people from running for or holding public office if they have been convicted of accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those offenses. Unlike the current statute, this bill lacks a direct nexus between the nature of the underlying crimes and the responsibilities of holding public office. And while our society certainly condemns the offenses included in AB 2691, our election code is not the appropriate place to express those concerns."

"California has a demonstrated commitment to providing opportunities for rehabilitation and second chances. This bill is fundamentally inconsistent with those values and fails to allow voters to consider important questions, including whether a person seeking office has served their sentence meaningfully contributing to their community, and could honorably and productively serve in office. We believe it is the job of the voters and the democratic process to weigh these considerations - even if that means, as it frequently has, that the electorate chooses not to advance a candidate who has engaged in the behavior underlying the offenses addressed by this bill."

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

ASSEMBLY FLOOR: 67-0-13

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bauer-Kahan, Bennett, Berman, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Solache, Soria, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Bains, Boerner, Bonta, Bryan, Dixon, Elhawary, Ellis, Gabriel, Macedo, Petrie-Norris, Celeste Rodriguez, Sharp-Collins, Stefani

UPDATED

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