
**SENATE COMMITTEE ON
ELECTIONS AND CONSTITUTIONAL AMENDMENTS**
Senator Scott Wiener, Chair
2025 - 2026 Regular

Bill No: AB 2753 **Hearing Date:** 6/30/26
Author: Soria
Version: 3/19/26
Urgency: No **Fiscal:** No
Consultant: Carrie Cornwell

Subject: Elective office: sex offenders

DIGEST

This bill prohibits a person who has ever had to register as a sex offender from running for or being elected to state or local office in California.

ANALYSIS

Existing law:

- 1) Requires persons convicted of specified sex offenses to register as sex offenders and have a continuing duty to register, even when the underlying conviction has been dismissed, unless that person obtains a certificate of rehabilitation or is exonerated. Willful violation of the duty to register is a misdemeanor, if the offense requiring registration was a misdemeanor, and is a felony if the offense requiring
- 2) Requires pursuant to the California Constitution that “[l]aws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries.”
- 3) Prohibits a person from being a candidate for office or serving in elected office in California if the person has been convicted of a felony involving accepting, 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 these crimes.

This bill adds anyone who has ever had to register as a sex offender to the prohibition in 3) of existing law.

BACKGROUND

Existing Ban on Running for Office. The California Constitution states, “Laws shall be made to exclude persons convicted of bribery, perjury, forgery, malfeasance in office, or other high crimes from office or serving on juries.” To effectuate these constitutional prohibitions, the Legislature has enacted various state laws, including various Penal Code and Government Code sections that enumerate events and actions which cause certain crimes to result in an elected official being disqualified from holding public office in the state.

AB 2410 (Fuentes), Chapter 160, Statutes of 2012, expanded this prohibition for persons convicted of crimes of public corruption to include running for office. Before AB 2410 took effect, the prohibition was on holding office. AB 2410 deemed accepting, giving or offering to give any bribe, the embezzlement of public money, extortion or theft of public money, and perjury to be crimes of public corruption and subjected those who had felony convictions for those crimes or conspiracy to any of those crimes ineligible to run for state or local office. This created a prohibition on running for office consistent with the constitutional prohibition on holding office.

Sex Offender Registry. California was the first state to require sex offender registration in 1947. The stated purpose for sex offender registration is to deter offenders from committing future crimes, provide law enforcement with an additional investigative tool, and increase public protection. California's sex offender registration law historically required lifetime registration by persons convicted of specified sex crimes.

Through AB 1562 (Alby), Chapter 908, Statutes of 1996, California enacted "Megan's Law" allowing the public to access an address list of registered sex offenders. AB 488 (Parra), Chapter 745, Statutes of 2004, required the California Department of Justice to put the Megan's Law list of offenders on a public access website with the offender's address, photo, and list of offenses. For some offenders with less serious offenses, only their ZIP code is listed. In addition, juvenile offenders do not appear on the Megan's Law website, nor do adult offenders who were convicted of crimes of incest.

SB 384 (Wiener), Chapter 541, Statutes of 2017, modified California's sex offender registry to a tiered registration system based on seriousness of the crime, risk of sexual reoffending, and criminal history. The recommendation to move to a tiered system came from the California Sex Offender Management Board's 2010 recommendations report. SB 384 established three tiers of registration for adult registrants for periods of 10 years (tier 1), 20 years (tier 2), and life (tier 3), and two tiers for registration for juvenile registrants for periods of 5 years and 10 years.

Rene Campos of Fresno. In February of 2026, Rene Campos, a tier 1 registered sex offender convicted of possession of child sex abuse material, announced his intention to run for a position on the Fresno City Council. Mr. Campos was originally charged with a felony but ultimately plead to a misdemeanor charge related to viewing child pornography. Mr. Campos was unable to successfully file the required documents to run for office because, according to press reports, he was unable to secure 20 signatures from registered voters required by state law on his nomination papers.

COMMENTS

- 1) Author's Statement. To ensure public trust in California's democratic institutions, California law prohibits those with certain criminal convictions from holding elected office. Despite this, current law has no restriction on registered sex offenders running for or holding elected positions. To ensure the safety of the public, this bill will prohibit all those who have ever been required to register as a sex offender from holding or being a candidate for any state or local elected position. This will reaffirm the public's trust in their democracy by preventing those guilty of these heinous crimes from holding an elected position of trust in their communities

- 2) Ever Is A Really Long Time. Unlike the sex offender registry itself, which is not necessarily a permanent listing, this bill makes permanent a person's ineligibility to run for office if they were ever registered. It does not make allowances for a person's conviction being overturned in a later court proceeding, a pardon, or the removal from either tier 1 or tier 2 of the registry through the process prescribed in existing law. The bill does not make allowances for changes in law over time, so things that may have been sex offenses in the past, such as consensual sex between two men, would preclude a person from running for office under this bill. The committee may question whether such a broad disqualification is appropriate and instead may wish to consider amending the bill to prohibit those currently required to register as tier 3 sex offenders from running for or holding office.
- 3) Concerns of the LGBTQ Community. California's sex offender registry dates from 1947, and over that time it has included those convicted of laws meant to marginalize and target sexual minorities, including those in the LGBTQ community. Leading civil rights organizations have worked over many decades to address the injustices embedded in the registry. As an example from its website, "Equality California has successfully worked to modernize California's outdated, ineffective and discriminatory laws ... and to reform California's broken sex offender registry, which for decades treated LGBTQ+ people differently from their non-LGBTQ+ peers." By excluding from candidacy any person who has ever been on the registry, this bill dismisses those decades of work for greater justice in California's criminal justice laws and reopens the door to using those outdated laws to marginalize members of those communities.
- 4) Making Misdemeanors a Disqualification. This bill introduces the idea that being convicted of a misdemeanor can disqualify a person from ever being a candidate for office in California. Such misdemeanors would include any that result, or previously resulted in, having to register as a sex offender. An example of such a misdemeanor could be a 19-year-old possessing illicit photographs of their 17-year-old romantic partner for which they are convicted of a misdemeanor. The committee may question whether it is appropriate to make non-felonies a disqualification from running for office in California.
- 5) How Do We Know? When a candidate files a declaration of candidacy, they attest they meet the qualifications for the office, they have not been convicted of a crime of public corruption, and they will accept the nomination/election rather than withdraw. In some cases, such as for sheriff, county assessor, or district attorney, a candidate must submit documentation establishing they meet the qualifications for the office and files this documentation with a declaration, signed under penalty of perjury, certifying the information provided is true and correct. The committee or the author may wish to amend this bill to provide for documentation or attestation under penalty of perjury that the candidate has never been a registered sex offender. Something that could only be confirmed by an entity that has access to information about all those who have ever been on the registry, such as the Attorney General or the courts.
- 6) Other States. According to the National Conference of State Legislatures, Florida and Utah have statutory and/or constitutional provisions related to candidate disqualification for conviction of a sex offense. In Florida, the right to hold office is

revoked upon conviction of a felony and may be restored when a person is returned to their civil rights. This mirrors the process for voting rights revocation and restoration. Civil rights (including voting rights and office-holding rights) are restored automatically upon completion of a sentence, unless the person was convicted of a felony sexual offense or of murder, in which case they need to petition the governor for restoration of those rights. The governor can then choose to grant or deny those petitions for rights restoration on a case-by-case basis.

In Utah, a person convicted of grievous sexual assault against a child is permanently barred from serving as a member on the state board of education or on any local school board (both are elected boards).

- 7) Arguments in Support. Noting its unanimous adoption of a resolution in support of the bill, the Fresno City Council writes:

Currently, there is no prohibition preventing individuals required to register as sex offenders from seeking elected office. This undermines public confidence and raises serious concerns about the standards we set for those entrusted with leadership. Public office is built on trust, accountability, and the responsibility to protect the most vulnerable. Those who have committed crimes that violate that trust, particularly against children should not be eligible to serve in positions of public authority.

[This bill] establishes a clear, consistent, and necessary standard across California.

- 8) Arguments in Opposition. Smart Justice opposes the bill because while supportive of “proportional and effective criminal accountability for people who have been convicted of sexual offenses against others, we believe the electorate should be responsible for making determinations about when and how a person’s prior convictions should impact their ability to run for and be elected to public office.” Smart Justice continues:

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, is 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.

RELATED/PRIOR LEGISLATION

AB 2691 (Addis), also on today’s agenda, prohibits a person convicted of specified felony sexual assault or human trafficking from running for or being elected to state or local office in California.

AB 2410 (Fuentes), Chapter 160, Statutes of 2012, prohibits a person from being a candidate for office or serving in elected office in California if the person has been convicted of a felony involving accepting, 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 these crimes.

PRIOR ACTION

Assembly Floor: 60 - 0
Assembly Elections Committee: 7 - 0

POSITIONS

Sponsor: Author

Support: City of Calimesa
City of Fresno

Oppose: League of Women Voters of California
Smart Justice California, a Project of Beyond Impact

-- END --