

Date of Hearing: June 24, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2796 (Committee on Public Safety) – As Amended June 10, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: Yes

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill makes various changes to state statutes authorizing federal-level criminal history background checks for licensing, certification, and employment purposes to bring background checks into compliance with federal law.

Specifically, this bill:

- 1) Provides that a statutory requirement to conduct a federal background check does not apply where the Federal Bureau of Investigations (FBI) has not authorized the entity to conduct a background check, and authorizes an entity to make decisions based on a state-level check until federal authorization is granted, with re-fingerprinting required once it is granted.
- 2) Requires DOJ to develop the California Volunteer and Employee Criminal History Service (CalVECHS) program for the entities and individuals covered under the federal National Child Protection Act/Volunteers for Children Act, and expands the entities and applicant populations eligible to participate in the program.
- 3) Removes the DOJ fitness-determination model from approximately 12 licensing and employment statutes.
- 4) Re-authorizes DOJ fingerprinting for applicants for a firearms certificate of eligibility and a dangerous weapons license and permit, conforming the authority to federal applicant-specificity requirements.
- 5) Authorizes the Board of Registered Nursing (BRN) to require a fingerprint-based state and national background check for registered nurse applicants and to participate in federal Rap Back continuous notification.
- 6) Makes conforming background-check changes affecting community care licensing (Department of Social Services (DSS)), Medi-Cal provider screening (Department of Health Care Services (DHCS) and the California Department of Public Health (CDPH)), yacht and ship brokers (Department of Real Estate), bank and escrow personnel (Department of Financial Protection and Innovation (DFPI)), and other populations.

FISCAL EFFECT:

Minor and absorbable fiscal impact to DOJ, which reports it can absorb the workload associated with implementing this bill, including processing changes, CalVECHS program development,

and any re-fingerprinting required under the new federal-authorization fallback. Costs to the other departments affected (BRN, DSS, DHCS, CDPH, and DFPI) are minor and absorbable, as the bill conforms existing background-check authority with federal law rather than establishing new programs requiring an appropriation.

COMMENTS:

According to the author, this committee bill, which makes technical and minor substantive amendments to statutes authorizing federal-level background checks, is needed because the FBI has flagged certain statutes as out of compliance with Public Law (PL) 92-544, which restricts private-entity access to federal criminal history information. The FBI's PL 92-544 review unit has applied stricter standards in recent years, such as requiring that fingerprinting statutes identify applicant populations with specificity and not route federal criminal history information to private entities. The FBI's revocation of approval for the statute authorizing massage-therapy background checks because the statute relies on a DOJ fitness determination, signals similar risk for the other statutes relying on a DOJ fitness determination. This bill responds by striking the fitness-determination model from those other statutes and substituting direct state and federal responses, adding a fallback method that allows entities to proceed on a state-level check while federal authorization is pending, and conforming the firearms, CalVECHS, community care, Medi-Cal, and other affected statutes to federal requirements. This bill follows SB 160 (Committee on Budget), Chapter 13, Statutes of 2025, which made comparable background-check and fingerprinting authority adjustments for numerous state entities.

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