
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 910 (Bonta) - Criminal procedure: sentencing

Version: June 15, 2026

Urgency: No

Hearing Date: August 3, 2026

Policy Vote: PUB. S. 4 - 1

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: AB 910 would expand vacatur relief available to victims of human trafficking, intimate partner violence, or sexual violence to apply to violent crimes except murder (unless it is felony murder), and to expand the affirmative defense available to these victims to apply to any crime except murder (unless it is felony murder).

Fiscal Impact: Potentially major costs to the Department of Justice and law enforcement agencies to seal and destroy records upon a court order granting vacatur relief. Actual costs will depend on the number of petitions granted and the amount of workload associated with sealing and destruction of records. Local law enforcement agency costs may be reimbursed if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate. (General Fund)

Potentially significant impact on court calendars dependent on how often vacatur relief is sought under the bill's expanded parameters to all offenses short of murder. The court would incur additional staff workload to stay the applicable unpaid fines and fees while the petition is heard, as well as vacating those fines and fees if the petition is granted. The new inclusion of victim restitution, not just the fines and fees associated with the restitution, will lead to additional notices to the victims and potential hearings if the victim requests a hearing to object to the restitution being vacated. An eight-hour court day costs approximately \$10,500 based on the hourly rate of court personnel including at minimum the judge, clerk, bailiff, court reporter, jury administrator, administrative staff, and jury per-diems. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources. The FY 2026-27 Budget appropriated \$70 million General Fund for this purpose (Trial Court Trust Fund, General Fund).

The California Department of Corrections and Rehabilitation (CDCR) anticipates cost pressures in several areas, potentially resulting in costs of at least \$500,000 annually. These costs would primarily stem from increased staffing needs for record processing, as well as possible updates to information technology systems. (General Fund)

By expanding eligibility for vacatur relief, this bill is expected to increase the number of court orders received by CDCR's Case Records office. Upon receiving a court order, CDCR would be responsible for sealing and destroying applicable records within a defined timeframe of receiving the court order. CDCR anticipates the need for additional staff to manage this increased workload and potential IT system modifications for tracking and compliance. Additionally, the bill would require that the collection of all

restitution, fines, and fees is stayed while the petition is pending. CDCR would need to ensure appropriate tracking when such petitions are pending. (General Fund)

To the extent this bill may result in an increase in in-person, court-ordered appearances, CDCR anticipates an increased staff workload related to any necessary transportation. While difficult to estimate, the fiscal impact of such transportation could be in the low hundreds of thousands, depending on the number of individuals eligible and seeking this relief. There could be significant savings to CDCR to the extent people successfully have their convictions vacated. (General Fund)

Unknown potentially significant cost savings to counties to the extent this bill reduces incarceration by vacating convictions. Actual savings will depend on the number of convictions vacated and the length of each sentence. (Local funds)

Background: Vacatur is a form of post-conviction relief that allows survivors of human trafficking, intimate partner violence and sexual violence to clear non-violent criminal records related to their victimization.

Proposed Law: This bill expands vacatur relief for crimes committed by a victim of human trafficking, intimate partner violence, or sexual violence to apply to all crimes, not just nonviolent crimes, except murder unless the person was convicted of felony murder. This bill provides that if the petition for vacatur relief is granted, unpaid restitution, fines, and fees shall be vacated.

This bill expands vacatur relief for juvenile adjudications to apply to violent felonies including murder.

This bill requires any government agency to seal and destroy the records of arrest, conviction, or adjudication within one year of the arrest, or within 90 days after the court order is granted, whichever occurs first.

Related Legislation: AB 938 (Bonta) 2025 proposes expanding vacatur relief to a person arrested for or convicted of any offense, except murder, committed while they were a victim of human trafficking, including, but not limited to, prostitution, or a victim of intimate partner violence or sexual violence. AB 938 was held on this committee's suspense file.

AB 2384 (Lowenthal) would authorize a person who was arrested for, or was charged with, any offense that did not result in conviction or was convicted of an eligible offense, to petition the court to have their records of arrest, charge, or conviction, sealed if four years have elapsed since the date on which the person was arrested or completed any sentence or probation and the person has not committed another offense. AB 2384 is pending before this committee.