
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 1016 (Blakespear) - Community Assistance, Recovery, and Empowerment (CARE) Court Program and court-ordered evaluations

Version: April 28, 2026

Urgency: No

Hearing Date: May 11, 2026

Policy Vote: JUD. 12 - 0

Mandate: Yes

Consultant: Bob Franzoia

Bill Summary: SB 1016 creates a pathway for a Community Assistance, Recovery and Empowerment (CARE) respondent to be ordered to undergo an evaluation under the Lanterman-Petris-Short (LPS) Act when certain conditions are met,

Fiscal Impact: Unknown, likely major county behavioral health agencies administrative and treatment costs (state mandates, General Fund).

Unknown, potential cost pressures to the courts related to additional duties required in this bill. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services. The Governor's FY 2026-27 budget proposes \$70 million General Fund to backfill the Trial Court Trust Fund.

Background: In 2022, the Legislature enacted the CARE Act intended to provide essential mental health and substance use disorder services to severely mentally ill Californians, many of whom are homeless or incarcerated, while also preserving these individuals' self-determination to the greatest extent possible. The first counties implemented the CARE Act in October 2023; all counties in the state were required to begin accepting CARE petitions as of December 2024, unless they received an implementation extension from the Department of Health Care Services (DHCS). As the CARE Act has been implemented across the state, stakeholders have figured out what works well and what needs improvement; according to the author, the CARE Act does not have adequate provisions in place for a respondent who does not complete the process or who may need a higher level of services.

Proposed Law: This bill requires the Judicial Council to include on the mandatory CARE Act petition form an option for the petitioner to request a court-ordered evaluation under the LPS Act upon dismissal of the CARE petition if the respondent is not willing or able to participate in the CARE process and amend the notice of dismissal form to indicate whether the court has ordered a mental health evaluation under the LPS Act upon the dismissal (the indication on the dismissal form shall serve as the court order for the mental health evaluation).

The bill requires the trial courts, as part of their reports to Judicial Council for use in the annual CARE Act report, to report (1) the number of court-ordered mental health evaluations under the LPS Act requested in a CARE proceeding, (2) the number of court-ordered mental health evaluations ordered upon dismissal of a CARE petition, (3) the number of cases dismissed where a court-ordered mental health evaluation was requested but not ordered and (4) the basis for dismissal in cases under (2) and (3).

The LPS allows any individual to allege that another individual is a danger to themselves or others or gravely disabled because of their mental health condition and to request a court ordered county mental health evaluation. If a person is found to meet the criteria for an LPS conservatorship, a county can assess and connect individuals for investigation without a lengthy court process. This bill would exclude individuals who have diagnosis under the CARE Act for eligibility for a petition. This bill expands authority of the court to involuntarily detain an individual subject to a petition under the CARE Act to an involuntary detention for the purposes of conducting an evaluation to determine whether there is probable cause that the individual is a danger to themselves, others, or gravely disabled.

Related Legislation: SB 989 (Blakespear) would provide that a first responder may request the county behavioral health agency to file a petition to commence the CARE process. SB 989 is on the Senate Appropriations Committee Suspense File.

Staff Comments: The estimates of the frequency and cost of increased clinical evaluations, subsequent behavioral health treatment and reporting vary widely. One estimate anticipates 730 to 1,460 new evaluations assuming higher numbers of petitions and assumed evaluations for individuals receiving a CARE plan (56 individuals) or were dismissed without volunteering for services (1,405 individuals). This level of involvement is estimated to range up to \$9 million annually and potentially increasing in future years.

From an individual county perspective, Los Angeles County received 386 CARE petitions (December 2023 to March 2025) with 130 petitions being dismissed (34 percent). Of those dismissals, 29 petitions were dismissed because the individual was “unlikely to benefit (needs higher level of care).” The population determined to need a higher level of care was 7.5 percent of total CARE petitions.

San Diego County received 505 CARE petitions with 290 petitions being dismissed (57 percent). Of those dismissed, 77 were dismissed due to “refusal of service and/or lack of engagement.” The population dismissed due to “refusal of service and/or lack of engagement” was 15 percent of total CARE petitions. Assuming a judge determined that there was probable cause for a court-ordered mental health evaluation in 50 percent of those individuals, this percentage would be similar to the Los Angeles County population.