

Date of Hearing: June 9, 2026

ASSEMBLY COMMITTEE ON JUDICIARY

Ash Kalra, Chair

SB 1100 (Smallwood-Cuevas) – As Introduced February 13, 2026

SENATE VOTE: 36-0

SUBJECT: GRAND JURIES: FINAL REPORTS

SYNOPSIS

Existing law requires each county in California to draw and impanel a “civil grand jury” at least once a year for the purpose of investigating the operations of the various officers, departments, and agencies of local government. As part of this work, the grand jury is required to compile a report of their findings and recommendations and submit the report to the presiding judge of the superior court. Relevant public officials and agencies must then respond to these reports, indicating whether the entity agrees with the findings and recommendations, among other things. The final report and responses to the report are placed on file with the clerk of the court in the relevant county and the clerk must immediately forward a true copy of the report and responses to the State Archivist, who is required to retain both in perpetuity.

This bill revises the timeframe in which the clerk of a court must forward a grand jury report, and responses to the State Archivist. Instead of requiring the clerk to “immediately” forward copies of these documents to the State Archivist, this bill requires the clerk to compile all final reports and responses generated during a grand jury’s term of service and to transfer a complete set of true copies of all final reports to the State Archivist, once a year, within six months of the grand jury’s service term. This bill is sponsored by the California Secretary of State, who oversees the State Archives, and has no known opposition. Should this bill be approved by this Committee, it would next be referred to the Assembly Committee on Public Safety.

SUMMARY: Revises the timeframe in which a clerk of a court must forward final reports of a civil grand jury and responses to those reports to the State Archivist, from immediately upon receipt to annually. Specifically, **this bill**:

- 1) Specifies that a civil grand jury must submit to the presiding judge of the superior court a final report of its findings and recommendations during the fiscal or calendar term, rather than the fiscal or calendar year.
- 2) Eliminates the requirement for a clerk of the court to immediately forward a true copy of a civil grand jury’s final report and responses to it, to the State Archivist.
- 3) Requires the clerk of the court to compile all final grand jury reports and the responses to the reports generated during the grand jury’s term of service, and to transmit, in a single transfer, a complete set of true copies of all final reports of civil grand juries and responses to the State Archivist, once a year, within six months of the end of the grand jury’s term of service.
- 4) Specifies that 3) does not require a clerk of a court to create new or consolidated documents.
- 5) Makes technical and conforming changes.

EXISTING LAW:

- 1) Provides that the people have the right of access to information concerning the conduct of the people's business and, therefore, the meetings of public bodies and the writings of public officials will be open to public scrutiny. (California Constitution Article I, Section 3.)
- 2) Provides that one or more grand juries must be drawn and summoned at least once a year in each county. (California Constitution Article I, Section 23.)
- 3) Defines a grand jury as a body of the required number of persons returned from the citizens of the county before a court of competent jurisdiction, and sworn to inquire into public offenses committed or triable within the county. (Penal Code Section 888.)
- 4) Provides that each grand jury or, if more than one has been duly impaneled, one grand jury in each county, is charged with, and sworn to investigate or inquire into county matters of civil concern, such as the needs of county officers, including the abolition or creation of offices for, the purchase, lease, or sale of equipment for, or changes in the method or system of, performing the duties of the agencies subject to investigation. (Penal Code Section 888.)
- 5) Requires each county to draw and impanel at least one grand jury each year. (Penal Code Section 905.)
- 6) Authorizes a grand jury to inquire into all public offenses committed or triable within the county and to present them to the court by indictment. (Penal Code Section 917.)
- 7) Authorizes a grand jury to inquire into the case of every person imprisoned in the jail of the county on a criminal charge and not indicted. (Penal Code Section 919 (a).)
- 8) Requires a grand jury to inquire into the condition and management of public prisons within the county. (Penal Code Section 919 (b).)
- 9) Requires a grand jury to inquire into the willful or corrupt misconduct in office of public officers of every description within the county. (Penal Code Section 919 (c).)
- 10) Authorizes a grand jury to investigate and inquire into all sales and transfers of land, and into the ownership of land, which, under state law, might or should escheat to the State of California. (Penal Code Section 920.)
- 11) Requires a grand jury to investigate and report on the operations, accounts, and records of the officers, departments, or functions of the county including those operations, accounts, and records of any special legislative district or other district in the county created pursuant to state law for which the officers of the county are serving in their ex officio capacity as officers of the districts. (Penal Code Section 925.)
- 12) Authorizes a grand jury, at any time, to examine the books and records of any incorporated city or joint powers agency located in the county. Specifies that a grand jury may investigate and report upon the operations, accounts, and records of the officers, departments, functions, and the method or system of performing the duties of any such city or joint powers agency and make such recommendations as it deems proper and fit. (Penal Code Section 925a.)

- 13) Specifies that a grand jury may, and when requested by the board of supervisors must, investigate and report upon the needs for increase or decrease in salaries of county-elected officials. (Penal Code Section 927.)
- 14) Authorizes a grand jury to investigate and report upon the needs of all county officers in the county, including the abolition of creation of offices and equipment for, or the method or system of performing the duties of, the several offices. (Penal Code Section 928.)
- 15) Requires each grand jury to submit to the presiding judge of a superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. (Penal Code Section 933 (a).)
- 16) Specifies that one copy of each final report, together with the responses, found to be in compliance with existing law, must be placed on file with the clerk of the court and remain on file in the office of the clerk. Provides that the clerk of the court must immediately forward a true copy of the report and responses to the State Archivist who must retain that report and all responses in perpetuity. (Penal Code Section 933 (b).)
- 17) Specifies that after the grand jury submits a final report on the operation of any public agency subject to its reviewing authority, specified government entities and officials must submit comments regarding the final report to the presiding judge of the superior court within specified time periods. (Penal Code Section 933 (c).)
- 18) Requires, as to each grand jury finding, the responding person or entity to indicate whether the respondent agrees, or disagrees wholly or partially with the finding, and to report whether a recommendation has been implemented or has not been implemented, but will be implemented in the future, the recommendation requires further analysis, or the recommendation will not be implemented because it is not warranted or is not reasonable. (Penal Code Section 933.05 (a) – (b).)
- 19) Provides that an accusation in writing against a public official for willful or corrupt misconduct in office may be presented by the grand jury of the county in which the officer accused is elected or appointed. (Government Code Section 3060.)

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

COMMENTS: Within the office of the Secretary of State sits the California State Archives, which serves as a repository for the state's permanent governmental records as well as other materials documenting California history. Among other things, the State Archives must retain reports it receives from civil grand juries from each of California's 58 counties, as well as responses to those reports. The sponsor of the bill, the California Secretary of State, contends the current process for the submission of these reports and responses creates an inefficient and sometimes confusing workflow for both county superior court clerks and archivists at the State Archives. Accordingly, the author introduced SB 1100 to streamline and modernize the submission process.

In support of the bill, the author states:

SB 1100 is needed to modernize and strengthen California's records management system in support of government efficiency and accountability. The State Archives serve as the official

repository for a state government's permanent records, responsible for collecting, preserving, and providing public access to documents of historical significance. SB 1100 clarifies and updates statutory requirements governing how civil grand jury reports and responses are submitted to the State Archives within the Secretary of State's office. Current law requires clerks of court to immediately forward final civil grand jury reports to the State Archivist upon finalization. SB 1100 establishes a consolidated submission process for civil grand jury reports and responses, ensuring clearer compliance, reducing routine administrative inquiries, and allowing the State Archives to manage records more efficiently. This bill also promotes more timely public access, improves coordination among courts, counties, and the State Archives, and ensures that records of civil grand jury oversight are preserved and accessible to future generations. It strengthens government operations by doing more with existing resources—improving performance without expanding bureaucracy.

Overview of California's civil grand jury system. Existing law requires each county in California to draw and impanel a "civil grand jury" at least once a year. (*See* California Constitution Article I, Section 23; Penal Code Sections 888 and 905.) These civil grand juries "act as the public's 'watchdog' by investigating and reporting upon the affairs of local government." (*McClatchy Newspapers v. Superior Court* (1988) 44 Cal. 3d 1162, 1170; *see also* Penal Code Section 925.) Among other things, the grand jury has the authority to investigate the conditions of public prisons, inquire into specified land transfers, and to examine the accounts and records of local government agencies. (*See* Penal Code Sections 919, 920, and 925.) After completing an investigation, a grand jury must compile a final report detailing findings and recommendations for county officials. (Penal Code Section 933 (a).)

Both the final report and the responses to the report are submitted to the presiding judge of the superior court of the county, and placed on file with clerk of the court. Under existing law, a clerk has to "immediately" forward a true copy of the report and the responses to the State Archivist. (Penal Code Section 933 (b).) According to California Secretary of State, this requirement results in hundreds of piecemeal deliveries of reports and responses because multiple civil grand jury reports and responses are submitted throughout the year. This dynamic apparently creates operational challenges for both the State Archives and the county court clerks.

This bill eliminates the requirement that county court clerks "immediately" forward a copy of these reports and responses. Instead, this bill provides that county court clerks must compile all final reports and responses generated during a grand jury's term of service, and subsequently, submit true copies to the State Archives once a year. The bill requires the reports and responses to be transferred within six months of end of grand jury's term of service. While the State Archives would not receive these documents immediately upon completion, both the responses and reports will remain on file with the clerk of the court, ensuring the public continues to have access. Given that the broader public will still be able to access these important documents, the bill's modest change to the submission process seems both warranted and reasonable.

ARGUMENTS IN SUPPORT: The bill's sponsor, California Secretary of State, Shirley N. Weber, Ph.D., contends that this bill will modernize how civil grand jury reports are transmitted to the State Archives, and that the bill's straightforward approach will improve government efficiency, accountability, and support the State Archives transition to electronic records. Further, the sponsor submits:

Currently, Penal Code Section 933(b) requires county superior court clerks to forward civil grand jury reports and responses to the State Archivist "immediately" upon receipt. While well-intentioned, this requirement results in hundreds of piecemeal deliveries to the State Archives throughout the year from California's 58 counties. This creates significant operational challenges for both county clerks and my Archives staff, interrupting ongoing projects, complicating workflow planning, and preventing efficient implementation of our electronic records management system.

SB 1100 solves this problem by allowing county clerks to compile complete sets of reports and responses and transfer them annually within six months after a grand jury's term ends. This simple change will significantly reduce the numbers of transfers per year and enable digital file management. Most critically, this change does not delay public access to reports, as counties will continue to post them immediately upon release.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Secretary of State (sponsor)

Opposition

None on file

Analysis Prepared by: Kristian Wright / JUD. / (916) 319-2334