

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1105 (Pérez) – As Amended July 2, 2026

Policy Committee: Public Safety

Vote: 6 - 1

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill limits the circumstances under which federal law enforcement officers may exercise state arrest authority, prohibits California law enforcement agencies (LEAs) from entering into interagency agreements with federal or out-of-state LEAs unless the agreement expressly prohibits specified conduct, and prohibits a California LEA from using resources or personnel to assist a federal or out-of-state operation when it knows or reasonably should know, based on credible and articulable facts, that the partner agency has engaged in or intends to engage in specified conduct in that operation.

Specifically, this bill:

- 1) Removes the authority of federal officers to make arrests for violations of state or local law generally, including specified warrantless arrests, and when arrests are incidental to federal enforcement duties, retaining state arrest authority only when requested by a California LEA to participate in a joint task force or criminal investigation, or when probable cause exists that a public offense involving an immediate threat of great bodily injury has just occurred or is being committed.
- 2) Conditions federal officers' exercise of state arrest authority on compliance with state prohibitions on law enforcement facial coverings and requirements to visibly display identification, and limits federal arrest authority during emergency operations to assistance provided at the request of the Governor.
- 3) Prohibits a California LEA, except as required by federal or state law, from entering into an interagency agreement unless the agreement is in writing and expressly prohibits the California LEA from engaging in: racial or identity profiling; investigation, arrest, use of force, or imposition of penalties based solely on constitutionally protected expressive conduct; deployment of kinetic energy projectiles and chemical agents against an assembly in violation of existing law; or unauthorized use, deployment, or acquisition of military equipment.
- 4) Limits interagency agreements to four years, requires existing agreements to be amended to include these limitations by July 1, 2027, and renders nonconforming agreements void and unenforceable.
- 5) Prohibits a California LEA, except as required by federal or state law, from using agency resources or personnel to assist an operation executed in whole or in part by a federal or out-

of-state LEA when it knows or reasonably should know, based on credible and articulable facts, that the agency has engaged in or intends to engage in enforcement based solely on constitutionally protected expressive conduct during the specific operation.

FISCAL EFFECT:

- 1) Costs (Motor Vehicle Account) to the California Highway Patrol (CHP) of an unknown but potentially significant amount, which CHP estimates could range from the hundreds of thousands of dollars to the tens of millions of dollars, for litigation and operational compliance. CHP anticipates increased legal expenses to defend actions challenging its compliance with this bill's restrictions on assisting federal and out-of-state operations. CHP reports it anticipates deploying thousands of officers to assist federal and out-of-state agencies in the LA28 Summer Olympics operation, and states that departmental personnel would be required to evaluate contacts made by partner agencies for prohibited conduct, with a determination of prohibited conduct requiring withdrawal of CHP resources from the operation. CHP also reports exposure in civil unrest responses where federal agencies are present and deploy kinetic energy projectiles or chemical agents. Actual costs will depend on the number and nature of legal challenges and the scale of joint operations in which CHP participates. The Motor Vehicle Account, the primary funding source for CHP, faces insolvency; the Legislative Analyst's Office has recommended the Legislature set a high bar for proposals that create additional Motor Vehicle Account cost pressures.
- 2) Reimbursable state-mandated costs (General Fund) to local law enforcement agencies of an unknown amount, likely minor per agency but potentially significant in the aggregate. This bill requires local LEAs to amend existing interagency agreements by July 1, 2027, and to conform new agreements to the bill's requirements. There are 455 police departments and 58 county sheriffs' departments in the state. These costs are likely reimbursable from the General Fund, subject to a determination by the Commission on State Mandates, to the extent a local agency files a reimbursement claim.
- 3) Cost pressures (various state and local funds) of an unknown amount to state and local law enforcement agencies to backfill federal resources. To the extent federal agencies decline to participate in agreements containing the required limitations, California LEAs that previously shared workload with federal partners may need to dedicate additional resources of their own to joint enforcement priorities.

COMMENTS:

- 1) **Purpose.** According to the author:

SB 1105, the Protect CA Rights Act, prohibits local and state law enforcement from assisting federal agents in operations that involve racial or identity profiling, the criminalization of protected speech, or the use of unauthorized military-style weapons against Californians. Californians have rights — and it is our duty to protect them. Existing California law already prohibits racial profiling, and our Constitution guarantees the right to peacefully assemble without being met with militarized responses. But the Federal Administration is attempting to erode those rights in real time. ... American citizens who speak out against ICE have been targeted, and minority communities are being

scrutinized regardless of immigration status. This bill makes one thing clear: California's law enforcement resources cannot be used to undermine California law or constitutional rights.

- 2) **Background.** Under existing law, federal officers are not California peace officers but may exercise state arrest authority in specified circumstances, including for violations of state or local law generally, incidental to federal enforcement duties, at the request of a California LEA, and where probable cause exists that an offense involving immediate danger to persons or property is occurring. The California Values Act limits LEA participation in immigration enforcement and conditions participation in joint task forces. Existing law separately prohibits racial and identity profiling, restricts the use of kinetic energy projectiles and chemical agents against assemblies, and requires governing-body approval of military equipment use.

Arrest Authority. This bill repeals the general state-law arrest authority, the federal-duties-incidental authority, and the federal property provision, retaining state arrest authority for federal officers in only two circumstances: when requested by a California LEA to participate in a joint task force or criminal investigation, and when probable cause exists that a public offense involving an immediate threat of great bodily injury (no longer danger to property) has just occurred or is being committed. It conditions that authority on compliance with state prohibitions on law enforcement facial coverings and requirements to visibly display identification, and limits emergency-operation arrest authority to assistance provided at the request of the Governor. The bill expressly does not affect the powers of federal officers when they are enforcing federal criminal law and exercising their federal arrest powers.

Interagency Agreements. The bill also establishes content requirements for interagency agreements between California LEAs and federal or out-of-state LEAs. Separately, it prohibits a California LEA from using resources or personnel to assist an operation executed in whole or in part by a federal or out-of-state LEA when it knows or reasonably should know that the partner agency has engaged in enforcement based solely on constitutionally protected expressive conduct during the specific operation. Recent amendments narrowed the bill in response to policy committee concerns, including adding the "based solely on" qualifier, replacing the prior "has information" standard with a knowledge standard grounded in credible and articulable facts, and clarifying that an agreement is not rendered void based solely on a federal or out-of-state officer's conduct.

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