

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1395 (Valladares) – As Amended June 15, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill, known as Kayleigh’s Law, requires a court, beginning July 1, 2027, when a defendant has been convicted of a sexual offense involving a minor victim that requires sex offender registration, to consider issuing an order restraining the defendant from contact with the victim, valid for up to 20 years as determined by the court, and authorizes the court to consider issuing an order restraining the defendant from any person who is a member of the victim’s family or household.

This bill requires these orders to be submitted to the California Law Enforcement Telecommunications System (CLETS), requires the Judicial Council to develop forms, instructions, and rules relating to these orders by July 1, 2027, and provides that record relief, including automatic conviction record relief, does not release a defendant from the terms of an unexpired order issued under these provisions.

FISCAL EFFECT:

- 1) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown, but likely moderate amount for courts to conduct additional hearings on petitions to modify protective orders that may remain in effect up to 10 years longer than orders authorized under existing law. Courts currently must consider issuing a protective order at sentencing in these cases, and issuance of the longer order, as well as the order’s duration, remain within the court’s discretion. Additional likely minor costs to the Judicial Council to develop forms, instructions, and rules relating to the new protective orders by July 1, 2027, likely absorbable within existing resources. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create demand for increased funding for courts from the General Fund.
- 2) Potential costs of an unknown, but likely moderate amount to the California Department of Corrections and Rehabilitation (General Fund) and to counties, to the extent orders that remain in effect longer result in additional prosecutions and periods of incarceration for violations. A willful violation of a criminal protective order is generally a misdemeanor punishable by up to one year in county jail, and a violation of an order issued pursuant to Penal Code Section 136.2 may be punished as witness intimidation by imprisonment for up to four years. Local costs are not reimbursable because this bill changes the penalty for a crime.

COMMENTS:

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

SB [1395] will expand critical protections for survivors from their abusers by allowing judges the discretion to issue a maximum 20 year injunction at the time of sentencing for a felony sex offense against a minor victim. Current California law only provides temporary relief for survivors and forces them to relive their trauma in order to keep these basic protections.

2) **Background.** Existing law authorizes a court, at the time of sentencing, to issue an order restraining a defendant from contact with a victim when the defendant has been convicted of specified offenses, including domestic violence, human trafficking, rape, gang-related offenses, and offenses requiring sex offender registration. These orders may be valid for up to 10 years, or up to 15 years for a conviction of domestic violence involving corporal injury resulting in a traumatic condition. A person subject to a protective order is prohibited from owning or possessing a firearm while the order is in effect and must relinquish any firearms. When a criminal protective order expires, a victim seeking continued protection may petition a civil court for a harassment restraining order, valid for up to five years and renewable for up to five additional years without a showing of further harassment.

This bill is named for Kayleigh Kozak, a survivor of childhood sexual abuse whose case required repeated court appearances to maintain protections against her abuser, and follows a 2022 Arizona law authorizing lifetime post-conviction injunctions. As introduced, this bill required a court to consider a protective order valid for the defendant's lifetime and authorized retroactive extension, potentially permanently, of protective orders issued before January 1, 2025, for a broader set of offenses. Amendments in the Senate and in the Assembly narrowed the bill to the current version: a prospective order of up to 20 years, limited to registerable sexual offenses involving minor victims, operative July 1, 2027. Supporters, including law enforcement associations, contend durable protective orders prevent revictimization and spare survivors repeated court appearances to renew protections. Opponents, including ACLU California Action, contend the existing 10-year maximum, combined with the civil restraining order pathway, is sufficient, and that a 20-year order restrains individual liberty based on predictions of future criminality long after a defendant has completed their sentence.

3) **Related Legislation.** SB 421 (Valladares), of this legislative session, authorizes a court to issue a permanent protective order upon conviction of a serious or violent felony or a felony requiring sex offender registration. SB 421 failed passage in the Senate Public Safety Committee.

4) **Prior Legislation.** AB 2308 (Davies), Chapter 649, Statutes of 2024, extended the maximum duration of a post-conviction protective order from 10 to 15 years for a conviction of domestic violence involving corporal injury resulting in a traumatic condition.

SB 834 (Florez), Chapter 627, Statutes of 2010, authorized a court to issue a protective order of up to 10 years in sex offense cases involving a minor victim.