
CONSENT

Bill No: SB 1427
Author: Committee on Public Safety
Amended: 5/05/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 4/21/26
AYES: Arreguín, Seyarto, Caballero, Cortese, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Public safety omnibus

SOURCE: Author

DIGEST: This bill makes technical and non-controversial changes to various code sections relating generally to criminal justice laws, as specified.

ANALYSIS:

Existing law:

- 1) Provides, generally, that a minor who is between 12 years of age and 17 years of age, inclusive, when the minor violates any law defining a crime, is subject to the jurisdiction of the juvenile court and to adjudication as a ward. (Welfare & Institutions (Welf. & Inst.) Code, § 602, subd. (a).)
- 2) Authorizes a court to order a ward who is 14 years of age or older to be committed to a secure youth treatment facility (SYTF) for a period of confinement if the ward meets all of the following criteria:
 - a) The juvenile is adjudicated and found to be a ward of the court based on an offense listed in subdivision (b) of Section 707 that was committed when the juvenile was 14 years of age or older.

- b) The adjudication is the most recent offense for which the juvenile has been adjudicated.
 - c) The court has made a finding on the record that a less restrictive, alternative disposition for the ward is unsuitable. (Welf. & Inst. Code, § 875, subd. (a)(1)-(3).)
- 3) Requires, when a defendant is committed to an SYTF for a crime punishable, in the discretion of the court, either by imprisonment in the state prison or imprisonment in a county jail (as a realigned felony), or by fine or imprisonment in the county jail not exceeding one year, the offense be deemed a misdemeanor for all purposes upon the discharge of the defendant from the secure youth treatment facility. (Penal (Pen.) Code, § 17, subd. (c).)
- 4) Requires, if during the pendency of an action and prior to judgment, a doubt arises in the mind of the judge as to the mental competence of the defendant, the judge to state that doubt in the record and inquire of the attorney for the defendant whether, in the opinion of the attorney, the defendant is mentally competent. Requires the court, at the request of the defendant or defendant's counsel or upon its own motion, to recess the proceedings for as long as may be reasonably necessary to permit counsel to confer with the defendant and to form an opinion as to the mental competence of the defendant at that point in time. (Pen. Code, § 1368, subd. (a).)
- 5) Requires the court, if counsel informs the court that they believe the defendant is or may be mentally incompetent, to order that the question of the defendant's mental competence is to be determined. Authorizes the court, if counsel informs the court that they believe the defendant is mentally competent, to order a determination by the court of the defendant's mental competence. (Pen. Code, § 1368, subd. (b).)
- 6) Requires all proceedings in the criminal prosecution to be suspended when an inquiry into the present mental competence of the defendant has been commenced by the court until the question of the present mental competence of the defendant has been determined, except as provided. (Pen. Code, § 1368, subd. (c).)
- 7) Outlines the process by which the question of mental competence must proceed. (Pen. Code, § 1369.)

- 8) Provides that Section 1370 applies to a person who is charged with a felony or alleged to have violated the terms of probation for a felony or mandatory supervision and is incompetent as a result of a mental health disorder. Provides that Section 1370.01 applies to a person who is charged with a misdemeanor or misdemeanors only, or a violation of formal or informal probation for a misdemeanor, and the judge finds reason to believe that the defendant has a mental health disorder, and may, as a result of the mental health disorder, be incompetent to stand trial. (Pen. Code, § 1367, subd. (b).)
- 9) Requires the criminal process to resume, the trial on the offense charged or hearing on the alleged violation to proceed, and judgment to be pronounced, if the defendant is found mentally competent. (Pen. Code, § 1370, (a)(1)(A).)
- 10) Requires the trial, the hearing on the alleged violation, or the judgment to be suspended, if the defendant is found mentally incompetent (and is not charged with an offense that would make the defendant ineligible for mental health diversion). Requires the court to do all of the following:
 - a) Determine whether restoring the person to mental competence is in the interests of justice.
 - b) If restoring the person to mental competence is in the interests of justice, the court must state its reasons orally on the record and the case shall proceed, as provided.
 - c) If restoring the person to mental competence is not in the interests of justice, the court must conduct a mental health diversion hearing, and, if the court deems the defendant eligible, grant diversion for a period not to exceed two years from the date the individual is accepted into diversion or the maximum term of imprisonment provided by law for the most serious offense charged in the complaint, whichever is shorter. (Pen. Code, § 1370, (a)(1)(B).)
- 11) Requires a defendant to be returned to the committing court, if, at the end of two years from the date of commitment or a period of commitment equal to the maximum term of imprisonment provided by law for the most serious offense charged, whichever is shorter, but no later than 90 days prior to the expiration of the term of commitment, the defendant has not recovered mental competence. Requires custody of the defendant to be transferred without delay to the committing county and shall remain with the county until further order of the court. Prohibits the court from ordering the defendant returned to the custody of the State Department of State Hospitals under the same commitment.

Requires the court to notify the community program director or a designee of the return and of any resulting court orders. (Pen. Code, § 1370, subd. (c)(1).)

- 12) Requires the court, whenever a defendant is returned to the committing court because the defendant has not recovered mental competence, to order the conservatorship investigator of the county of commitment of the defendant to initiate conservatorship proceedings for the defendant whenever it appears to the court that the defendant is gravely disabled, as defined. Specifies that gravely disabled to mean that the person meets the definition in Welfare and Institutions Code section 5008, subdivision (h)(1)(A) (Lanterman-Petris-Short conservatorship) or subdivision (h)(1)(B) (*Murphy* conservatorship). (Pen. Code, § 1370, subd. (c)(3).)
- 13) Defines “gravely disabled” to mean any of the following:
 - a) A condition in which a person, as a result of a mental health disorder, a severe substance use disorder, or a co-occurring mental health disorder and a severe substance use disorder, is unable to provide for their basic personal needs for food, clothing, shelter, personal safety, or necessary medical care.
 - b) A condition in which a person has been found incompetent to stand trial (IST) under Penal Code section 1370 and all of the following facts exist: the complaint, indictment, or information pending against the person at the time of commitment charges a felony involving death, great bodily harm, or a serious threat to the physical well-being of another person; there has been a finding of probable cause on a complaint, a preliminary examination, or a grand jury indictment, and the complaint, indictment, or information has not been dismissed; as a result of a mental health disorder, the person is unable to understand the nature and purpose of the proceedings taken against them and to assist counsel in the conduct of their defense in a rational manner; and the person represents a substantial danger of physical harm to others by reason of a mental disease, defect, or disorder.
(Welf. & Inst. Code, § 5008, subd. (h)(1)(A) & (B).)
- 14) Outlines the criteria by which an applicant for a firearms license will be deemed to be a disqualified person and cannot receive or renew a license. (Pen. Code, § 26202, subd. (a).)
- 15) Requires the licensing authority to conduct an investigation that meets specified requirements in determining whether an applicant is a disqualified person and cannot receive or renew a license. (Pen. Code, § 26202, subd. (b).)

- 16) Requires an in-person or a virtual interview of the applicant for specified firearm licenses. Specifies that for renewal applications, the licensing authority may elect to forgo this requirement. (Pen. Code, § 26202, subd. (b)(1).)
- 17) Defines “foreign corporation” as “any corporation that is qualified to do business in this state pursuant to Section 2105 of the Corporations Code.” (Pen. Code, § 1524.2, subd. (a)(5).)
- 18) Defines “properly served” to mean that “a search warrant has been delivered by hand, or in a manner reasonably allowing for proof of delivery if delivered by United States mail, overnight delivery service, or facsimile to a person or entity listed in Section 2110 of the Corporations Code, or any other means specified by the recipient of the search warrant, including email or submission via an internet web portal that the recipient has designated for the purpose of service of process.” (Pen. Code, § 1524.2, subd. (a)(6).)
- 19) Prohibits, in any county where the offices of the sheriff and the coroner are combined, the sheriff-coroner from determining the circumstances, manner, and cause of death for any in-custody death. Requires the sheriff-coroner to instead do one or both of the following:
 - a) Contract with one or more counties that have a coroner’s office that operates independently from the office of the sheriff, or that have established an office of medical examiner, to determine the circumstances, manner, and cause of death. Requires the contracted coroners or medical examiners to operate independently from the office of the sheriff-coroner in conducting the medical examination process, including, but not limited to, exercising professional judgment to make determinations of the circumstances, manner, and cause of death.
 - b) Contract with one or more private third-party medical examination providers that are separate and independent from the office of the sheriff-coroner and that meet the physician qualification requirements to determine the circumstances, manner, and cause of death. Requires a private third-party medical examination provider to operate independently from the office of the sheriff-coroner in conducting the medical examination process, including, but not limited to, exercising professional judgment to make determinations of the circumstances, manner, and cause of death.
(Government (Gov.) Code, § 27491.56, subd. (b).)

- 20) Requires the county board of supervisors, in any county in which the offices of the sheriff and the coroner are combined, to annually select and enter into a service agreement or service agreements with medical examiners or independent coroner offices from other counties, or with one or more private third-party medical examination providers, or with any combination of those medical examiners, independent coroner offices, or private third-party medical examination providers. (Gov. Code, § 27491.56, subd. (d)(1).)
- 21) Makes it a wobbler for a person to knowingly bring or send into, or knowingly assist in bringing into, or sending into, any county juvenile hall, ranch, camp, or forestry camp, any prohibited controlled substance, firearm, weapon, explosive of any kind, any tear gas, or tear gas weapon. Prohibits the possession of any of those items by a person confined in any of those institutions. (Welf. & Inst. Code, § 871.5, subd. (a).)
- 22) Requires the courts and Judicial Council to report debt collection activities annually. (Gov. Code, § 68514; Pen. Code, § 1463.007.)

This bill:

- 1) Changes references in existing law from “defendant” to “person” when the person described is a juvenile.
- 2) Adds “secure youth treatment facility within a juvenile hall” to the list of facilities for which it is a crime to bring in contraband or weapons.
- 3) Clarifies that the court can order an IST defendant whose mental competence has not been restored, to the conservatorship investigator of the county of commitment of the defendant to initiate conservatorship proceedings for the defendant whenever it appears to the court that the defendant is gravely disabled, under either Welfare and Institutions Code section 5008, subdivision (h)(1)(A), subdivision (h)(1)(B), or both.
- 4) Strikes qualifying language in existing law to instead require an in-person or a virtual interview with the applicant for all firearm licenses.
- 5) Strikes the word “annually” from existing law that requires the county board of supervisors, in any county in which the offices of the sheriff and the coroner are combined, to annually select and enter into a service agreement with a medical examiner or independent coroner office from another county, or with a private

third-party medical examination provider, so that a county is not required to enter a service agreement annually.

- 6) Includes “or any corporation, excluding a California corporation, that transacts intrastate business” within the definition of “foreign corporation.”
- 7) Provides that “properly served” includes “any means reasonably calculated to give actual notice” in the case that “the recipient is not qualified to do business in this state pursuant to Section 2105 of the Corporations Code.”
- 8) Reorganize provisions of law pertaining to annual reporting requirements for court-ordered debt collection activities.
- 9) Includes a savings clause (i.e., it specifies that all other statutory changes enacted during the 2026 calendar year will preempt changes to the same code sections made by this bill).
- 10) Makes other technical or corrective changes.

Background

This is the annual public safety omnibus bill, introduced by all members of the Committee on Public Safety. This bill is similar to the ones introduced as Committee bills in the past, in that it has been introduced with the following understanding:

- The bill’s provisions make only technical or minor, substantive but non-controversial changes to the law; and,
- There is no opposition by any member of the Legislature or recognized group to the proposal.

This procedure has allowed for the introduction of fewer minor bills and has saved the Legislature time and expense over the years.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:Yes

SUPPORT: (Verified 5/11/26)

None received

OPPOSITION: (Verified 5/11/26)

None received

Prepared by: Stephanie Jordan / PUB. S. /
5/13/26 16:28:07

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