

SENATE THIRD READING

SB 245 (Reyes)

As Amended September 4, 2025

Majority vote

SUMMARY

Requires the California Department of Corrections and Rehabilitation (CDCR) or a county authority, upon the release of a defendant, to certify to the court in the county where the defendant was sentenced, if the individual successfully participated in an inmate fire crew, as specified, and to provide a copy of that certification to the defendant.

Major Provisions

- 1) Requires CDCR or a county authority to include with a copy of the certification, information regarding the expungement process.
- 2) Authorizes CDCR and a county authority to promulgate regulations regarding the certification process to the court, as specified.
- 3) Prohibits any state or local agency from denying a defendant whose conviction was expunged based on their participation as an incarcerated hand crew member an emergency medical technician certification or any other license or certification necessary to work as a firefighter.

COMMENTS**According to the Author**

"In 2020, the Governor signed my AB 2147 (Chapter 60, Statutes of 2020), which eliminated barriers for formerly incarcerated fire crews from pursuing a career in firefighting. Incarcerated fire crew members have proven themselves as true heroes, courageously protecting homes and communities from destruction, most recently exemplified during the LA fires earlier this year. Many of these individuals, however, still struggle to obtain AB 2147 expungements upon reentry. Eligible applicants under AB 2147 face several operational challenges such as delays in certificate confirmations by the California Department of Corrections and Rehabilitation (CDCR), lack of legal assistance to initiate their expungement, insufficient data sharing between CDCR, courts, and other agencies, as well as restrictions on licensing opportunities for those with prior convictions.

"SB 245 addresses these issues by: automating the certification process for program completion and shifting the responsibility of initiating the expungement process from the eligible individuals to the Department of Justice (DOJ), ensuring individuals are not burdened with additional bureaucracy. The bill also includes improved data sharing between CDCR, the DOJ, and the judiciary to facilitate better tracking of program completions, eligibility status, and outcomes of expungement petitions. It also ensures expungement recipients are not denied emergency medical technician certification or any other license or certification necessary to work as a firefighter."

Arguments in Support

According to *Smart Justice*: "In 2020, the California Legislature took a critical step forward in recognizing the contributions of currently and formerly incarcerated hand crews by passing AB 2147 (Reyes, 2020). That law allows people who successfully completed fire camp, institutional fire house, or county incarcerated hand crew programs to petition for expungement of their records, provided that they meet certain criteria. While AB 2147 established a critical foundation, there are operational challenges that have hindered its implementation.

"These challenges include significant delays in courts receiving certificates of fire camp or institutional fire house completion from the California Department of Corrections and Rehabilitation (CDCR). The burden also falls squarely on the individual petitioning for the expungement, which can be very difficult and costly for a returning citizen to navigate. Furthermore, AB 2147 did not allow for expungements for prior convictions, thereby limiting its ability to remove barriers for individuals pursuing an Emergency Medical Technician (EMT) or similar license. SB 245 corrects these inefficiencies and streamlines the process by automating the expungement process through the DOJ, which can then provide the verification to the courts and shifts the responsibility of initiating the expungement process to the DOJ."

Arguments in Opposition

None submitted.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) Costs (General Fund) to CDCR to develop a process to track and report individuals who successfully participated as hand crew members or completed an institutional firehouse program upon their release from custody. CDCR anticipates these costs will be in the hundreds of thousands of dollars annually for staffing augmentations for its correctional counselors, classification and parole representatives, and institutional case records staff.
- 2) Costs (General Fund) to DOJ, likely in the hundreds of thousands to low millions of dollars annually. DOJ estimates costs of \$263,000 in fiscal year (FY) 2025-26 and \$1.6 million in FY 2026-27 and ongoing. These costs include seven legal positions in DOJ's Post-Conviction Justice Unit and consultants in its California Justice Information Services division for necessary database and application changes.
- 3) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but potentially significant amount to the courts to consider cases and issue expungement orders. Actual costs will depend on the number of cases and the amount of court time needed to resolve each case. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The fiscal year 2025-26 state budget provides \$82 million ongoing General Fund to the Trial Court Trust Fund for court operations.
- 4) Potentially reimbursable costs (local fund, General Fund) of an unknown but potentially significant amount to county authorities to provide the required data to DOJ on a biannual basis, and to county district attorney and public defender offices to participate in the expungement process established by the bill. The state must reimburse county costs from the

General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.

VOTES

SENATE FLOOR: 29-9-2

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Dahle, Durazo, Gonzalez, Grayson, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ABS, ABST OR NV: Hurtado, Reyes

ASM PUBLIC SAFETY: 7-0-2

YES: Schultz, Alanis, Mark González, Haney, Harabedian, Nguyen, Sharp-Collins

ABS, ABST OR NV: Lackey, Ramos

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

UPDATED

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