

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 431 (Arreguín) – As Amended July 3, 2025

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

**SUMMARY:**

This bill increases the criminal penalties for simple assault and battery committed against a utility worker.

**FISCAL EFFECT:**

- 1) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown amount to the courts to adjudicate violations of the offenses expanded by this bill. A defendant charged with a misdemeanor is entitled to a jury trial and, if the defendant is indigent, legal representation provided by the government. Actual court costs will depend on the number of charges filed and the amount of additional court time needed to prove the elements regarding utility workers. 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.
- 2) Costs (local funds, General Fund) to the counties to incarcerate people convicted of assault or battery against a utility worker. Actual incarceration costs will depend on the number of convictions and the length of each sentence. The average annual cost to incarcerate one person in county jail is approximately \$29,000, though costs are much higher in larger counties. County incarceration costs are not subject to reimbursement by the state. However, overcrowding in county jails creates cost pressure on the General Fund because the state has historically granted new funding to counties to offset overcrowding resulting from public safety realignment.

**COMMENTS:**

Assault is an unlawful attempt to inflict injury on another person coupled with the ability to inflict injury. Battery is the unlawful and willful use of force or violence on another person. For example, swinging a fist at someone without making contact with them is an assault; punching someone is a battery. Under existing law, simple assault and battery are misdemeanor offenses. Simple assault is punishable by a fine of up to \$1,000, up to six months in county jail, or both a fine and a jail term. Simple battery is punishable by a fine of up to \$2,000, up to six months in county jail, or both a fine and a jail term. More serious assaults and batteries – like those that cause serious injuries or that occur during the commission of a felony – are punished more harshly than simple assault and battery.

Existing law also provides heightened penalties for simple assault and battery committed against the members of certain professions, including peace officers, custodial officers, firefighters, animal control officers, and certain emergency medical professionals. To receive the heightened penalty, at the time of the crime, the victim must have been engaged in the performance of their professional duties, and the defendant must have known or reasonably should have known about the victim's professional status. In this circumstance, a simple assault or battery is punishable by a fine of up to \$2,000, up to one year in county jail, or both a fine and a jail term.

This bill adds utility workers to the list of professions that may qualify for heightened simple assault and battery punishments. As defined in the bill, utility worker includes both employees and contractors of specified investor-owned or publicly owned utility corporation or cooperatives. The bill is sponsored by the Coalition of California Utility Employees and the California State Association of Electrical Workers. According to the bill's author, utility workers "face unique vulnerabilities while performing their job duties" so the "enhanced protections already afforded to other classes of workers and professionals...that support public safety should be extended to utility employees and contractors." As summarized in the analysis of this bill by the Assembly Committee on Public Safety, some utility workers have experienced violence and threats of violence while engaged in their professional duties in recent years. While this bill would not provide protections for those workers, it would, in certain circumstances, authorize longer jail terms and higher fines for defendants who commit assault or battery against qualifying workers.

Research shows that lengthy criminal sentences, which are costly to state and local governments, do not effectively deter crime. In general, the certainty that someone will be punished for an offense plays a larger role in deterring their criminal activity, rather than the length of their potential punishment.

**Analysis Prepared by:** Annika Carlson / APPR. / (916) 319-2081