
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 942 (Caballero) - Civil confinement facilities

Version: April 6, 2026

Urgency: No

Hearing Date: May 4, 2026

Policy Vote: HEALTH 9 - 0, JUD. 13 - 0

Mandate: Yes

Consultant: Agnes Lee

Bill Summary: SB 942 would establish a regulatory framework for inspections of “covered civil confinement facilities,” as specified.

Fiscal Impact:

- Unknown ongoing General Fund costs, likely hundreds of thousands, for the California Department of Public Health (CDPH) for state administration and enforcement activities.
- Unknown potential costs to local agencies. Costs to local agencies would be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.
- Unknown, potential cost pressures to the courts related to additional enforcement mechanisms provided in this measure (Trial Court Trust Fund, General Fund). While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources.

Background:

CDPH Licensing of Health Facilities. CDPH is responsible for the licensing of various types of health facilities, including general acute care hospitals, acute psychiatric hospitals, and skilled nursing facilities. CDPH has regulatory oversight of these health facilities and investigates complaints to determine compliance with state laws and regulations.

Local Health Officer Inspections. Local health officers serve a number of public health functions at the local level, including infectious disease control, emergency preparedness and response, and maternal, child, and adolescent health, through 61 legally-appointed physician local health officers in California (one from each of the 58 counties and the three cities of Berkeley, Long Beach, and Pasadena). Current state law requires the county health officer to, at least annually, investigate health and sanitary conditions in a county jail, publicly operated detention facility in the county, and private work furlough facility and program. Current law authorizes the county health officer to make additional investigations of a county jail, private detention facility, or other detention facility of the county as they determine necessary.

Licensed Facilities for Involuntary Commitments. Current state law allows for the involuntary commitment of certain individuals, primarily through the Lanterman-Petris-Short (LPS) Act. These individuals may be placed in facilities such as state hospitals, certain facilities licensed by the CDPH (eg. acute psychiatric hospitals), and certain facilities licensed by the Department of Health Care Services (eg. mental health treatment facilities).

Proposed Law: Specific provisions of the bill would:

- Define “covered civil confinement facility” to mean a nonpenal, 24-hour facility in which persons may be detained, committed, held for evaluation, treatment, stabilization, restoration, or civil immigration custody, and that is operated by a private entity or by a governmental entity through a contract with a private entity.
- Provide that a covered civil confinement facility includes, but is not limited to, all of the following:
 - A private detention facility.
 - A facility designated or approved pursuant to the LPS Act.
 - A psychiatric health facility.
 - A mental health rehabilitation center.
 - A psychiatric residential treatment facility.
- Define “enforcing agency” to mean a state or local entity that licenses, certifies, designates, or approves the operation of, and regulates, a covered civil confinement facility under state or local law.
- Require that a covered civil confinement facility that is already licensed, certified, designated, or approved under state law or local ordinance must remain subject to its existing licensure, certification, designation, or approval regime.
- Require a covered civil confinement facility not otherwise licensed, certified, designated, or approved under state law or local ordinance to file an annual registration with the CDPH in a form and manner prescribed by the department; and authorize CDPH to enforce provisions related to these facilities by taking any or all of the following actions:
 - Issue a cease and desist order.
 - Impose civil penalties not exceeding \$25,000 per violation per day.
 - Require compliance with a mandatory corrective action plan.
 - Suspend the facility’s registration for repeated, material, or uncured violations that create a substantial threat to health or safety.

- Require an enforcing agency to use applicable benchmarks for oversight and enforcement, as specified.
- Require the provisions to be applied in the same manner and to the same extent to private detention facilities as it is applied to other similarly situated covered civil confinement facilities; and specify that any additional standard, inspection requirement, corrective action requirement, penalty, or remedy cannot be imposed on a private detention facility unless an analogous requirement may be imposed on a similarly situated covered civil confinement facility.
- Require an enforcing agency to conduct regular inspections of covered civil confinement facilities within its jurisdiction consistent with otherwise applicable law, and permit an enforcing agency to conduct additional inspections as necessary based on complaints, unusual occurrences, or risk indicators.
- Impose duties on operators of covered civil confinement facilities.

Related Legislation: SB 995 (Perez) would provide a regulatory framework for inspections of “involuntary residential facilities.” The bill is scheduled to be heard May 4, 2026 in this committee.

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