Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
SB 957 (Pérez) – As Amended June 18, 2026

Policy Committee:	Privacy and Consumer Protection	Vote:	11 - 2
	Judiciary		9 - 3

Urgency: No   State Mandated Local Program: No   Reimbursable: No

SUMMARY:

This bill, the Stopping Harmful Information Exploitation and Lawless Data Sharing (SHIELD) Act, imposes notice, review, and reporting requirements on social media companies that receive federal administrative subpoenas seeking a California resident's personal information, and creates civil remedies for violations.

Specifically, this bill:

1) Requires a social media company to promptly notify an individual whose personal information is requested by an administrative subpoena, defined as a subpoena issued under specified provisions of the Immigration and Nationality Act or the Tariff Act of 1930.

2) Requires a social media company, before disclosing personal information in response to the subpoena, to provide the individual at least 30 days to respond or challenge the subpoena; to determine whether the subpoena is invalid because the request is not lawfully authorized, is procedurally improper, is irrelevant or immaterial, or is too indefinite or broad; and to refrain from disclosing while a legal challenge is pending if the company has actual knowledge of the challenge.

3) Requires a social media company that discloses personal information to notify the individual of the reason for the disclosure, the basis for determining the subpoena was valid, and a description of the information disclosed; and to notify the Attorney General within five business days, pursuant to a process the Attorney General must develop and exempts the information submitted to the Attorney General from disclosure under the California Public Records Act.

4) Authorizes the Attorney General, and an individual whose information was disclosed in violation of the bill, to bring an action for injunctive or declaratory relief against a social media company.

FISCAL EFFECT:

1) Costs of an unknown, but potentially significant amount over this committee's suspense threshold, to DOJ (General Fund) to develop the process by which social media companies submit the notices required by this bill, implement that process, and enforce compliance. DOJ's Civil Rights Enforcement Section and Consumer Law Section indicate the magnitude

of costs will depend on complexities arising in the development and implementation of the submission process and in the enforcement of violations.

2) Court cost pressures of an unknown, but potentially significant amount (Trial Court Trust Fund) resulting from additional civil filings under the two causes of action the bill creates — actions for injunctive or declaratory relief brought by the Attorney General and by individuals whose information was disclosed in violation of the bill. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately $1,000 to operate a courtroom for one hour. 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 state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately $117.3 million in 2025-26.

COMMENTS:

1) **Purpose**. According to the author, Californians have the right to know when the federal government seeks access to their personal information, and secret data seizures undermine trust, chill free expression, and expose vulnerable communities to harm. The author states that administrative subpoenas have increasingly been used to obtain information about individuals who post about or criticize federal immigration enforcement, sometimes without prior notice to the affected individual, and that the bill ensures users are notified and given an opportunity to challenge a request before their information is disclosed. This bill is sponsored by the California Legislative LGBTQ Caucus.

2) **Background**. An administrative subpoena is a demand for records or testimony issued directly by a government agency, signed by an agency official, without judicial approval, active litigation, or a probable cause finding. Congress has granted administrative subpoena authority across hundreds of federal statutes, and the instruments span most of the regulatory and enforcement landscape, including drug enforcement, Internal Revenue Service summonses, Securities and Exchange Commission and Federal Trade Commission investigative demands, subpoenas in federal health care fraud and child exploitation investigations, and Inspector General subpoenas, among many others. This bill does not regulate that broader universe. The bill's obligations apply only to administrative subpoenas issued under specified provisions of the Immigration and Nationality Act and the Tariff Act of 1930 — the authorities under which the Department of Homeland Security and its component agencies have, according to the policy committees, sent social media companies hundreds of subpoenas seeking identifying information about accounts that track or criticize immigration enforcement, sometimes with no notice to the affected individual, and with several challenged subpoenas withdrawn before any court ruled.

   Administrative subpoenas of this type carry no fixed statutory compliance deadline; the issuing agency sets a return date on the face of the subpoena, commonly a matter of weeks. The return date, however, is not self-enforcing. An administrative subpoena of the kind this bill addresses is non-self-executing: if the recipient does not comply voluntarily, nothing happens automatically, and the issuing agency must petition a federal district court for an order compelling compliance. Only disobedience of that judicial order — not the subpoena itself — exposes the recipient to contempt. In practical terms, until a court acts, the agency's return date operates as a request, and judicial review enters the process only if the agency chooses to seek enforcement.

The bill's design works within that structure. A social media company receiving a covered subpoena must promptly notify the affected individual, provide the individual 30 days to respond before any disclosure, assess the subpoena's validity on enumerated grounds, and report any disclosure to the Attorney General. Because the return date on a covered subpoena will often be shorter than 30 days, the bill's practical effect is to convert voluntary early compliance into a mandatory pause: the individual gains time to challenge the subpoena or seek the subpoena's withdrawal, and an agency unwilling to wait must obtain a court order, at which point the bill, by the bill's own terms, does not prohibit the company from complying. The bill thereby channels contested requests into the judicial review that the administrative subpoena process otherwise bypasses, rather than prohibiting disclosure outright. Because the bill regulates the conduct of social media companies rather than the federal government, and does not prohibit a company from responding to a court order, the policy committee concluded the bill likely does not violate the Supremacy Clause. To the extent this bill is challenged in court, any defense costs would be borne by the Department of Justice.

3) **Support and Opposition**. This bill is sponsored by the California Legislative LGBTQ Caucus and supported by ACLU California Action, the Electronic Frontier Foundation, Oakland Privacy, Public Counsel, and other civil-liberties and privacy organizations, which argue the bill protects privacy and First Amendment activity against federal overreach. TechNet opposes the bill unless amended, contending that the validity-review standards are undefined and ask companies to make complex legal determinations without clear guidance, that the bill should include exceptions for court-ordered nondisclosure and for emergencies involving imminent harm or child exploitation, and that the reporting requirement and two new causes of action add administrative burden and litigation exposure.

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