

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 995 (Pérez) – As Amended July 2, 2026

Policy Committee:	Health	Vote:	14 - 0
	Judiciary		10 - 0

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

SUMMARY:

This bill, the Masuma Khan Justic Act, authorizes the California Department of Public Health (CDPH) to inspect an involuntary residential facility (IRF) for the purpose of ensuring safe conditions and requires the operator of an IRF to provide access to CDPH for inspection.

Specifically, this bill:

- 1) Defines an IRF as a facility that houses more than 50 individuals overnight, restricts residents' ability to enter or leave, as specified, and provides onsite food service, medical care, mental health services, or residential supervision; specifies that (a) an IRF includes a secure state hospital, a civil commitment facility, a secure residential treatment program, to the extent the facility meets the criteria described in this bill, and a secure youth treatment facility, including a secure youth treatment facility located within or operated in conjunction with a juvenile facility, and (b) an IRF does not include a state prison or local detention facility, as defined, or a juvenile facility operated by a local government.
- 2) Requires CDPH adopt rules and regulations to ensure that all involuntary residential facilities comply with measurable standards for sanitary, hygienic, and safe conditions, and implement the provisions of this bill in a manner that avoids unnecessary duplication of existing state or local health and safety oversight.
- 3) Authorizes CDPH to inspect an IRF, including without notice.
- 4) Requires CDPH implement the above-described provisions in a manner that avoids unnecessary duplication of existing state or local health and safety oversight, as specified
- 5) Requires the operator of an IRF to provide access to CDPH for an inspection, to maintain all records necessary to demonstrate compliance with specified standards, and to correct any violation identified by CDPH, as specified.
- 6) Prohibits an operator of an IRF from using internal security protocols to deny inspectors access to any area where residents are housed, fed, or receive medical care, and requires CDPH comply with reasonable security procedures, as defined.
- 7) Requires CDPH refer conditions that fall within the jurisdiction of another state or local agency to the appropriate agency.

- 8) Requires CDPH, within 30 days of completing an inspection, to submit a report to the Legislature.
- 9) Defines three classes of health and safety violations and establishes fines for each class, and specifies that each day a violation remains uncorrected may constitute a separate violation.
- 10) Subjects an operator of an IRF, after appropriate notice and an opportunity for a hearing, to an administrative penalty, as specified, per violation per day.
- 11) Authorizes CDPH to issue a safety warning that identifies the uncorrected condition and requires prompt corrective action by the operator if an operator fails to correct a violation within the time specified in the citation.
- 12) Authorizes CDPH to refer violations to the Attorney General (AG) and authorizes the AG to bring a civil action for declaratory or injunctive relief.
- 13) Takes effect immediately as an urgency statute.

FISCAL EFFECT:

CDPH estimates annual costs in the range of \$14 million to \$21 million for staff and related costs to (1) register facilities, conduct inspections, develop regulations, purchase vehicles and testing equipment, and (2) implement the Project Approval Lifecycle (PAL) information technology planning process (General Fund). CDPH based this estimate on its costs to inspect correctional treatment centers and take related enforcement actions, which includes receiving complaints and thousands of entity-reported incidents, and issuing hundreds of deficiencies. CDPH anticipates the need for 12 full-time equivalent (FTE) positions in the initial years, which would be reduced to nine FTEs after regulations have been completed in fiscal year (FY) 2030–31. CDPH estimates PAL costs will be \$188,000 in FY 2027–28, \$1.5 million in FY 2028–29, \$610,000 in FY 2029–30 and \$315,000 in FY 2030–31 and ongoing.

In addition, the Department of Justice estimates costs of \$242,000 in 2026–27 and \$432,000 in 2027–28 and ongoing to the Civil Law Division for one attorney and one legal secretary for representing state agencies in litigation (Legal Services Revolving Fund (LSRF)). Costs to the LSRF will be reimbursable through direct billings to the client agency.

COMMENTS:

- 1) **Purpose.** This bill is sponsored by Mexican American Legal Defense and Education Fund (MALDEF), the Coalition for Humane Immigrant Rights Los Angeles (CHIRLA), Public Counsel, and South Asian Network. According to the author:

Large involuntary residential facilities, including secure treatment facilities, secure state hospitals, and privately operated detention facilities, house thousands of people who depend on the facility for shelter, food, medical care, and basic safety. Because individuals in these settings cannot freely leave, the state has a responsibility to ensure that conditions are safe, humane, and consistent with basic health and safety standards.

Private immigration detention facilities are one example where this responsibility has often fallen short. People held in these facilities are suffering and, in some cases, are being treated inhumanely. An unprecedented number of people died in detention in 2025, and that number could be surpassed in 2026, with eight deaths already recorded in January. Despite this troubling trend, there are plans to expand detention capacity nationwide, including converting large facilities and warehouses into new detention sites, making the need for stronger oversight more urgent.

This bill would ensure California can meaningfully inspect private detention facilities and impose fines on facilities that fail to comply with the state's health and safety standards.

- 2) **Background. *Immigration Detention Centers.*** According to reporting in the Los Angeles Times, on October 6, 2025, 64-year-old Masuma Khan appeared for her annual check-in with Immigration and Customs Enforcement (ICE). Instead of completing the routine visit, Ms. Khan, who had lived in the U.S. for 28 years, had no criminal record, and had just recently survived the Eaton fires, was detained by ICE and held at the California City Correctional Facility. Ms. Khan reported that upon her initial detention she was kept in a cold room for a day and denied access to her lawyer and a phone until she signed deportation papers. She was denied access to medications for high blood pressure, asthma, peripheral arterial disease, general anxiety and hyperthyroidism. During her detention, her blood pressure spiked, and she began to experience stroke-like symptoms. After weeks in challenging conditions, a federal judge ordered Ms. Khan released.

A recent report from DOJ details many similar stories from the seven private immigration detention centers in California. The report points to six deaths—four at Adelanto ICE Processing Center and two at the Imperial Regional Center—that “raise serious concerns about these facilities’ ability to safely detain a growing detainee population and highlight the need for greater accountability and oversight.”

Existing Oversight Authority. Existing law requires local health officers (LHOs) to investigate health and sanitary conditions in county jails, publicly operated detention facilities, and private work furlough facilities at least annually. LHOs also have the authority to investigate health and sanitary conditions in a jail or detention facility when requested by the sheriff, chief of police, local legislative body, or the Board of State and Community Corrections.

As part of its response to the first Trump administration, the Legislature approved AB 103 (Committee on Public Safety), Chapter 17, Statutes of 2017, which, in part, requires the AG to conduct oversight and reviews of private detention facilities, including “any county, local, or private locked detention facility,” in which noncitizens are being detained for purposes of civil immigration proceedings. AB 103 required the AG to include in its review: (a) the conditions of confinement, (b) the standard of care and due process provided to the individuals detained, and (c) the circumstances around their apprehension and transfer to the facility; however, this third prong was struck down by the Ninth Circuit Court on the grounds that it violated intergovernmental immunity. The court determined the third prong imposed an unconstitutional burden on the federal government because, unlike the other two

requirements, it was “apparently distinct from any other inspection requirements imposed by California law.”

- 3) **Oppose Unless Amended.** The Chief Probation Officers of California raises concern over the inclusion of county juvenile facilities, stating:

County juvenile facilities are already subject to inspection by the Board of State and Community Corrections as well as oversight from public health, fire marshal and others. Applying the provisions of this bill would layer a new, concurrent regulatory process on top of existing inspection processes for these facilities, thereby creating disruption, confusion and delays in existing inspection processes.

Analysis Prepared by: Allegra Kim / APPR. / (916) 319-2081