

AMENDED IN SENATE JULY 10, 2025

AMENDED IN SENATE JUNE 19, 2025

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY APRIL 10, 2025

AMENDED IN ASSEMBLY MARCH 28, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

**No. 82**

**Introduced by Assembly Member Ward**

**(Coauthors: Assembly Members Connolly, Garcia, Kalra, Mark González, Jackson, Krell, Rogers, Schultz, Stefani, and Zbur)**

**(Coauthors: Senators Arreguín, Cabaldon, Cervantes, Gonzalez, Laird, and Wiener)**

December 20, 2024

---

An act to amend Sections 6215.1, 6215.2, 6218, 6218.01, and 6218.05 of the Government Code, to amend Sections 11165 and 11190 of the Health and Safety Code, and to amend Sections 629.51, 1269b, 13778.2, and 13778.3, of the Penal Code, relating to health care.

### LEGISLATIVE COUNSEL'S DIGEST

AB 82, as amended, Ward. Health care: legally protected health care activity.

(1) Existing law authorizes reproductive health care service providers, employees, volunteers, and patients, and individuals who face threats of violence or violence or harassment from the public because of their affiliation with a reproductive health care services facility, to complete

an application to be approved by the Secretary of State for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions. Under existing law, any person who makes a false statement in an application is guilty of a misdemeanor.

This bill would expand the address confidentiality program to a gender-affirming health care provider, employee, or volunteer, as defined, who faces threats of violence or harassment from the public because of their affiliation with a gender-affirming health care services facility. By imposing new duties on local agencies and expanding the scope of a crime, this bill would create a state-mandated local program.

(2) Existing law prohibits a person, business, or association from knowingly publicly posting or publicly displaying, disclosing, or distributing on internet websites or on social media, the personal information or image of any reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address, with the intent to incite a 3rd person to cause imminent great bodily harm to the person identified in the posting or display, or to a coresident of that person, as specified, or to threaten the person identified in the posting or display, or a coresident of that person, as specified. Existing law additionally prohibits a person, business, or association from soliciting, selling, or trading on the internet or social media the personal information or image of a reproductive health care services patient, provider, or assistant with the intent described above. Existing law establishes a cause of action for injunctive or declarative relief for a violation of these prohibitions.

Existing law prohibits a person from posting on the internet or social media, with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address, the personal information or image of a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address. Existing law makes a violation of this prohibition punishable by a fine of up to \$10,000 per violation, imprisonment, as specified, or by both that fine and imprisonment.

This bill would additionally prohibit a person, business, or association from soliciting, selling, or trading on the internet or social media the

personal information or image of a gender-affirming health care services ~~patient, provider, or assistant~~ *provider, employee, volunteer, or patient* with the intent described above. The bill would also prohibit a person from posting on the internet or social media, as described above, the personal information or image of a gender-affirming health care services ~~patient, provider, or assistant~~, *provider, employee, volunteer, or patient*, or other individuals residing at the same home address. The bill would define various terms for these purposes. By expanding the scope of a crime, this bill would create a state-mandated local program.

(3) Existing law, the California Uniform Controlled Substances Act (the act), classifies controlled substances into 5 designated schedules, with the most restrictive limitations generally placed on controlled substances classified in Schedule I, and the least restrictive limitations generally placed on controlled substances classified in Schedule V. The act requires the Department of Justice to maintain the Controlled Substances Utilization Review and Evaluation System (CURES) for the electronic monitoring of the prescribing and dispensing of certain controlled substances by a health care practitioner authorized to prescribe, order, administer, furnish, or dispense those controlled substances. Existing law limits the entities to which data may be provided from CURES, as well as the type of data that may be released and the uses to which it may be put. Existing law makes a violation of the act a crime. Existing law defines the term “legally protected health care activity” to include the exercise of, or an act undertaken to aid a person to exercise, the provision of reproductive health care services, gender-affirming health care services, or gender-affirming mental health care services.

This bill would prohibit a prescription for or the dispensing of testosterone or mifepristone from being reported to the department, CURES, or a contractor, as specified. The bill would require the department, on or before January 1, 2027, to remove certain existing records that were created or maintained prior to January 1, 2026, and make other conforming changes. The bill would authorize the department, in consultation with the California Health and Human Services Agency, health care providers, and clinicians, to add medications for legally protected health care activity to the list of medications prohibited from being reported. By creating a new crime, the bill would establish a state-mandated local program.

(4) Existing law authorizes a court to issue various orders relating to criminal investigations, including the interception of wire or electronic

communications, the installation and use of a pen register or trap and trace device, or a search warrant upon specified grounds. Existing law prohibits the issuance of any orders or warrants for the purpose of investigating or recovering evidence of a prohibited violation. Existing law defines “prohibited violation” for this purpose as a violation of a law that creates liability for, or arising out of, either providing, facilitating, or obtaining an abortion or intending or attempting to provide, facilitate, or obtain an abortion that is lawful under the laws of this state.

This bill would instead define a prohibited violation as a violation of a law that creates liability for, or arising out of, either providing, facilitating, or obtaining a legally protected health care activity or intending or attempting to provide, facilitate, or obtain a legally protected health care activity, as defined.

(5) Existing law requires superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable offenses, as specified. Existing law requires a uniform countywide schedule of bail to set \$0 bail for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of an abortion in this state, or an individual obtaining an abortion in this state, if the abortion is lawful under California law.

This bill would instead require a uniform countywide schedule of bail to set \$0 bail for an individual who has been arrested in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of a legally protected health care activity in this state, or an individual obtaining a legally protected health care activity in this state, as specified.

(6) Existing law prohibits a state or local law enforcement agency or officer from knowingly arresting or knowingly participating in the arrest of any person for performing, supporting, or aiding in the performance of an abortion or for obtaining an abortion, if the abortion is lawful in this state. Existing law prohibits a state or local public agency from cooperating with or providing information to an individual or agency from another state or a federal law enforcement agency, as specified, regarding a lawful abortion. Existing law prohibits specified persons, including a judicial officer, a court employee, or an authorized attorney, among others, from issuing a subpoena in connection with a proceeding in another state regarding an individual performing, supporting, or aiding in the performance of an abortion in this state, or

an individual obtaining an abortion in this state, if the abortion is lawful in this state. Existing law does not prohibit the investigation of criminal activity that may involve an abortion, provided that no information relating to any medical procedure performed on a specific individual is shared with an agency or individual from another state for the purpose of enforcing another state's abortion law.

This bill would instead expand those above-described provisions to apply to legally protected health care activity, as defined.

(7) Existing law prohibits a state or local government employee or a person acting on behalf of the local or state government, among others, from providing information or expending resources in furtherance of an investigation that seeks to impose civil or criminal liability or professional sanctions on an individual for a legally protected health care activity, as defined, that occurred in this state or that would be legal if it occurred in this state. Existing law requires any out-of-state subpoena, warrant, wiretap order, pen register trap and trace order, or other legal process to include an affidavit or declaration under penalty of perjury that the discovery request is not in connection with an out-of-state proceeding relating to a legally protected health care activity, except as specified.

This bill would authorize the Attorney General to bring a civil action against a person or entity that submitted a false affidavit under these provisions and would make submission of a false affidavit punishable by a civil penalty of \$15,000, in addition to any other penalties or remedies provided by law.

(8) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6215.1 of the Government Code is  
2 amended to read:  
3 6215.1. Unless the context clearly requires otherwise, the  
4 definitions in this section apply throughout this chapter.  
5 (a) “Address” means a residential street address, school address,  
6 or work address of an individual, as specified on the individual’s  
7 application to be a program participant under this chapter.  
8 (b) “Covered health care services” means gender-affirming  
9 health care services or reproductive health care services.  
10 (c) “Covered health care services provider, employee, volunteer,  
11 or patient” means a gender-affirming health care or a  
12 gender-affirming mental health care provider, employee, volunteer,  
13 or patient, or a reproductive health care services provider,  
14 employee, volunteer, or patient.  
15 (d) “Covered health care services facility” means a  
16 gender-affirming health care services facility or a reproductive  
17 health care services facility.  
18 (e) “Domicile” means a place of habitation as defined in Section  
19 349 of the Elections Code.  
20 (f) “Gender-affirming health care” and “gender-affirming mental  
21 health care” shall have the same meaning as provided in Section  
22 16010.2 of the Welfare and Institutions Code.  
23 (g) “Gender-affirming health care and gender-affirming mental  
24 health care provider, employee, volunteer, or patient” means a  
25 person who obtains, provides, or assists, at the request of another  
26 person, in obtaining or providing gender-affirming health care  
27 services, or a person who owns or operates a gender-affirming  
28 health care services facility.  
29 (h) “Gender-affirming health care services facility” includes a  
30 hospital, an office operated by a *licensed* health care provider, a  
31 licensed clinic, or other licensed health care facility that provides  
32 gender-affirming health care services.  
33 (i) “Reproductive health care services” means health care  
34 services relating to the termination of a pregnancy in a reproductive  
35 health care services facility.

1 (j) “Reproductive health care services provider, employee,  
2 volunteer, or patient” means a person who obtains, provides, or  
3 assists, at the request of another person, in obtaining or providing  
4 reproductive health care services, or a person who owns or operates  
5 a reproductive health care services facility.

6 (k) “Reproductive health care services facility” includes a  
7 hospital, an office operated by a licensed physician and surgeon,  
8 a licensed clinic, or other licensed health care facility that provides  
9 reproductive health care services and includes only the building  
10 or structure in which the reproductive health care services are  
11 actually provided.

12 SEC. 2. Section 6215.2 of the Government Code is amended  
13 to read:

14 6215.2. (a) An adult person, a parent or guardian acting on  
15 behalf of a minor, or a guardian acting on behalf of an incapacitated  
16 person, who is domiciled in California, may apply to the Secretary  
17 of State to have an address designated by the Secretary of State to  
18 serve as the person’s address or the address of the minor or  
19 incapacitated person. An application shall be completed in person  
20 at a community-based assistance program designated by the  
21 Secretary of State. The application process shall include a  
22 requirement that the applicant shall meet with a counselor and  
23 receive orientation information about the program. The Secretary  
24 of State shall approve an application if it is filed in the manner and  
25 on the form prescribed by the Secretary of State and if it contains  
26 all of the following:

27 (1) If the applicant alleges that the basis for the application is  
28 that the applicant, or the minor or incapacitated person on whose  
29 behalf the application is made, is a covered health care provider,  
30 employee, or volunteer, who is fearful for their safety or the safety  
31 of their family because of their affiliation with a covered health  
32 care services facility, the application shall be accompanied by all  
33 of the following:

34 (A) Documentation showing that the individual is to commence  
35 employment or is currently employed as a provider or employee  
36 at a covered health care services facility, or is volunteering at a  
37 covered health care services facility.

38 (B) One of the following:

39 (i) A certified statement signed by a person authorized by the  
40 covered health care services facility stating that the facility or any

1 of its providers, employees, volunteers, or patients is or was the  
2 target of threats, harassment, or acts of violence or harassment  
3 within one year of the date of the application. A person who  
4 willfully certifies as true any material matter pursuant to this  
5 section that the person knows to be false is guilty of a  
6 misdemeanor.

7 (ii) A certified statement signed by the employee or patient of,  
8 or volunteer for, the covered health care services facility stating  
9 that they have been the target of threats, harassment, or acts of  
10 violence within one year of the date of the application because of  
11 their association with the covered health care services facility. A  
12 person who willfully certifies as true any material matter pursuant  
13 to this section that the person knows to be false is guilty of a  
14 misdemeanor.

15 (iii) A workplace violence restraining order described in Section  
16 527.8 of the Code of Civil Procedure, issued after a noticed hearing,  
17 or a civil restraining order described in Section 527.6 of the Code  
18 of Civil Procedure, issued after a noticed hearing, protecting the  
19 applicant or the minor or incapacitated person on whose behalf  
20 the application is made. The order must be based upon threats or  
21 acts of violence to the applicant or the minor or incapacitated  
22 person on whose behalf the application is made and connected  
23 with the covered health care services facility.

24 (C) A sworn statement that the applicant fears for their safety  
25 or the safety of their family, or the safety of the minor or  
26 incapacitated person on whose behalf the application is made due  
27 to their affiliation with the covered health care services facility  
28 authorized to provide the declaration described in subparagraph  
29 (B).

30 (2) If the applicant alleges that the basis for the application is  
31 that the applicant is a covered health care services facility  
32 volunteer, the application shall, in addition to the documents  
33 specified in paragraph (1), be accompanied by documentation by  
34 the covered health care services facility showing the length of time  
35 the volunteer has committed to working at the facility.

36 (3) If the applicant alleges that the basis of the application is  
37 that the applicant, or the minor or incapacitated person on whose  
38 behalf the application is made, is a person who is or has been the  
39 target of threats or acts of violence because the applicant is  
40 obtaining or seeking to obtain services at a covered health care



1 services facility within one year of the date of the application, the  
2 application shall be accompanied by the following:

3 (A) A sworn statement that the applicant has good reason to  
4 fear for their safety or the safety of their family.

5 (B) Any police, court, or other governmental agency records or  
6 files that show any complaints of the alleged threats or acts of  
7 violence.

8 (4) A designation of the Secretary of State as agent for purposes  
9 of service of process and for the purpose of receipt of mail.

10 (A) Service on the Secretary of State of any summons, writ,  
11 notice, demand, or process shall be made by delivering to the  
12 address confidentiality program personnel of the office of the  
13 Secretary of State two copies of the summons, writ, notice, demand,  
14 or process.

15 (B) If a summons, writ, notice, demand, or process is served on  
16 the Secretary of State, the Secretary of State shall immediately  
17 cause a copy to be forwarded to the program participant at the  
18 address shown on the records of the address confidentiality  
19 program so that the summons, writ, notice, demand, or process is  
20 received by the program participant within three days of the  
21 Secretary of State's having received it.

22 (C) The Secretary of State shall keep a record of all summonses,  
23 writs, notices, demands, and processes served upon the Secretary  
24 of State under this section and shall record the time of that service  
25 and the Secretary of State's action.

26 (D) The office of the Secretary of State and any agent or person  
27 employed by the Secretary of State shall be held harmless from  
28 any liability in any action brought by any person injured or harmed  
29 as a result of the handling of first-class mail on behalf of program  
30 participants.

31 (5) The mailing address where the applicant can be contacted  
32 by the Secretary of State, and the telephone number or numbers  
33 where the applicant can be called by the Secretary of State.

34 (6) The address or addresses that the applicant requests not be  
35 disclosed for the reason that disclosure will increase the risk of  
36 threats or acts of violence or harassment toward the applicant.

37 (7) The signature of the applicant and of any individual or  
38 representative of any office designated in writing who assisted in  
39 the preparation of the application, and the date on which the  
40 applicant signed the application.

(b) An application may be submitted on the basis that a person is employed by or performs work pursuant to a contract with a public entity and faces threats of violence or violence or harassment from the public because of their work for the public entity. An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, who is domiciled in California, may apply to the Secretary of State to have an address designated by the Secretary of State to serve as the person's address or the address of the minor or incapacitated person. An application shall be completed in person at a community-based assistance program designated by the Secretary of State. The application process shall include a requirement that the applicant shall meet with a counselor and receive orientation information about the program. The Secretary of State shall approve an application if it is filed in the manner and on the form prescribed by the Secretary of State and if it contains all of the following:

(1) If the applicant alleges that the basis for the application is that the applicant, or the minor or incapacitated person on whose behalf the application is made is employed by a public entity or performs work pursuant to a contract with a public entity and faces threats of violence or violence or harassment from the public because of their work for the public entity and is fearful for their safety or the safety of their family because of their work for the public entity, the application shall be accompanied by all of the following:

(A) Documentation showing that the individual is to commence employment or is currently employed by a public entity or performs work pursuant to a contract with a public entity in an occupation where workers have faced threats of violence or violence or harassment from the public because of their work for the public entity.

(B) One of the following:

(i) A certified statement signed by a person affiliated with the applicant's place of work or employment who has personal knowledge of the circumstances at the place of work or employment, stating that workers or employees have been the target of threats or acts of violence or harassment within one year of the date of the application. A person who willfully certifies as

1 true any material matter pursuant to this section that the person  
2 knows to be false is guilty of a misdemeanor.

3 (ii) A certified statement signed by the worker or employee,  
4 stating that they have been the target of threats or acts of violence  
5 or harassment within one year of the date of the application because  
6 of their work for a public entity. A person who willfully certifies  
7 as true any material matter pursuant to this section that the person  
8 knows to be false is guilty of a misdemeanor.

9 (iii) A workplace violence restraining order described in Section  
10 527.8 of the Code of Civil Procedure, issued after a noticed hearing,  
11 or a civil restraining order described in Section 527.6 of the Code  
12 of Civil Procedure, issued after a noticed hearing, protecting the  
13 applicant or the minor or incapacitated person on whose behalf  
14 the application is made. The order must be based upon threats or  
15 acts of violence connected with the applicant's work for a public  
16 entity or the minor or incapacitated person on whose behalf the  
17 application is made.

18 (C) A sworn statement that the applicant fears for their safety  
19 or the safety of their family, or the safety of the minor or  
20 incapacitated person on whose behalf the application is made, due  
21 to their work for a public entity.

22 (2) A designation of the Secretary of State as agent for purposes  
23 of service of process and for the purpose of receipt of mail.

24 (A) Service on the Secretary of State of any summons, writ,  
25 notice, demand, or process shall be made by delivering to the  
26 address confidentiality program personnel of the office of the  
27 Secretary of State two copies of the summons, writ, notice, demand,  
28 or process.

29 (B) If a summons, writ, notice, demand, or process is served on  
30 the Secretary of State, the Secretary of State shall immediately  
31 cause a copy to be forwarded to the program participant at the  
32 address shown on the records of the address confidentiality  
33 program so that the summons, writ, notice, demand, or process is  
34 received by the program participant within three days of the  
35 Secretary of State's having received it.

36 (C) The Secretary of State shall keep a record of all summonses,  
37 writs, notices, demands, and processes served upon the Secretary  
38 of State under this section and shall record the time of that service  
39 and the Secretary of State's action.

1 (D) The office of the Secretary of State and any agent or person  
2 employed by the Secretary of State shall be held harmless from  
3 any liability in any action brought by any person injured or harmed  
4 as a result of the handling of first-class mail on behalf of program  
5 participants.

6 (3) The mailing address where the applicant can be contacted  
7 by the Secretary of State, and the telephone number or numbers  
8 where the applicant can be called by the Secretary of State.

9 (4) The address or addresses that the applicant requests not be  
10 disclosed for the reason that disclosure will increase the risk of  
11 acts of violence or harassment toward the applicant.

12 (5) The signature of the applicant and of any individual or  
13 representative of any office designated in writing who assisted in  
14 the preparation of the application, and the date on which the  
15 applicant signed the application.

16 (c) Applications shall be filed with the office of the Secretary  
17 of State.

18 (d) Submitted applications shall be accompanied by payment  
19 of a fee to be determined by the Secretary of State. This fee shall  
20 not exceed the actual costs of enrolling in the program. In addition,  
21 annual fees may also be assessed by the Secretary of State to defray  
22 the actual costs of maintaining this program. Annual fees assessed  
23 by the Secretary of State shall also be used to reimburse the General  
24 Fund for any amounts expended from that fund for the purposes  
25 of this chapter. No applicant who is a patient of a covered health  
26 care services facility shall be required to pay an application fee or  
27 the annual fee under this program.

28 (e) The Address Confidentiality for Reproductive Health Care  
29 Services Fund is hereby created in the General Fund. Upon  
30 appropriation by the Legislature, moneys in the fund are available  
31 for the administration of the program established pursuant to this  
32 chapter.

33 (f) Upon filing a properly completed application, the Secretary  
34 of State shall certify the applicant as a program participant.  
35 Applicants, with the exception of covered health care services  
36 facilities volunteers, shall be certified for four years following the  
37 date of filing unless the certification is withdrawn, or invalidated  
38 before that date. Covered health care services facility volunteers  
39 shall be certified until six months from the last date of volunteering  
40 with the facility. The Secretary of State shall by rule establish a

1 renewal procedure. A minor program participant, who reaches 18  
2 years of age, may renew as an adult following the renewal  
3 procedures established by the Secretary of State.

4 (g) A person who falsely attests in an application that disclosure  
5 of the applicant's address would endanger the applicant's safety  
6 or the safety of the applicant's family or the minor or incapacitated  
7 person on whose behalf the application is made, or who knowingly  
8 provides false or incorrect information upon making an application,  
9 is guilty of a misdemeanor. A notice shall be printed in bold type  
10 and in a conspicuous location on the face of the application  
11 informing the applicant of the penalties under this subdivision.

12 (h) For purposes of this section:

13 (1) "Harassment" is repeated, unreasonable, and unwelcome  
14 conduct directed at a targeted individual that would cause a  
15 reasonable person to fear for their own safety or the safety of a  
16 household member. Harassing conduct may include, but is not  
17 limited to, following, stalking, phone calls, or written  
18 correspondence.

19 (2) "Public entity" means a federal, state, or local governmental  
20 agency.

21 (3) "Work for a public entity" means work performed by an  
22 employee of a public entity, or work performed for a public entity  
23 by a person pursuant to a contract with the public entity.

24 SEC. 3. Section 6218 of the Government Code is amended to  
25 read:

26 6218. (a) (1) A person, business, or association shall not  
27 knowingly publicly post or publicly display, disclose, or distribute  
28 on internet websites or social media, the personal information or  
29 image of any covered health care services ~~patient, provider, or~~  
30 ~~assistant, provider, employee, volunteer, or patient~~, or other  
31 individuals residing at the same home address, with the intent to  
32 do either of the following:

33 (A) Incite a third person to cause imminent great bodily harm  
34 to the covered health care services ~~patient, provider, or assistant~~  
35 ~~provider, employee, volunteer, or patient~~ identified in the posting  
36 or display, or to a coresident of that person, where the third person  
37 is likely to commit this harm.

38 (B) Threaten the covered health care services ~~patient, provider,~~  
39 ~~or assistant, provider, employee, volunteer, or patient~~, identified  
40 in the posting or display, or a coresident of that person, in a manner

1 that places the person identified or the coresident in objectively  
2 reasonable fear for their personal safety.

3 (2) A covered health care services ~~patient, provider, or assistant~~  
4 *provider, employee, volunteer, or patient* whose personal  
5 information or image is made public as a result of a violation of  
6 paragraph (1), or any individual entity or organization authorized  
7 to act on their behalf, may do either or both of the following:

8 (A) Bring an action seeking injunctive or declarative relief in  
9 any court of competent jurisdiction. If a jury or court finds that a  
10 violation has occurred, it may grant injunctive or declarative relief  
11 and shall award the successful plaintiff court costs and reasonable  
12 attorney's fees.

13 (B) Bring an action for money damages in any court of  
14 competent jurisdiction. In addition to any other legal rights or  
15 remedies, if a jury or court finds that a violation has occurred, it  
16 shall award damages to that individual in an amount up to a  
17 maximum of three times the actual damages, but in no case less  
18 than four thousand dollars (\$4,000).

19 (b) (1) A person, business, or association shall not publicly post  
20 or publicly display, disclose, or distribute, on internet websites or  
21 social media, the personal information or image of a covered health  
22 care services ~~patient, provider, or assistant~~ *provider, employee,*  
23 *volunteer, or patient* if that individual, or any individual, entity,  
24 or organization authorized to act on their behalf, has made a written  
25 demand of that person, business, or association to not disclose the  
26 personal information or image. A written demand made under this  
27 paragraph shall include a statement declaring that the individual  
28 is subject to the protection of this section and describing a  
29 reasonable fear for the safety of that individual or of any person  
30 residing at the individual's home address, based on a violation of  
31 subdivision (a). A demand made under this paragraph shall be  
32 effective for four years, regardless of whether or not the  
33 individual's affiliation with a covered health care services facility  
34 has expired prior to the end of the four-year period.

35 (2) A covered health care services ~~patient, provider, or assistant~~  
36 *provider, employee, volunteer, or patient* whose personal  
37 information or image is made public as a result of a failure to honor  
38 a demand made pursuant to paragraph (1), or any individual, entity,  
39 or organization authorized to act on their behalf, may bring an  
40 action seeking injunctive or declarative relief in any court of

1 competent jurisdiction. If a jury or court finds that a violation has  
2 occurred, it may grant injunctive or declarative relief and shall  
3 award the successful plaintiff court costs and reasonable attorney's  
4 fees.

5 (3) This subdivision does not apply to a person or entity defined  
6 in Section 1070 of the Evidence Code.

7 (c) (1) A person, business, or association shall not solicit, sell,  
8 or trade on the internet or social media the personal information  
9 or image of a covered health care services ~~patient, provider, or~~  
10 ~~assistant~~ *provider, employee, volunteer, or patient* with the intent  
11 to do either of the following:

12 (A) Incite a third person to cause imminent great bodily harm  
13 to the person identified in the posting or display, or to a coresident  
14 of that person, where the third person is likely to commit this harm.

15 (B) Threaten the person identified in the posting or display, or  
16 a coresident of that person, in a manner that places the person  
17 identified or the coresident in objectively reasonable fear for their  
18 personal safety.

19 (2) A covered health care services ~~patient, provider, or assistant~~  
20 ~~provider, employee, volunteer, or patient~~ whose personal  
21 information or image is solicited, sold, or traded in violation of  
22 paragraph (1), or any individual, entity, or organization authorized  
23 to act on their behalf, may bring an action in any court of competent  
24 jurisdiction. In addition to any other legal rights and remedies, if  
25 a jury or court finds that a violation has occurred, it shall award  
26 damages to that individual in an amount up to a maximum of three  
27 times the actual damages, but in no case less than four thousand  
28 dollars (\$4,000).

29 (d) An interactive computer service or access software provider,  
30 as defined in Section 230(f) of Title 47 of the United States Code,  
31 shall not be liable under this section unless the service or provider  
32 intends to abet or cause bodily harm that is likely to occur or  
33 threatens to cause bodily harm to a covered health care services  
34 patient, provider, or assistant, or any person residing at the same  
35 home address.

36 (e) This section does not preclude punishment under any other  
37 provision of law.

38 SEC. 4. Section 6218.01 of the Government Code is amended  
39 to read:

6218.01. (a) (1) A person shall not post on the internet or social media, with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against a covered health care services ~~patient, provider, or assistant,~~ *provider, employee, volunteer, or patient*, or other individuals residing at the same home address, the personal information or image of a covered health care services patient, provider, or assistant, or other individuals residing at the same home address.

(2) A violation of this subdivision is punishable by a fine of up to ten thousand dollars (\$10,000) per violation, imprisonment of either up to one year in a county jail or pursuant to subdivision (h) of Section 1170 of the Penal Code, or by both that fine and imprisonment.

(3) A violation of this subdivision that leads to the bodily injury of a covered health care services ~~patient, provider, or assistant,~~ *provider, employee, volunteer, or patient*, or other individuals residing at the same home address, is a felony punishable by a fine of up to fifty thousand dollars (\$50,000), imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code, or by both that fine and imprisonment.

(b) Nothing in this section shall preclude prosecution under any other provision of law.

SEC. 5. Section 6218.05 of the Government Code is amended to read:

6218.05. For purposes of this chapter, the following definitions apply:

(a) “Covered health care services” means gender-affirming health care services or reproductive health care services.

(b) “Covered health care services provider, employee, volunteer, or patient” means a gender-affirming health care or a gender-affirming mental health care provider, employee, volunteer, or patient, or a reproductive health care services provider, employee, volunteer, or patient.

(c) “Covered health care services facility” means a gender-affirming health care services facility or a reproductive health care services facility.

(d) “Gender-affirming health care” and “gender-affirming mental health care” shall have the same meaning as provided in Section 16010.2 of the Welfare and Institutions Code.



1 (e) “Gender-affirming health care and gender-affirming mental  
2 health care provider, employee, volunteer, or patient” means a  
3 person who obtains, provides, or assists, at the request of another  
4 person, in obtaining or providing gender-affirming health care  
5 services, or a person who owns or operates a gender-affirming  
6 health care services facility.

7 (f) “Gender-affirming health care services facility” includes a  
8 hospital, an office operated by a licensed physician and surgeon,  
9 a licensed clinic, or other licensed health care facility that provides  
10 gender-affirming health care services and includes only the building  
11 or structure in which the gender-affirming health care services are  
12 actually provided.

13 (g) “Image” includes, but is not limited to, a photograph, video  
14 footage, sketch, or computer-generated image that provides a means  
15 to visually identify the person depicted.

16 (h) “Personal information” means information that identifies,  
17 relates to, describes, or is capable of being associated with a  
18 reproductive health care services patient, provider, or assistant,  
19 including, but not limited to, their name, signature, social security  
20 number, physical characteristics or description, address, telephone  
21 number, passport number, driver’s license or state identification  
22 card number, license plate number, employment, employment  
23 history, and financial information.

24 (i) “Publicly post” or “publicly display” means to intentionally  
25 communicate or otherwise make available to the general public.

26 (j) “Reproductive health care services” means health care  
27 services relating to the termination of a pregnancy in a reproductive  
28 health care services facility.

29 (k) “Reproductive health care services patient, provider, or  
30 assistant” means a person or entity, including, but not limited to,  
31 employees, staff, volunteers, and third-party vendors, that is or  
32 was involved in obtaining, seeking to obtain, providing, seeking  
33 to provide, or assisting or seeking to assist another person, at that  
34 person’s request, to obtain or provide any services in a reproductive  
35 health care services facility, or a person or entity that is or was  
36 involved in owning or operating or seeking to own or operate a  
37 reproductive health care services facility.

38 (l) “Reproductive health care services facility” includes a  
39 hospital, clinic, physician’s office, or other facility that provides

1 or seeks to provide reproductive health care services and includes  
2 the building or structure in which the facility is located.

3 (m) “Social media” means an electronic service or account, or  
4 electronic content, including, but not limited to, videos or still  
5 photographs, blogs, video blogs, podcasts, instant and text  
6 messages, email, online services or accounts, or internet website  
7 profiles or locations.

8 SEC. 6. Section 11165 of the Health and Safety Code is  
9 amended to read:

10 11165. (a) To assist health care practitioners in their efforts  
11 to ensure appropriate prescribing, ordering, administering,  
12 furnishing, and dispensing of controlled substances, law  
13 enforcement and regulatory agencies in their efforts to control the  
14 diversion and resultant abuse of Schedule II, Schedule III, Schedule  
15 IV, and Schedule V controlled substances, and for statistical  
16 analysis, education, and research, the Department of Justice shall,  
17 contingent upon the availability of adequate funds in the CURES  
18 Fund, maintain the Controlled Substance Utilization Review and  
19 Evaluation System (CURES) for the electronic monitoring of, and  
20 internet access to information regarding, the prescribing and  
21 dispensing of Schedule II, Schedule III, Schedule IV, and Schedule  
22 V controlled substances by all practitioners authorized to prescribe,  
23 order, administer, furnish, or dispense these controlled substances.

24 (b) The department may seek and use grant funds to pay the  
25 costs incurred by the operation and maintenance of CURES. The  
26 department shall annually report to the Legislature and make  
27 available to the public the amount and source of funds it receives  
28 for support of CURES.

29 (c) (1) The operation of CURES shall comply with all  
30 applicable federal and state privacy and security laws and  
31 regulations.

32 (2) (A) CURES shall operate under existing provisions of law  
33 to safeguard the privacy and confidentiality of patients. Data  
34 obtained from CURES shall only be provided to appropriate state,  
35 local, and federal public agencies for disciplinary, civil, or criminal  
36 purposes and to other agencies or entities, as determined by the  
37 department, for the purpose of educating practitioners and others  
38 in lieu of disciplinary, civil, or criminal actions. Data may be  
39 provided to public or private entities, as approved by the  
40 department, for educational, peer review, statistical, or research

1 purposes, if patient information, including information that may  
2 identify the patient, is not compromised. The University of  
3 California shall be provided access to identifiable data for research  
4 purposes if the requirements of subdivision (t) of Section 1798.24  
5 of the Civil Code are satisfied. Further, data disclosed to an  
6 individual or agency as described in this subdivision shall not be  
7 disclosed, sold, or transferred to a third party, unless authorized  
8 by, or pursuant to, state and federal privacy and security laws and  
9 regulations. The department shall establish policies, procedures,  
10 and regulations regarding the use, access, evaluation, management,  
11 implementation, operation, storage, disclosure, and security of the  
12 information within CURES, consistent with this subdivision.

13 (B) Notwithstanding subparagraph (A), a regulatory board whose  
14 licensees do not prescribe, order, administer, furnish, or dispense  
15 controlled substances shall not be provided data obtained from  
16 CURES.

17 (3) The department shall, no later than January 1, 2021, adopt  
18 regulations regarding the access and use of the information within  
19 CURES. The department shall consult with all stakeholders  
20 identified by the department during the rulemaking process. The  
21 regulations shall, at a minimum, address all of the following in a  
22 manner consistent with this chapter:

23 (A) The process for approving, denying, and disapproving  
24 individuals or entities seeking access to information in CURES.

25 (B) The purposes for which a health care practitioner may access  
26 information in CURES.

27 (C) The conditions under which a warrant, subpoena, or court  
28 order is required for a law enforcement agency to obtain  
29 information from CURES as part of a criminal investigation.

30 (D) The process by which information in CURES may be  
31 provided for educational, peer review, statistical, or research  
32 purposes.

33 (4) In accordance with federal and state privacy laws and  
34 regulations, a health care practitioner may provide a patient with  
35 a copy of the patient's CURES patient activity report as long as  
36 no additional CURES data are provided and the health care  
37 practitioner keeps a copy of the report in the patient's medical  
38 record in compliance with subdivision (d) of Section 11165.1.

39 (d) Except as provided in subdivision (k), for each prescription  
40 for a Schedule II, Schedule III, Schedule IV, or Schedule V

1 controlled substance, as defined in the controlled substances  
2 schedules in federal law and regulations, specifically Sections  
3 1308.12, 1308.13, 1308.14, and 1308.15, respectively, of Title 21  
4 of the Code of Federal Regulations, the dispensing pharmacy,  
5 clinic, or other dispenser shall report the following information to  
6 the department or contracted prescription data processing vendor  
7 as soon as reasonably possible, but not more than one working day  
8 after the date a controlled substance is released to the patient or  
9 patient's representative, in a format specified by the department:

10 (1) Full name, address, and, if available, telephone number of  
11 the ultimate user or research subject, or contact information as  
12 determined by the Secretary of the United States Department of  
13 Health and Human Services, and the gender and date of birth of  
14 the ultimate user.

15 (2) The prescriber's category of licensure, license number,  
16 national provider identifier (NPI) number, if applicable, the federal  
17 controlled substance registration number, and the state medical  
18 license number of a prescriber using the federal controlled  
19 substance registration number of a government-exempt facility.

20 (3) Pharmacy prescription number, license number, NPI number,  
21 and federal controlled substance registration number.

22 (4) National Drug Code (NDC) number of the controlled  
23 substance dispensed.

24 (5) Quantity of the controlled substance dispensed.

25 (6) The International Statistical Classification of Diseases (ICD)  
26 Code contained in the most current ICD revision, or any revision  
27 deemed sufficient by the State Board of Pharmacy, if available.

28 (7) Number of refills ordered.

29 (8) Whether the drug was dispensed as a refill of a prescription  
30 or as a first-time request.

31 (9) Prescribing date of the prescription.

32 (10) Date of dispensing of the prescription.

33 (11) The serial number for the corresponding prescription form,  
34 if applicable.

35 (e) The department may invite stakeholders to assist, advise,  
36 and make recommendations on the establishment of rules and  
37 regulations necessary to ensure the proper administration and  
38 enforcement of the CURES database. A prescriber or dispenser  
39 invitee shall be licensed by one of the boards or committees  
40 identified in subdivision (d) of Section 208 of the Business and

1 Professions Code, in active practice in California, and a regular  
2 user of CURES.

3 (f) The department shall, prior to upgrading CURES, consult  
4 with prescribers licensed by one of the boards or committees  
5 identified in subdivision (d) of Section 208 of the Business and  
6 Professions Code, one or more of the boards or committees  
7 identified in subdivision (d) of Section 208 of the Business and  
8 Professions Code, and any other stakeholder identified by the  
9 department, for the purpose of identifying desirable capabilities  
10 and upgrades to the CURES Prescription Drug Monitoring Program  
11 (PDMP).

12 (g) The department may establish a process to educate  
13 authorized subscribers of the CURES PDMP on how to access and  
14 use the CURES PDMP.

15 (h) (1) The department may enter into an agreement with an  
16 entity operating an interstate data sharing hub, or an agency  
17 operating a prescription drug monitoring program in another state,  
18 for purposes of interstate data sharing of prescription drug  
19 monitoring program information.

20 (2) Data obtained from CURES may be provided to authorized  
21 users of another state's prescription drug monitoring program, as  
22 determined by the department pursuant to subdivision (c), if the  
23 entity operating the interstate data sharing hub, and the prescription  
24 drug monitoring program of that state, as applicable, have entered  
25 into an agreement with the department for interstate data sharing  
26 of prescription drug monitoring program information.

27 (3) An agreement entered into by the department for purposes  
28 of interstate data sharing of prescription drug monitoring program  
29 information shall ensure that all access to data obtained from  
30 CURES and the handling of data contained within CURES comply  
31 with California law, including regulations, and meet the same  
32 patient privacy, audit, and data security standards employed and  
33 required for direct access to CURES.

34 (4) For purposes of interstate data sharing of CURES  
35 information pursuant to this subdivision, an authorized user of  
36 another state's prescription drug monitoring program shall not be  
37 required to register with CURES, if the authorized user is registered  
38 and in good standing with that state's prescription drug monitoring  
39 program.

1 (5) The department shall not enter into an agreement pursuant  
2 to this subdivision until the department has issued final regulations  
3 regarding the access and use of the information within CURES as  
4 required by paragraph (3) of subdivision (c).

5 (i) Notwithstanding subdivision (d), a veterinarian shall report  
6 the information required by that subdivision to the department as  
7 soon as reasonably possible, but not more than seven days after  
8 the date a controlled substance is dispensed.

9 (j) If the dispensing pharmacy, clinic, or other dispenser  
10 experiences a temporary technological or electrical failure, it shall,  
11 without undue delay, seek to correct any cause of the temporary  
12 technological or electrical failure that is reasonably within its  
13 control. The deadline for transmitting prescription information to  
14 the department or contracted prescription data processing vendor  
15 pursuant to subdivision (d) shall be extended until the failure is  
16 corrected. If the dispensing pharmacy, clinic, or other dispenser  
17 experiences technological limitations that are not reasonably within  
18 its control, or is impacted by a natural or manmade disaster, the  
19 deadline for transmitting prescription information to the department  
20 or contracted prescription data processing vendor shall be extended  
21 until normal operations have resumed.

22 (k) (1) Notwithstanding subdivision (d), a prescription for or  
23 the dispensing of testosterone or mifepristone shall not be reported  
24 to the department, CURES, or a contracted prescription data  
25 processing vendor. The department, in consultation with the  
26 California Health and Human Services Agency, health care  
27 providers, and clinicians, may add medications for legally protected  
28 health care activity, as defined in Section 1798.300 of the Civil  
29 Code, to the list of medications prohibited from being reported to  
30 the department, CURES, or a contracted prescription data  
31 processing vendor.

32 (2) On or before January 1, 2027, the department shall remove  
33 existing records of a prescription described in this subdivision  
34 created or maintained prior to January 1, 2026.

35 SEC. 7. Section 11190 of the Health and Safety Code is  
36 amended to read:

37 11190. (a) Every practitioner, other than a pharmacist, who  
38 prescribes or administers a controlled substance classified in  
39 Schedule II shall make a record that, as to the transaction, shows  
40 all of the following:

1 (1) The name and address of the patient.

2 (2) The date.

3 (3) The character, including the name and strength, and quantity  
4 of controlled substances involved.

5 (b) The prescriber's record shall show the pathology and purpose  
6 for which the controlled substance was administered or prescribed.

7 (c) (1) For each prescription for a Schedule II, Schedule III,  
8 or Schedule IV controlled substance that is dispensed by a  
9 prescriber pursuant to Section 4170 of the Business and Professions  
10 Code, the prescriber shall record and maintain the following  
11 information:

12 (A) Full name, address, and the telephone number of the ultimate  
13 user or research subject, or contact information as determined by  
14 the Secretary of the United States Department of Health and Human  
15 Services, and the gender, and date of birth of the patient.

16 (B) The prescriber's category of licensure and license number;  
17 federal controlled substance registration number; and the state  
18 medical license number of any prescriber using the federal  
19 controlled substance registration number of a government-exempt  
20 facility.

21 (C) NDC (National Drug Code) number of the controlled  
22 substance dispensed.

23 (D) Quantity of the controlled substance dispensed.

24 (E) ICD-9 (diagnosis code), if available.

25 (F) Number of refills ordered.

26 (G) Whether the drug was dispensed as a refill of a prescription  
27 or as a first-time request.

28 (H) Date of origin of the prescription.

29 (2) (A) Each prescriber that dispenses controlled substances  
30 shall provide the Department of Justice the information required  
31 by this subdivision on a weekly basis in a format set by the  
32 Department of Justice pursuant to regulation.

33 (B) The reporting requirement in this section shall not apply to  
34 the direct administration of a controlled substance to the body of  
35 an ultimate user or a prescription described in subdivision (k) of  
36 Section 11165.

37 (d) This section shall become operative on January 1, 2005.

38 (e) The reporting requirement in this section for Schedule IV  
39 controlled substances shall not apply to any of the following:

1 (1) The dispensing of a controlled substance in a quantity limited  
2 to an amount adequate to treat the ultimate user involved for 48  
3 hours or less.

4 (2) The administration or dispensing of a controlled substance  
5 in accordance with any other exclusion identified by the United  
6 States Health and Human Service Secretary for the National All  
7 Schedules Prescription Electronic Reporting Act of 2005.

8 (f) Notwithstanding paragraph (2) of subdivision (c), the  
9 reporting requirement of the information required by this section  
10 for a Schedule II or Schedule III controlled substance, in a format  
11 set by the Department of Justice pursuant to regulation, shall be  
12 on a monthly basis for all of the following:

13 (1) The dispensing of a controlled substance in a quantity limited  
14 to an amount adequate to treat the ultimate user involved for 48  
15 hours or less.

16 (2) The administration or dispensing of a controlled substance  
17 in accordance with any other exclusion identified by the United  
18 States Health and Human Service Secretary for the National All  
19 Schedules Prescription Electronic Reporting Act of 2005.

20 SEC. 8. Section 629.51 of the Penal Code is amended to read:

21 629.51. (a) For the purposes of this chapter, the following  
22 terms have the following meanings:

23 (1) "Wire communication" means any aural transfer made in  
24 whole or in part through the use of facilities for the transmission  
25 of communications by the aid of wire, cable, or other like  
26 connection between the point of origin and the point of reception  
27 (including the use of a like connection in a switching station),  
28 furnished or operated by any person engaged in providing or  
29 operating these facilities for the transmission of communications.

30 (2) "Electronic communication" means any transfer of signs,  
31 signals, writings, images, sounds, data, or intelligence of any nature  
32 in whole or in part by a wire, radio, electromagnetic, photoelectric,  
33 or photo-optical system, but does not include any of the following:

34 (A) Any wire communication defined in paragraph (1).

35 (B) Any communication made through a tone-only paging  
36 device.

37 (C) Any communication from a tracking device.

38 (D) Electronic funds transfer information stored by a financial  
39 institution in a communications system used for the electronic  
40 storage and transfer of funds.



1 (3) “Tracking device” means an electronic or mechanical device  
2 that permits the tracking of the movement of a person or object.

3 (4) “Aural transfer” means a transfer containing the human  
4 voice at any point between and including the point of origin and  
5 the point of reception.

6 (5) (A) “Prohibited violation” means any violation of law that  
7 creates liability for, or arising out of, either of the following:

8 (i) Providing, facilitating, or obtaining a legally protected health  
9 care activity, as defined in Section 1549.15, that is lawful under  
10 California law.

11 (ii) Intending or attempting to provide, facilitate, or obtain a  
12 legally protected health care activity, as defined in Section 1549.15,  
13 that is lawful under California law.

14 (B) As used in this paragraph, “facilitating” or “facilitate” means  
15 assisting, directly or indirectly in any way, with the obtaining of  
16 a legally protected health care activity, as defined in Section  
17 1549.15, that is lawful under California law.

18 (b) This chapter applies to the interceptions of wire and  
19 electronic communications. It does not apply to stored  
20 communications or stored content.

21 (c) The act that added this subdivision is not intended to change  
22 the law as to stored communications or stored content.

23 SEC. 9. Section 1269b of the Penal Code is amended to read:

24 1269b. (a) The officer in charge of a jail in which an arrested  
25 person is held in custody, an officer of a sheriff’s department or  
26 police department of a city who is in charge of a jail or is employed  
27 at a fixed police or sheriff’s facility and is acting under an  
28 agreement with the agency that keeps the jail in which an arrested  
29 person is held in custody, an employee of a sheriff’s department  
30 or police department of a city who is assigned by the department  
31 to collect bail, the clerk of the superior court of the county in which  
32 the offense was alleged to have been committed, and the clerk of  
33 the superior court in which the case against the defendant is  
34 pending may approve and accept bail in the amount fixed by the  
35 warrant of arrest, schedule of bail, or order admitting to bail in  
36 cash or surety bond executed by a certified, admitted surety insurer  
37 as provided in the Insurance Code, to issue and sign an order for  
38 the release of the arrested person, and to set a time and place for  
39 the appearance of the arrested person before the appropriate court  
40 and give notice thereof.

(b) If a defendant has appeared before a judge of the court on the charge contained in the complaint, indictment, or information, the bail shall be in the amount fixed by the judge at the time of the appearance. If that appearance has not been made, the bail shall be in the amount fixed in the warrant of arrest or, if no warrant of arrest has been issued, the amount of bail shall be pursuant to the uniform countywide schedule of bail for the county in which the defendant is required to appear, previously fixed and approved as provided in subdivisions (c) and (d).

(c) It is the duty of the superior court judges in each county to prepare, adopt, and annually revise a uniform countywide schedule of bail for all bailable felony offenses and for all misdemeanor and infraction offenses except Vehicle Code infractions. The penalty schedule for infraction violations of the Vehicle Code shall be established by the Judicial Council in accordance with Section 40310 of the Vehicle Code.

(d) A court may, by local rule, prescribe the procedure by which the uniform countywide schedule of bail is prepared, adopted, and annually revised by the judges. If a court does not adopt a local rule, the uniform countywide schedule of bail shall be prepared, adopted, and annually revised by a majority of the judges.

(e) In adopting a uniform countywide schedule of bail for all bailable felony offenses the judges shall consider the seriousness of the offense charged. In considering the seriousness of the offense charged the judges shall assign an additional amount of required bail for each aggravating or enhancing factor chargeable in the complaint, including, but not limited to, additional bail for charges alleging facts that would bring a person within any of the following sections: Section 667.5, 667.51, 667.6, 667.8, 667.85, 667.9, 667.10, 12022, 12022.1, 12022.2, 12022.3, 12022.4, 12022.5, 12022.53, 12022.6, 12022.7, 12022.8, or 12022.9 of this code, or Section 11356.5, 11370.2, or 11370.4 of the Health and Safety Code.

In considering offenses in which a violation of Chapter 6 (commencing with Section 11350) of Division 10 of the Health and Safety Code is alleged, the judge shall assign an additional amount of required bail for offenses involving large quantities of controlled substances.

(f) (1) The countywide bail schedule shall contain a list of the offenses and the amounts of bail applicable for each as the judges

1 determine to be appropriate. If the schedule does not list all  
2 offenses specifically, it shall contain a general clause for designated  
3 amounts of bail as the judges of the county determine to be  
4 appropriate for all the offenses not specifically listed in the  
5 schedule. A copy of the countywide bail schedule shall be sent to  
6 the officer in charge of the county jail, to the officer in charge of  
7 each city jail within the county, to each superior court judge and  
8 commissioner in the county, and to the Judicial Council.

9 (2) The countywide bail schedule shall set zero dollars (\$0) bail  
10 for an individual who has been arrested in connection with a  
11 proceeding in another state regarding an individual performing,  
12 supporting, or aiding in the performance of a legally protected  
13 health care activity, as defined in Section 1549.15, in this state, or  
14 an individual obtaining a legally protected health care activity, as  
15 defined in Section 1549.15, in this state, if the legally protected  
16 health care activity is lawful under the laws of this state.

17 (g) Upon posting bail, the defendant or arrested person shall be  
18 discharged from custody as to the offense on which the bail is  
19 posted.

20 All money and surety bonds so deposited with an officer  
21 authorized to receive bail shall be transmitted immediately to the  
22 judge or clerk of the court by which the order was made or warrant  
23 issued or bail schedule fixed. If, in the case of felonies, an  
24 indictment is filed, the judge or clerk of the court shall transmit  
25 all of the money and surety bonds to the clerk of the court.

26 (h) If a defendant or arrested person so released fails to appear  
27 at the time and in the court so ordered upon their release from  
28 custody, Sections 1305 and 1306 apply.

29 SEC. 10. Section 13778.2 of the Penal Code is amended to  
30 read:

31 13778.2. (a) A state or local law enforcement agency or officer  
32 shall not knowingly arrest or knowingly participate in the arrest  
33 of any person for performing, supporting, or aiding in the  
34 performance of a legally protected health care activity, as defined  
35 in Section 1549.15, in this state, or obtaining a legally protected  
36 health care activity, as defined in Section 1549.15, in this state, if  
37 the legally protected health care activity is lawful under the laws  
38 of this state.

39 (b) A state or local public agency, or any employee thereof  
40 acting in their official capacity, shall not cooperate with or provide

1 information to any individual or agency or department from another  
2 state or, to the extent permitted by federal law, to a federal law  
3 enforcement agency regarding a legally protected health care  
4 activity, as defined in Section 1549.15, that is lawful under the  
5 laws of this state and that is performed in this state.

6 (c) (1) A law of another state that authorizes the imposition of  
7 civil or criminal penalties related to an individual performing,  
8 supporting, or aiding in the performance of a legally protected  
9 health care activity, as defined in Section 1549.15, in this state, or  
10 an individual obtaining a legally protected health care activity, as  
11 defined in Section 1549.15, in this state, if the legally protected  
12 health care activity is lawful under the laws of this state, is against  
13 the public policy of this state.

14 (2) No state court, judicial officer, or court employee or clerk,  
15 or authorized attorney shall issue a subpoena pursuant to any state  
16 law in connection with a proceeding in another state regarding an  
17 individual performing, supporting, or aiding in the performance  
18 of a legally protected health care activity, as defined in Section  
19 1549.15, in this state, or an individual obtaining a legally protected  
20 health care activity, as defined in Section 1549.15, in this state, if  
21 the legally protected health care activity is lawful under the laws  
22 of this state.

23 (d) This section does not prohibit the investigation of any  
24 criminal activity in this state that may involve the performance of  
25 a legally protected health care activity, as defined in Section  
26 1549.15, provided that information relating to any medical  
27 procedure performed on a specific individual is not shared with  
28 an agency or individual from another state for the purpose of  
29 enforcing another state's law involving a legally protected health  
30 care activity.

31 SEC. 11. Section 13778.3 of the Penal Code is amended to  
32 read:

33 13778.3. (a) For purposes of this section, the following terms  
34 shall have the following meaning:

35 (1) "Gender-affirming health care" and "gender-affirming mental  
36 health care" have the same meaning as in paragraph (3) of  
37 subdivision (b) of Section 16010.2 of the Welfare and Institutions  
38 Code.

39 (2) "Legally protected health care activity" shall have the same  
40 meaning as in Section 1549.15.

1 (3) “Reproductive health care services” shall have the same  
2 meaning as in Section 1549.15.

3 (4) “California corporation” refers to any corporation or other  
4 entity that is subject to Section 102 of the Corporations Code, with  
5 the exception of foreign corporations.

6 (b) A state or local government employee, person or entity  
7 contracted by a state or local government, or person or entity acting  
8 on behalf of a local or state government shall not cooperate with  
9 or provide information to any individual, including a bondsman  
10 or person authorized, pursuant to subdivision (a) of Section  
11 1299.02, to apprehend, detain, or arrest a fugitive admitted to bail  
12 in another state, or out-of-state agency or department regarding  
13 any legally protected health care activity or otherwise expend or  
14 use time, moneys, facilities, property, equipment, personnel, or  
15 other resources in furtherance of any investigation or proceeding  
16 that seeks to impose civil or criminal liability or professional  
17 sanctions upon a person or entity for any legally protected health  
18 care activity that occurred in this state or that would be legal if it  
19 occurred in this state.

20 (c) This section does not prohibit compliance with a valid,  
21 court-issued subpoena, warrant, wiretap order, pen register trap  
22 and trace order, or other legal process which does not relate to a  
23 law seeking to impose civil or criminal liability or professional  
24 sanctions for a legally protected health care activity, or in response  
25 to the written request of a person who is the subject of such an  
26 investigation or proceeding, to the extent necessary, in each case,  
27 to fulfill such request.

28 (d) Any out-of-state subpoena, warrant, wiretap order, pen  
29 register trap and trace order, legal process, or request from any  
30 law enforcement agent or entity shall include an affidavit or  
31 declaration under penalty of perjury that the discovery is not in  
32 connection with an out-of-state proceeding relating to any legally  
33 protected health care activity unless the out-of-state proceeding  
34 meets all of the following requirements:

35 (1) Is based in tort, contract, or on statute.

36 (2) Is actionable, in an equivalent or similar manner, under the  
37 laws of this state.

38 (3) Was brought by the patient who received a legally protected  
39 health care activity or the patient’s legal representative.

1 (e) A state court, judicial officer, court employee or clerk, or  
2 authorized attorney shall not issue a subpoena pursuant to any  
3 other state's law unless it includes the affidavit or declaration  
4 defined in subdivision (d).

5 (f) A California corporation that provides electronic  
6 communication services or remote computing services to the  
7 general public shall not comply with an out of state subpoena,  
8 warrant, wiretap order, pen register trap and trace order, other legal  
9 process, or request by a law enforcement agent or entity seeking  
10 records that would reveal the identity of the customers using those  
11 services, data stored by, or on behalf of, the customer, the  
12 customer's usage of those services, the recipient or destination of  
13 communications sent to or from those customers, or the content  
14 of those communications, unless the out of state subpoena, warrant,  
15 wiretap order, pen register trap and trace order, other legal process,  
16 or request from law enforcement includes the affidavit or  
17 declaration defined in subdivision (d). A corporation subject to  
18 this subdivision is entitled to rely on the representations made in  
19 the affidavit or declaration.

20 (g) (1) The Attorney General may commence a civil action  
21 against a person or entity that submits a false affidavit in violation  
22 of subdivision (d). Any action brought by the Attorney General  
23 pursuant to this section shall be commenced within six years of  
24 the date on which the Attorney General received notice of the  
25 subpoena, warrant, wiretap order, pen register trap and trace order,  
26 legal process, or request from any law enforcement agent or entity  
27 that the false affidavit accompanied.

28 (2) A person or entity that submits a false affidavit in violation  
29 of subdivision (d) shall be punished by a civil penalty of fifteen  
30 thousand dollars (\$15,000). This shall be in addition to any other  
31 penalties or remedies provided by law.

32 SEC. 12. The provisions of this act are severable. If any  
33 provision of this act or its application is held invalid, that invalidity  
34 shall not affect other provisions or applications that can be given  
35 effect without the invalid provision or application.

36 SEC. 13. The Legislature finds and declares that this act  
37 imposes a limitation on the public's right of access to the meetings  
38 of public bodies or the writings of public officials and agencies  
39 within the meaning of Section 3 of Article I of the California  
40 Constitution. Pursuant to that constitutional provision, the

1 Legislature makes the following findings to demonstrate the interest  
2 protected by this limitation and the need for protecting that interest:

3 Individuals, including, but not limited to, health care providers,  
4 employees, volunteers, patients, and their loved ones have become  
5 increasingly subjected to violent threats, harassment, and  
6 intimidation for simply accessing, providing, and assisting with  
7 legally protected health care activities, as defined in Section  
8 1798.300 of the Civil Code. In order to prevent acts of violence  
9 from being committed against those individuals, it is necessary  
10 for the Legislature to ensure that the home addresses of these  
11 individuals are kept confidential.

12 SEC. 14. No reimbursement is required by this act pursuant to  
13 Section 6 of Article XIII B of the California Constitution for certain  
14 costs that may be incurred by a local agency or school district  
15 because, in that regard, this act creates a new crime or infraction,  
16 eliminates a crime or infraction, or changes the penalty for a crime  
17 or infraction, within the meaning of Section 17556 of the  
18 Government Code, or changes the definition of a crime within the  
19 meaning of Section 6 of Article XIII B of the California  
20 Constitution.

21 However, if the Commission on State Mandates determines that  
22 this act contains other costs mandated by the state, reimbursement  
23 to local agencies and school districts for those costs shall be made  
24 pursuant to Part 7 (commencing with Section 17500) of Division  
25 4 of Title 2 of the Government Code.