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**AB-1356 Reproductive health care services.** (2021-2022)

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**Assembly Bill No. 1356**

**CHAPTER 191**

An act to amend Sections 6218, 6218.01, and 6218.05 of the Government Code, and to amend Sections 423.1, 423.2, 423.3, 13776, 13777, 13777.2, and 13778 of, and to add Section 13778.1 to, the Penal Code, relating to reproductive health care services.

[ Approved by Governor September 22, 2021. Filed with Secretary of State September 22, 2021. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1356, Bauer-Kahan. Reproductive health care services.

(1) Existing law prohibits a person, business, or association from knowingly publicly posting or displaying on the internet the home address or home telephone number of a provider, employee, volunteer, or patient of a reproductive health care services facility, or of persons residing at the same home address as a provider, employee, volunteer, or patient of a reproductive health care services facility, 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, if the 3rd person is likely to commit this harm, or to threaten the person identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for the person's or coresident's personal safety. Existing law establishes a cause of action for damages and declaratory relief for violations.

This bill would instead prohibit a person, business, or association from knowingly publicly posting, displaying, disclosing, or distributing the personal information, as defined, or image, of a reproductive health services patient, provider, or assistant, as defined, without that person's consent and with the above-specified intent.

Existing law makes it a misdemeanor, punishable by up to 6 months in a county jail, a fine of not more than \$2,500, or both that fine and imprisonment, to post the home address, telephone number, or personally identifying information about a provider, employee, volunteer, or patient of a reproductive health service facility or other individuals residing at the same home address with the intent that another person imminently use that information to commit a crime involving violence or a threat of violence against that person or entity. If the violation leads to bodily injury of the person, existing law makes it a misdemeanor punishable by up to one year in a county jail, a fine of up to \$5,000, or both that fine and imprisonment.

This bill would make it a crime to post personal information or an image of a provider, employee, volunteer, or patient and would increase the penalty to either imprisonment in a county jail for either one year, a fine of up to \$10,000, or both that fine and imprisonment, and would increase the penalty for a violation resulting in bodily injury to \$50,000. By increasing the penalty for a crime, this bill would impose a state-mandated local program.

(2) Existing law, the California Freedom of Access to Clinic and Church Entrances Act (the Act), prohibits specified actions that, by force, threat of force, or physical obstruction, impede access to reproductive health services facilities, as defined.

This bill would also make it a crime, within 100 feet of the entrance to or within a reproductive health services facility, to intentionally videotape, film, photograph, or record by electronic means a reproductive health services patient, provider, or assistant, as defined, with the specific intent to intimidate a person from becoming or remaining a reproductive health services patient, provider, or assistant. The bill would also make it a crime to intentionally disclose or distribute material obtained in violation of that provision with the specific intent to intimidate a person from becoming or remaining a reproductive health services patient, provider, or assistant. The bill would exempt specified persons, including news reporters, from these provisions, as specified. By creating new crimes, this bill would impose a state-mandated local program.

Existing law specifies the penalties for violation of the Act, including imprisonment as a misdemeanor and specified fines.

This bill would increase the penalties for the existing crimes, as specified, and would establish the same penalties for the newly added crimes described. By increasing the penalty for a crime, this bill would impose a state-mandated local program.

(3) Existing law, the Reproductive Rights Law Enforcement Act, requires the Attorney General to carry out certain functions relating to anti-reproductive-rights crimes in consultation with, among others, subject matter experts, and requires the Commission on the Status of Women and Girls to convene an advisory committee that consists of members of the organizations identified as subject matter experts. Existing law requires the advisory committee to make 2 reports to specified legislative entities, the Commission on Peace Officer Standards and Training (POST), and the Commission on the Status of Women and Girls, the first by December 31, 2007, and the 2nd by December 31, 2011, to evaluate the implementation of the act and making recommendations.

This bill would require local law enforcement agencies to report, in a manner prescribed by the Attorney General, the number of anti-reproductive-rights crime-related calls for assistance, the total number of arrests for anti-reproductive-rights crimes, and the total number of cases in which the district attorney charged an individual, as specified. The bill requires the Attorney General, beginning January 1, 2023, to annually report this information to the Legislature. This bill would require the advisory committee to make 2 additional reports, the first by December 31, 2025, and the 2nd by December 31, 2029, for the same purposes.

Existing law requires POST to develop a 2-hour telecourse on anti-reproductive-rights crimes and make the telecourse available to all California law enforcement agencies and to the advisory committee.

This bill would instead require the commission to develop an interactive training course on anti-reproductive-rights crimes and, subject to an appropriation in the annual Budget Act or other statute, update the course every 7 years, or on a more frequent basis as specified. This bill would also require all law enforcement agencies to develop, adopt, and implement written policies and standards for responding to anti-reproductive-rights calls by January 1, 2023. By requiring local law enforcement to develop and implement these policies, this bill would impose a state-mandated local program.

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 Local Program: yes

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** The Legislature finds and declares all of the following:

(a) Both the California Constitution and the Health and Safety Code guarantee the right to privacy that includes a person's right to access abortion.

(b) The Legislature enacted three measures in the early 2000s to protect reproductive health care access, providers, patients, and volunteers from threats and violence, titled the California Freedom of Access to Clinic and Church Entrances Act (California FACE Act) (Title 11.7 (commencing with Section 423) of Part 1 of the Penal Code), Address Confidentiality for Reproductive Health Care Service Providers, Employees, Volunteers, and Patients through the Safe at Home Program (Chapter 3.2 (commencing with Section 6215) of Division 7 of Title 1 of the Government Code), and Online Privacy for Reproductive Health Services Providers, Employees, Volunteers, and Patients (Chapter 3.25 (commencing with Section 6218) of Division 7 of Title 1 of the Government Code).

(c) Acts of violence and harassment against abortion providers have persisted in the decades since *Roe v. Wade* and reproductive health centers are seeing an increase in threats and security incidents, as existing laws have not sufficiently

deterred anti-abortion extremists. In a January 2020 report, the Federal Bureau of Investigation noted a 40 percent increase in federal FACE Act investigations since August 2019 as well as increased reports of trespassing, obstruction, and threats of harm at reproductive health centers. The report further indicates that those motivated by pro-life extremist beliefs perpetrate the most lethal attacks and have committed most nonviolent criminal violations, including intimidation of providers and patients.

(d) Laws protecting reproductive health care providers and patients from online harassment and threats have not kept up with the rapid and exponential expansion of information sharing online and through social media and do not reflect the ease with which personal information can be widely circulated. In 2019 alone, abortion providers reported over 22,000 instances of internet harassment.

(e) While much of the violence and harassment outside of reproductive health centers is focused on those seeking and providing abortion services, these health centers provide a wide range of essential health care services, including contraceptive care, testing and treatment of sexually transmitted infections, cancer screenings, gender-affirming care, and primary care. Patients are more likely to forego a wide range of essential health care services when faced with harassment and threats of harm as they approach reproductive health centers.

(f) Reproductive health centers play a critical role in promoting public health throughout the state. These health centers often serve patients who are low income, enrolled in a public insurance program, or are uninsured. For many patients who struggle to access care due to geographic, economic, and other social barriers, reproductive health centers and clinics serve as their primary connection to the health care system.

(g) It is the intent of the Legislature to ensure that people who need access to family planning and other sexual and reproductive health care services can do so confidentially and in a timely manner without harassment, threats, or fear of bodily harm.

(h) (1) It is the intent of the Legislature that state and local law enforcement agencies and officers charged with enforcing Title 11.7 (commencing with Section 423) of Part 1 of the Penal Code and Chapter 3.25 (commencing with Section 6218) of Division 7 of Title 1 of the Government Code prosecute violations of these laws within their jurisdiction and that policies developed pursuant to Section 13778.1 of the Penal Code be consistent with this intent.

(2) It is the intent of the Legislature that the Commission on Peace Officer Standards and Training, pursuant to Section 13778 of the Penal Code and in cooperation with the Department of Justice and other subject matter experts, provide for regular, periodic, continuing professional training of peace officers throughout California.

(i) It is the intent of the Legislature that nothing in this act infringes on, and no person will be prosecuted pursuant to this act solely because of, political or religious beliefs, any lawful actions, or the exercise of constitutionally protected rights of free speech or freedom of religion.

**SEC. 2.** Section 6218 of the Government Code is amended to read:

**6218.** (a) (1) A person, business, or association shall not knowingly publicly post or publicly display, disclose, or distribute on internet websites or 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 do either of the following:

(A) Incite a third person to cause imminent great bodily harm to the reproductive health care services patient, provider, or assistant identified in the posting or display, or to a coresident of that person, where the third person is likely to commit this harm.

(B) Threaten the reproductive health care services patient, provider, or assistant, identified in the posting or display, or a coresident of that person, in a manner that places the person identified or the coresident in objectively reasonable fear for their personal safety.

(2) A reproductive health care services patient, provider, or assistant whose personal information or image is made public as a result of a violation of paragraph (1), or any individual entity or organization authorized to act on their behalf, may do either or both of the following:

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

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

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

(2) A reproductive health care services patient, provider, or assistant whose personal information or image is made public as a result of a failure to honor a demand made pursuant to paragraph (1), or any individual, entity, or organization authorized to act on their behalf, may bring an action seeking injunctive or declarative relief in any court of competent jurisdiction. If a jury or court finds that a violation has occurred, it may grant injunctive or declarative relief and shall award the successful plaintiff court costs and reasonable attorney's fees.

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

(c) (1) A person, business, or association shall not solicit, sell, or trade on the internet or social media the personal information or image of a reproductive health care services patient, provider, or assistant with the intent to do either of the following:

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

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

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

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

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

**SEC. 3.** Section 6218.01 of the Government Code is amended 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 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.

(2) A violation of this subdivision is a misdemeanor punishable by a fine of up to ten thousand dollars (\$10,000) per violation, imprisonment up to one year in a county jail, or by both that fine and imprisonment.

(3) A violation of this subdivision that leads to the bodily injury of a reproductive health care services patient, provider, or assistant, or other individuals residing at the same home address, is a misdemeanor punishable by a fine of up to fifty thousand dollars (\$50,000), imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

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

**SEC. 4.** Section 6218.05 of the Government Code is amended to read:

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

(a) "Reproductive health care services" means health care services relating to the termination of a pregnancy in a reproductive health care services facility.

(b) "Reproductive health care services patient, provider, or assistant" means a person or entity, including, but not limited to, employees, staff, volunteers, and third-party vendors, that is or was involved in obtaining, seeking to obtain, providing, seeking to

provide, or assisting or seeking to assist another person, at that person's request, to obtain or provide any services in a reproductive health care services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate a reproductive health care services facility.

(c) "Reproductive health care services facility" includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health care services and includes the building or structure in which the facility is located.

(d) "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.

(e) "Image" includes, but is not limited to, a photograph, video footage, sketch, or computer-generated image that provides a means to visually identify the person depicted.

(f) "Personal information" means information that identifies, relates to, describes, or is capable of being associated with a reproductive health care services patient, provider, or assistant, including, but not limited to, their name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, license plate number, employment, employment history, and financial information.

(g) "Social media" means an electronic service or account, or electronic content, including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations.

**SEC. 5.** Section 423.1 of the Penal Code is amended to read:

**423.1.** The following definitions apply for the purposes of this title:

(a) "Crime of violence" means an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another.

(b) "Interfere with" means to restrict a person's freedom of movement.

(c) "Intimidate" means to place a person in reasonable apprehension of bodily harm to themselves or to another.

(d) "Nonviolent" means conduct that would not constitute a crime of violence.

(e) "Physical obstruction" means rendering ingress to or egress from a reproductive health services facility or to or from a place of religious worship impassable to another person, or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.

(f) "Reproductive health services" means reproductive health services provided in a hospital, clinic, physician's office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.

(g) "Reproductive health services patient, provider, or assistant" means a person or entity, including, but not limited to, employees, staff, volunteers, and third-party vendors, that is or was involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that other person's request, to obtain or provide services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.

(h) "Reproductive health services facility" includes a hospital, clinic, physician's office, or other facility that provides or seeks to provide reproductive health services and includes the building or structure in which the facility is located.

**SEC. 6.** Section 423.2 of the Penal Code is amended to read:

**423.2.** Every person who, except a parent or guardian acting towards their minor child or ward, commits any of the following acts shall be subject to the punishment specified in Section 423.3.

(a) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services patient, provider, or assistant, or in order to intimidate a person or entity, or a class of persons or entities, or from becoming or remaining a reproductive health services patient, provider, or assistant.

(b) By force, threat of force, or physical obstruction that is a crime of violence, intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with a person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship.

(c) By nonviolent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services patient, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services patient, provider, or assistant.

(d) By nonviolent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, a person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship.

(e) Intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services patient, provider, assistant, or facility.

(f) Intentionally damages or destroys the property of a place of religious worship.

(g) Within 100 feet of the entrance to, or within, a reproductive health services facility, intentionally videotapes, films, photographs, or records by electronic means, a reproductive health services patient, provider, or assistant without that person's consent with specific intent to intimidate the person from becoming or remaining a reproductive health services patient, provider, or assistant, and thereby causes the person to be intimidated.

(h) In any manner or forum, including, but not limited to, internet websites and social media, intentionally discloses or distributes a videotape, film, photograph, or recording knowing it was obtained in violation of subdivision (g) with the specific intent to intimidate the person from becoming or remaining a reproductive health services patient, provider, or assistant, and thereby causes the person to be intimidated. For purposes of this subdivision, "social media" means an electronic service or account, or electronic content, including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations.

(i) Subdivisions (g) and (h) do not apply to a person described in subdivision (b) of Section 2 of Article I of the California Constitution.

**SEC. 7.** Section 423.3 of the Penal Code is amended to read:

**423.3.** (a) A first violation of subdivision (c), (d), (g), or (h) of Section 423.2 is a misdemeanor, punishable by imprisonment in a county jail for a period of not more than one year, or a fine not to exceed ten thousand dollars (\$10,000), or both that fine and imprisonment.

(b) A second or subsequent violation of subdivision (c), (d), (g), or (h) of Section 423.2 is a misdemeanor, punishable by imprisonment in a county jail for a period of not more than one year, or a fine not to exceed twenty-five thousand dollars (\$25,000), or by both that fine and imprisonment.

(c) A first violation of subdivision (e) or (f) of Section 423.2 is a misdemeanor, punishable by imprisonment in a county jail for a period of not more than one year, or a fine not to exceed twenty-five thousand dollars (\$25,000), or by both that fine and imprisonment.

(d) A first violation of subdivision (a) or (b) of Section 432.2 is a misdemeanor, punishable by imprisonment in a county jail for a period of not more than one year, or a fine not to exceed twenty-five thousand dollars (\$25,000), or by both that fine and imprisonment.

(e) A second or subsequent violation of subdivision (a), (b), (e), or (f) of Section 423.2 is a misdemeanor, punishable by imprisonment in a county jail for a period of not more than one year, or a fine not to exceed fifty thousand dollars (\$50,000), or by both that fine and imprisonment.

(f) In imposing fines pursuant to this section, the court shall consider applicable factors in aggravation and mitigation set out in Rules 4.421 and 4.423 of the California Rules of Court, and shall consider a prior violation of the federal Freedom of Access to Clinic Entrances Act of 1994 (18 U.S.C. Sec. 248), or a prior violation of a statute of another jurisdiction that would constitute a violation of Section 423.2 or of the federal Freedom of Access to Clinic Entrances Act of 1994, to be a prior violation of Section 423.2.

(g) This title establishes concurrent state jurisdiction over conduct that is also prohibited by the federal Freedom of Access to Clinic Entrances Act of 1994 (18 U.S.C. Sec. 248), which provides for misdemeanor penalties for first violations and felony-misdemeanor penalties for second and subsequent violations. State law enforcement agencies and prosecutors shall cooperate with federal authorities in the prevention, apprehension, and prosecution of these crimes, and shall seek federal prosecutions when appropriate.

(h) No person shall be convicted under this article for conduct in violation of Section 423.2 that was done on a particular occasion where the identical conduct on that occasion was the basis for a conviction of that person under the federal Freedom of Access to Clinic Entrances Act of 1994 (18 U.S.C. Sec. 248).

**SEC. 8.** Section 13776 of the Penal Code is amended to read:

**13776.** The following definitions apply for the purposes of this title:

(a) "Anti-reproductive-rights crime" means a crime committed partly or wholly because the victim is a reproductive health services patient, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity, or a class of persons or entities from becoming or remaining a reproductive health services patient, provider, or assistant. "Anti-reproductive-rights crime" includes, but is not limited to, a violation of subdivision (a), (c), (g), or (h) of Section 423.2.

(b) "Subject matter experts" includes, but is not limited to, the Commission on the Status of Women and Girls, law enforcement agencies experienced with anti-reproductive-rights crimes, including the Attorney General and the Department of Justice, and organizations such as the American Civil Liberties Union, the American College of Obstetricians and Gynecologists, the American Academy of Family Physicians, the California Council of Churches, the California Medical Association, the Feminist Majority Foundation, NARAL Pro-Choice California, the National Abortion Federation, the California National Organization for Women, the Planned Parenthood Federation of America, Planned Parenthood Affiliates of California, and the Women's Health Specialists clinic that represent reproductive health services clients, providers, and assistants.

(c) "Crime of violence," "nonviolent," "reproductive health services," "reproductive health services patient, provider, or assistant," and "reproductive health services facility" each has the same meaning as set forth in Section 423.1.

**SEC. 9.** Section 13777 of the Penal Code is amended to read:

**13777.** (a) Except as provided in subdivision (d), the Attorney General shall do each of the following:

(1) Collect information relating to anti-reproductive-rights crimes, including, but not limited to, the threatened commission of these crimes and persons suspected of committing these crimes or making these threats.

(2) Direct local law enforcement agencies to provide to the Department of Justice, in a manner that the Attorney General prescribes, all of the following on an annual basis:

(A) The total number of anti-reproductive-rights crime-related calls for assistance made to the department:

(B) The total number of arrests for anti-reproductive-rights crimes, reported by which subdivision of Section 423.2 is the basis for the arrest. The report of each crime that violates any other law shall note the code, section, and subdivision that prohibits the crime. The report of any crime that violates both Section 423.2 and any other law shall note both the subdivision of Section 423.2 and the other code, section, and subdivision that prohibits the crime.

(C) The total number of cases in which the district attorney charged an individual with a crime that violates Section 423.2, including the subdivision that prohibits the crime.

(3) Beginning January 1, 2023, report to the Legislature on an annual basis the information collected pursuant to paragraph (2).

(4) Develop a plan to prevent, apprehend, prosecute, and report anti-reproductive-rights crimes, and to carry out the legislative intent expressed in subdivisions (c), (d), (e), and (f) of Section 1 of the act that enacts this title in the 2001–02 Regular Session of the Legislature.

(b) In carrying out their responsibilities under this section, the Attorney General shall consult the Governor, the Commission on Peace Officer Standards and Training, and other subject matter experts.

**SEC. 10.** Section 13777.2 of the Penal Code is amended to read:

**13777.2.** (a) The Commission on the Status of Women and Girls shall convene an advisory committee consisting of one person appointed by the Attorney General and one person appointed by each of the organizations named in subdivision (b) of Section 13776 that chooses to appoint a member, and any other subject matter experts the commission appoints. The advisory committee shall elect its chair and any other officers of its choice.

(b) The advisory committee shall make two reports, the first by December 31, 2025, and the second by December 31, 2029, to the Committees on Health, Judiciary, and Public Safety of the Senate and Assembly, to the Attorney General, the Commission on Peace Officer Standards and Training, and the Commission on the Status of Women and Girls. The reports shall evaluate the implementation of Chapter 899 of the Statutes of 2001 and any subsequent amendments made to this title and the effectiveness

of the plan developed by the Attorney General pursuant to paragraph (4) of subdivision (a) of Section 13777. The reports shall also include recommendations regarding any other legislation, and recommendations for any other actions by the Attorney General, Commission on Peace Officer Standards and Training, or the Commission on the Status of Women and Girls.

(c) The Commission on the Status of Women and Girls shall transmit the reports of the advisory committee to the appropriate committees of the Legislature, including, but not limited to, the Committees on Health, Judiciary, and Public Safety in the Senate and Assembly, and make the reports available to the public, including by posting them on the Commission on the Status of Women and Girls' internet website. To avoid production and distribution costs, the Commission on the Status of Women and Girls may submit the reports electronically or as part of any other report that the Commission on the Status of Women and Girls submits to the Legislature.

(d) The Commission on Peace Officer Standards and Training shall make the most updated version of the telecourse that it produced in 2002 pursuant to subdivision (a) of Section 13778 available to the advisory committee. However, before providing the updated telecourse to the advisory committee or otherwise making it public, the commission shall remove the name and face of any person who appears in the telecourse as originally produced who informs the commission in writing that the person has a reasonable apprehension that making the telecourse public without the removal will endanger the person's life or physical safety.

(e) This section does not require a state agency to pay for compensation, travel, or other expenses of any advisory committee member.

**SEC. 11.** Section 13778 of the Penal Code is amended to read:

**13778.** (a) The Commission on Peace Officer Standards and Training, utilizing available resources, shall develop and, subject to an appropriation of funds for this purpose in the annual Budget Act or other statute, update every seven years, or on a more frequent basis if deemed necessary by either the Commission on the Status of Women and Girls or the Attorney General, an interactive training course on anti-reproductive-rights crimes and make the telecourse available to all California law enforcement agencies through an online portal or platform.

(b) Persons and organizations, including, but not limited to, subject-matter experts, may make application to the commission, as outlined in Article 3 (commencing with Section 1051) of Division 2 of Title 11 of the California Code of Regulations, for certification of a course designed to train law enforcement officers to carry out the legislative intent expressed in paragraph (1) of subdivision (d) of Section 1 of the act that enacts this title in the 2001–02 Regular Session.

(c) In developing the telecourse required by subdivision (a), and in considering any applications pursuant to subdivision (b), the commission, utilizing available resources, shall consult the Attorney General and other subject matter experts, except where a subject matter expert has submitted, or has an interest in, an application pursuant to subdivision (b).

(d) In addition to producing and making available the telecourse described in subdivision (a), the commission shall distribute, as necessary, training bulletins, via the internet, to law enforcement agencies participating in training offered pursuant to this section.

**SEC. 12.** Section 13778.1 is added to the Penal Code, to read:

**13778.1.** Every law enforcement agency in this state shall develop, adopt, and implement written policies and standards for officers' responses to anti-reproductive-rights calls by January 1, 2023.

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

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