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AB-277 Behavioral health centers, facilities, and programs: background checks. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 22, 2025

AMENDED IN ASSEMBLY FEBRUARY 20, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 277

Introduced by Assembly Member Alanis

January 21, 2025

An act to add Chapter 2.10 (commencing with Section 18980) to Division 8 of the Business and Professions Code, relating to behavioral health centers, facilities, and programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 277, as amended, Alanis. Behavioral health centers, facilities, and programs: background checks.

Existing law generally provides requirements for the licensing of business establishments. Existing law requires a business that provides services to minors, as defined, to provide written notice to the parent or guardian of a minor participating in the service offered by the business regarding the business' policies relating to criminal background checks for employees, as specified.

Existing law requires the Department of Justice to maintain state summary criminal history information, as defined, and to furnish this information as required by statute to specified entities, including a human resource agency or an employer. Under existing law, the disclosure of state summary criminal history information to an unauthorized person is a crime.

This bill would require a person who provides behavioral health treatment for a behavioral health center, facility, or program to undergo a background check, as specified. By expanding the scope of the crime of unlawful disclosure of state summary criminal history information, 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 no reimbursement is required by this act for a specified reason.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Chapter 2.10 (commencing with Section 18980) is added to Division 8 of the Business and Professions Code, to read:

CHAPTER 2.10. Behavioral Health Centers, Facilities, and Programs

18980. (a) A person who provides behavioral health treatment, as defined in paragraph (1) of subdivision (c) of Section 1374.73 of the Health and Safety Code, for a behavioral health center, facility, or program shall undergo a background check pursuant to Section 11105.3 of the Penal Code to identify and exclude a person who has been convicted of a crime involving a minor.

(b) This section does not apply to a person who holds a current and valid license issued by a California state licensing board, if the licensure process includes a fingerprint-based background check and the license is in good standing.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because 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.