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AB-1269 County and city jails: incarcerated person contacts. (2025-2026)

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Assembly Bill No. 1269

CHAPTER 726

An act to add Section 4032.5 to the Penal Code, relating to county and city jails, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 13, 2025. Filed with Secretary of State October 13, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1269, Bryan. County and city jails: incarcerated person contacts.

Existing law requires every person incarcerated in a state prison to be asked to provide contact information for specific circumstances, including for medical release of information and next of kin authorizing control over body and possessions in case of death. Existing law requires the Department of Corrections and Rehabilitation to notify all persons covered by the medical release of information within 24 hours of a person incarcerated in a state prison being hospitalized for a serious or critical medical condition, as defined. Existing law requires the department to notify all persons covered by the medical release of information and next of kin within 24 hours of the death of a person incarcerated in state prison.

Existing law provides that a county jail is kept by the sheriff of the county in which the jail is situated and is to be used for specified purposes, including for the confinement of persons sentenced to imprisonment in a county jail upon a criminal conviction.

This bill, Wakiesha's Law, would require the county or city jail to notify all people covered by the medical release of information and next of kin forms within 24 hours of the death of a person incarcerated in the county or city jail. By imposing new duties on county and city jails, this bill would create 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 4032.5 is added to the Penal Code, to read:

4032.5. (a) This section shall be known, and may be cited, as Wakiesha's Law.

(b) If an incarcerated person has died, the county or city jail shall notify all people covered by the current medical release of information form and the next of kin form within 24 hours.

SEC. 2. If the Commission on State Mandates determines that this act contains 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.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In light of ongoing in-custody deaths and public concern regarding lack of timely communication, to ensure that the family members and loved ones of a person who dies while in custody are notified of the death without delay, it is necessary that this act take effect immediately.